

Dickman Farms, Inc.
15829 Mt. Angel-Scotts Mills Hwy. NE
Silverton, OR 97381
March 22, 2013

Oregon House of Representatives
Committee on Energy and Environment
900 Court St. NE
Salem, Oregon 97301

RE: HB 3171

VIA: Email to Committee Administrator Adam Crawford<adam.crawford@state.or.us> (USPS to follow)

Dear Chair Bailey and Members of the Committee,

I am writing today to express my strong opposition to HB 3171, and urge this Committee to NOT send it, or any similar legislation, to the full House. Let me explain why.

I am part of a multi-generational, multi-family farm operating in eastern Marion county and southern Clackamas county, between Mt. Angel and Molalla. We produce vegetables for the processing industry, storage onions, wheat and grass seed, and have been in business since 1929. Pesticides are an important tool for production of these crops. We recognize they are also potentially hazardous to us, our land, our employees, our families, our neighbors, our customers, and the public, if not used with the utmost care. We are very proud of our stewardship record with regard to pesticides.

HB 3171 undermines ORS 634.055 - 634.065, which keeps the regulation of pesticides exclusively under state and federal jurisdiction. It would place an exemption into the statute that is broad enough to render the current law completely ineffective and would repeal the intent of preemption, allowing local governments to enact rules regulating pesticides.

The EPA and ODA have entire divisions devoted to regulating pesticides, and have access to the needed expertise on the issue. Local counties and municipalities are not technically or financially equipped to regulate pesticides. Different restrictions on pesticides in different counties and municipalities will create a regulatory nightmare for us, particularly where we farm in two counties, and near two cities.

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the instructions on a pesticide label constitute the law for that product. EPA and ODA effectively administer these rules, our industry understands these rules, and my customers rely on my compliance with these rules to ensure the safe and wholesome characteristics of the products we grow and sell. Local regulation will only add confusion and misunderstanding.

FIFRA and Oregon's preemption statute have worked well for many years. Please continue to let these agencies do their job, and let Oregon's farmers continue our part in producing food for the world, and employment and economic activity for our state, by rejecting HB 3171. Thank you for your consideration.

Sincerely,

Mark Dickman