



State of Hawaii
DEPARTMENT OF AGRICULTURE
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TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
THURSDAY, MARCH 20, 2014
9:35 A.M.
AUDITORIUM

HOUSE CONCURRENT RESOLUTION 54 REQUESTING THE DEPARTMENT OF
AGRICULTURE TO EXTEND THE USE OF OVOCONTROL TO FERAL CHICKENS

Chairperson Wooley and Members of the Committee:

Thank you for the opportunity to testify on House Concurrent Resolution No. 54. This resolution requests the Hawaii Department of Agriculture (HDOA) to extend the use of OvoControl to feral chickens in Hawaii. Ovocontrol is oral contraceptive bait that is a general use pesticide approved for controlling large pigeon populations. The resolution asks that the HDOA accomplish this request by filing a special local needs registration with the United States Environmental Protection Agency (EPA). The HDOA has concerns with this resolution, as it believes other methods to control feral chicken populations should be considered before use of OvoControl, in view of the potential impact on non-target species and a lack of data on possible human health consequences of such a choice.

There are other methods for controlling feral chickens that do not require the use of chemicals, and HDOA encourages the consideration of these alternative population control methods, such as trapping or shooting. It is known that feral chickens are consumed locally, and there is no data on the safety of human consumption on treated feral chickens or eggs with OvoControl in their system. Whether the OvoControl manufacturer applied to EPA to register OvoControl for use on feral chickens or whether HDOA applied to do so through a special local needs registration, studies would need to



be conducted to determine whether or not it is safe to consume OvoControl treated feral chickens or eggs.

As a part of a special local needs registration, HDOA would need to gather data on feral chickens and OvoControl, including proper dosage of OvoControl for feral chickens, efficacy of OvoControl on feral chickens, optimal size of pellets to feed feral chickens, and optimal type of pellet feeders to induce feral chicken feeding and avoid non-target species feeding, to the extent possible. Such data collection would be manpower intensive, would be estimated to take over a year to conduct, and given the strains on its limited staffing, HDOA would need to request an appropriation for the data collection.

HDOA would also need to file a Section 7 request with the U.S. Fish and Wildlife Service to determine whether use in the sites listed on the label would result in any unreasonable effects on threatened or endangered species. For example, an area where feral chickens are frequently a problem, especially on Kauai, is golf courses. Nene also inhabit golf courses on Kauai, so there seems to be a risk of exposure to an endangered species if OvoControl is used on or near golf courses and other areas where Nene are found.

HDOA notes that, ordinarily, it is the pesticide manufacturer/registrant who applies to EPA to register a new use for an already approved pesticide product and who develops the necessary data to support the new use, as the manufacturer/registrant stands to profit if increased sales result from the new use. As discussed above, as a part of a special local need registration, an applicant, which could be the State or an individual farmer, must test a registered pesticide on a crop or pest not listed on the pesticide label in order to develop data to support EPA registration for the new use. This procedure has been particularly useful when trying to control newly introduced and damaging agricultural or environmental pests or trying to find a pesticide appropriate for minor crops of local importance to Hawaii. In view of this background, having the State initiate a special local need registration does not seem to be an appropriate way to extend OvoControl use to feral chickens in Hawaii.

Finally, HDOA has already encountered non-compliance related to the currently approved use of OvoControl. HDOA has encountered OvoControl users who fail to properly comply with the label restrictions that limit use to pigeons and HDOA is concerned that extending use of OvoControl for feral chickens would lead to further non-compliance, with unknown effects for non-target species.

Thank you, again, for the opportunity to testify on this measure.



**THE HUMANE SOCIETY
OF THE UNITED STATES**

To: Honorable Chair Wooley and Committee Members
House Agriculture Committee, 935am, Room 312

March 20, 2014

From: Inga Gibson, Hawaii State Director, The Humane Society of the United States, PO Box 89131, Honolulu, HI 96830, igibson@humanesociety.org

RE: SUPPORT WITH AMENDMENTS FOR HCR 54/HR 36: REQUESTING THE DEPARTMENT OF AGRICULTURE TO EXTEND THE USE OF OVOCONTROL TO FERAL CHICKENS.

On behalf of The Humane Society of the United States' members and supporters across Hawaii we strongly support this Resolution and ask for your consideration of the following amendments.

- Amend Page 2, line 15: BE IT RESOLVED by the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2014, the Senate concurring, **that the legislature supports the use of OvoControl as a tool in reducing introduced bird populations**, and that the Department of Agriculture is requested to extend the use of OvoControl to feral chickens **and other introduced avian species**; and
- Amend Page 2, line 21: BE IT FURTHER RESOLVED that the Department of Agriculture is urged to file a Special Local Needs or Section 24(c) registration with the United States Environmental Protection Agency to allow the use of OvoControl for feral chickens, **and as necessary, other introduced avian species**, within the State of Hawaii;

For more information on this most humane, effective and environmentally safe product, already in use in Hawaii but currently only labeled for use in pigeons, please see the following:

- Ovocontrol [FAQ's](#)
- OvoControl's successful use at [Waikiki's International Marketplace](#)
- EPA's [non-restricted use](#) classification of OvoControl and Innolytics [Corporate Progress Award](#)

Thank you for the opportunity to testify and to provide the above-suggested amendments.



Hawaiian Humane Society
People for animals. Animals for people.

2700 Waiālae Avenue Honolulu, Hawaii 96826
808.946.2187 • hawaiianhumane.org

March 20, 2014

The Honorable Jessica Wooley, Chair
The Honorable Richard H.K. Onishi, Vice Chair
And Members of the Committee
House Committee on Agriculture
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: In support of HCR 54, Requesting the Department of Agriculture to Extend the Use of Ovocontrol to Feral Chickens

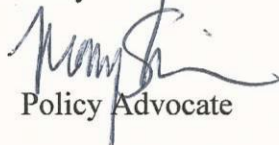
On behalf of the Hawaiian Humane Society, I would like to thank you for accepting our testimony in support of HCR 54.

This resolution proposes that the Department of Agriculture use Ovocontrol on feral chickens as a means of reducing the nuisances posed by these birds. Currently in Hawaii, pest control operators can use Ovocontrol only on pigeons. However, the manufacturer claims the product is extremely effective in preventing the hatching of eggs, thereby reducing populations of other types of birds.

We believe Ovocontrol is a humane method of reducing bird populations. Its use does not threaten other animals or the environment. We applaud and support its use.

Thank you for hearing this resolution. Please pass HCR 54.

Mary Steiner



Policy Advocate

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 20, 2014 2:27 AM
To: AGRtestimony
Cc: katc31999@gmail.com
Subject: *Submitted testimony for HCR54 on Mar 20, 2014 09:35AM*

HCR54

Submitted on: 3/20/2014

Testimony for AGR on Mar 20, 2014 09:35AM in Conference Room Auditorium

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Katarina Culina | Individual | Oppose | No |

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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