

REGULATORY UPDATE FOR NURSERY GROWERS

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As nurserymen, plant propagators, researchers, and horticulturists, I would like each of you to ponder a few questions. What would your business be like without rooting compounds such as indolebutyric acid (IBA)? Which plants would you have difficulty propagating? How would this affect your customers and, ultimately, the diversity of plants in our homes and landscapes?

What about the spread of destructive exotic pests, such as the imported fire ant, and the resulting quarantines on movement of nursery stock? Would the absence of safe, effective quarantine controls for the fire ant prevent you from shipping your products to many regional or national markets? Or would good-intentioned but poorly thought out safety or environmental protection measures render your business unprofitable?

Following is a summary of the current status of IBA registration and the imported fire ant quarantine, two major issues confronting southern nursery growers, and some suggestions on how we as an industry can adapt to increasing regulation affecting our ability to do business.

Since about June 1989, IBA and formulated IBA products have been making their way through the U.S. Environmental Protection Agency's registration and reregistration process. The basic purpose of pesticide registration, and now reregistration, as required by 1988 amendments to the Federal Insecticide, Fungicide, and Rodenticide Act, is to ensure that EPA has adequate data to weight the health, safety, and environmental risks of chemicals.

Interestingly, the technical-grade IBA had never been registered through EPA. The concern over IBA's continued availability started about May 1989, when EPA placed a stop-sale on technical grade IBA pending its registration. Cost estimates for the required studies for registration and reregistration of IBA and IBA products were around \$500,000. Though IBA is critically important to propagators, it is used in very small amounts, so we feared that the manufacturer of IBA might not have the economic incentive to register technical grade IBA and keep it available to the nursery industry.

Fortunately, in late 1989, EPA agreed to waive several studies in response to pressure from nursery associations, many concerned individuals, and the product manufacturer and formulators. For

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example, AAN staff communicated with EPA policy makers on IBA's importance and the way it is used. We also worked to encourage discussion among the companies that formulate IBA products.

As of now the news is good. On October 26, 1989, Debby Halliday of D. Halliday & Company, the U.S. representative of Syntex Co., manufacturers of technical-grade IBA, told me that D. Halliday & Co. had just received a conditional registration for IBA. As we spoke, IBA was already beginning to flow again to the product formulators. There should be no shortage of IBA, and you will still be able to get it from the same sources. The technical-grade IBA, however, will not be directly available to end-users, such as nurserymen. Cost of IBA formulations is not expected to change significantly.

A few additional points on IBA. First, if you would like a particular IBA formulation or product but cannot find it in your area, D. Halliday & Co. wants to know. They can be reached in California at (619) 728-2893.

Also, the IBA produced by Syntex is apparently 97 to 100 percent pure. If others begin producing IBA with a higher percentage of inert ingredients or contaminants, products could be cheaper, though not necessarily of the same quality. In other words, let the buyer beware. If someone offers you a deal that appears too good to be true, it probably is.

AAN will continue to be vigilant, and will continue to support the availability of IBA.

The imported fire ant, that pesky, destructive insect from South America, has also been in the news lately. Unfortunately, the ant continues to spread while we search for new ways to control it. Currently, the imported fire ant is found in much of the U.S. Southeast—from Florida, west through much of Texas, and north to extreme southeast Virginia. As its range increases, the ant seems to be adapting to drier, and perhaps colder, conditions. Clearly, it would survive in major agricultural states like California. Like many other pests, those of you who have it don't like it, but you learn to live with it. But those who don't have it don't want it, and often they favor the strictest possible measures to see that they don't get it. So, quarantines become controversial, emotionally-charged issues.

Since about 1979, chlordane has not been labeled for nursery uses. Granular chlorpyrifos, or Dursban[®], incorporated into growing media, has since been the approved fire-ant treatment for container nursery stock.

During 1989 USDA's Animal and Plant Health Inspection Service, or APHIS, announced that their investigations showed the Dursban[®] treatment was not giving reliable control beyond as little

as 90 days, and would, therefore, be suspended as a treatment for nursery-stock certification. This would have left no treatment option for you who are located in the fire-ant zone and ship container plants outside the quarantine area. AAN and others fought this emergency measure hard, arguing successfully that suspending this treatment in the absence of others would seriously harm the Southeast's nursery industry. Instead, the fire ant technical work group, which includes researchers, regulatory personnel, and industry representatives, met to search for a better solution.

In July 1990, APHIS announced revisions to the fire-ant certification program for container plants. It retains the Dursban® treatment, with the addition of two treatments annually with Logic® or Amdro® bait, spot control of persisting mounds, and regular inspections. These revisions did not come smoothly, though. Some 11th-hour proposals would have required perimeter fencing of nurseries, burdensome requirements to notify those living nearby of pesticide applications, and *annual repotting* of container stock using freshly-treated media. Closely cooperating with the Southern Nurserymen's Association and several state nursery associations, AAN mounted a successful effort to have these unrealistic provisions deleted. In early July, our members received a regulatory alert announcing the quarantine changes. Many of our members learned of the quarantine changes even before the regulatory officials responsible for implementing them!

The IBA and imported fire-ant issues are two examples of regulatory threats to the survival and success of your business. I hope I have brought some good news for you on their status. There are two further conclusions I would like to draw. First, your national, regional, and state nursery associations, working cooperatively, can have a positive impact on laws and regulations affecting your business on the national and state level. There is strength in numbers; we need your support. Second, your individual input can make a difference. Many of you responded when asked to write letters supporting IBA. Those letters made a difference with EPA. Your support on these issues, when requested, is critical.

Supporting your Associations and taking personal action to support AAN efforts will be two effective strategies to help your business survive in the '90s.