



House Committee on Agriculture & Land Use

March 26, 2019

Oregon Farm Bureau OPPOSES House Bill 3058

The Oregon Farm Bureau Federation (“OFB”) is the state’s largest general agriculture association, representing nearly 7,000 families actively engaged in farming and ranching. Oregon growers are engaged in the production of over 225 agricultural products, and in many instances, are dependent on pesticide products regulated by the U.S. Environmental Protection Agency (“EPA”). OFB opposes HB 3058, which would classify neonicotinoid products as restricted use and prohibit the use of pesticides containing the active ingredient chlorpyrifos.

OFB has extensive policy regarding the safe and proper use of agriculture and forestry chemicals to ensure a reliable and high-quality supply of agricultural commodities. Our members oppose HB 3058, which puts the legislature in the role of making decisions for farmers on a product-by-product basis without the scientific background or on-the-ground knowledge to inform these decisions.

Restricting the use of neonicotinoids

Managed and native pollinators provide great benefits to Oregon farmers and consumers. Oregon farmers depend on bees to pollinate many of their crops—pears, cherries and blueberries, among others—but they also depend on pesticide tools to control destructive pests. Similarly, commercial beekeepers rely on healthy crops to optimize their pollination services. This means that Oregon farmers and beekeepers have a lot at stake and share an interest in ensuring that protecting bee health and the use of pesticides are not mutually exclusive.

HB 3058 would make over 600 Oregon-registered neonicotinoid products “Restricted Use Pesticides.” This classification means that the products would only be available for purchase and use by licensed pesticide applicators. Many farmers are not currently licensed as they do not use Restricted Use Pesticides. This would require farmer to obtain a pesticide applicator license.

A “Restricted Use” designation is typically reserved for pesticide products that pose a high risk to humans or the environment. A review of the current science does not support such a designation for these products. Furthermore, the Oregon Department of Agriculture (“ODA”) already has the authority to designate a pesticide product as “Restricted Use” if it determines that the product poses a high risk to humans or the

environment. The experts at ODA should make these determinations, not the legislature.

All pest control options come with tradeoffs that must be considered. If neonicotinoids are taken away from a certain segment of users, those users will simply turn to other pesticides to control insects. The main alternatives to neonicotinoids are organophosphates and pyrethroids. While effective, these products come with their own sets of tradeoffs for both humans and the environment. OFB believes that when all things are considered, neonicotinoids may often be the best choice. Neonicotinoids have been lauded for their lower environmental impact than some of the products they replaced. Keeping them as an option can play an important role in an effective Integrated Pest Management (“IPM”) program.

Banning chlorpyrifos

OFB recognizes the importance of applying chlorpyrifos in a safe and effective manner. As a restricted use pesticide, applications of chlorpyrifos are made by licensed applicators who are trained in the appropriate and safe use of this product. Oregon is an incredibly diverse state, and chlorpyrifos products play an important role in managing pests on nearly 100 Oregon crops—Christmas trees, sugar beets, grass seed, peppermint, and cranberries, among others. Chlorpyrifos is one of the essential tools that Oregon farmers have kept in their toolbox as an effective way to control pests. It’s a tool that is used only in specific situations to address problematic pests.

With over 200 different commodities being grown in our state, Oregon is known for our rich diversity of crops. While we value this diversity, it also brings its own set of challenges. We face many unique pest pressures which often have few viable options for control. Many of our crops fall into the “minor crop” category, resulting in fewer pesticides labelled for use on them. This leaves Oregon farmers particularly vulnerable when an important product, like chlorpyrifos, is taken away.

HB 3058 impacts IPM strategies on the farm

Chlorpyrifos is one component of comprehensive IPM programs and helps to maximize yield and contribute to insect resistance management. It often is used in rotation with other products and not on a regular basis. Agriculture is dynamic. A farmer may not use a product much, or at all, for a year or two and then insect population pressures change, and the farmer must look to that product to save their crops. HB 3058 would eliminate a critical product in cases where few alternatives currently exist. In many instances those alternatives would be less effective and have greater impacts on non-target species (e.g. pollinators and beneficial insects). For crops with few alternatives, the economic impacts would be substantial.

Additionally, chlorpyrifos is used to manage pests on several crops that no other insecticides can control, including Christmas trees and clover grown for seed. Pests

can have devastating effects on yield, and HB 3058 presents a serious concern for economic damage if the pest is left uncontrolled. While research is ongoing to understand pests and find other means of control, chlorpyrifos is still a much-needed tool in a small toolbox.

Chlorpyrifos is also a long-standing treatment for seeds and minor crops. As a seed treatment, it is used by seed producers and vegetable farmers and is necessary in situations where there is significant pest pressure. As no-till agriculture has become more prevalent, insect pressures have also increased. There are only a few products registered for use as seed treatment insecticides. Farmers base their seed treatment decisions on historical pest pressures as part of their IPM programs. Without chlorpyrifos, entire fields could be lost or resistance to other pesticides could develop. This would cause significant economic hardship for many Oregon farmers.

HB 3058 would impact international trade

A unilateral ban on the active ingredient chlorpyrifos would disrupt international trading and financially harm Oregon farmers. Approximately 80 percent of commodities grown in Oregon leave the state, and of those, half are exported to international markets. Other countries and states have strong phytosanitary requirements. Commodities that are exported to international markets can face rejection if an infestation of pests is found.

Additionally, if Oregon farmers lose the ability to use chlorpyrifos, they could be forced to turn to newer insecticides that may not be registered and do not have tolerances yet in a foreign market. Chlorpyrifos is currently registered in about 100 countries for use on more than 50 crops. Oregon producers may face trade restrictions in those markets if they lose access to the tool. HB 3058 would impact Oregon farmers' ability to produce and export agricultural commodities.

HB 3058 is not supported by science

The EPA evaluates and registers pesticides to ensure that they will not harm people, non-target species, or the environment. After years of testing and scientific studies, EPA determines if a pesticide can be sold and used. An across-the-board ban in Oregon is not supported by EPA's findings and would unnecessarily prohibit the use of critical tools for Oregon agriculture. Farmers have been using chlorpyrifos safely for over 40 years. A state-specific ban will let insects develop resistance to other chemicals more quickly and deprive farmers of a weapon in responding to new pest pressures. For some, there are no alternatives available.

In 2016 EPA's Science Advisory Panel rejected the agency's methodology in quantifying the risk posed by chlorpyrifos. And in 2017, the EPA declined to support a ban on the product, instead stating that it needed more time to come to a clearer scientific resolution on the matter. OFB urges the legislature to allow EPA, the agency responsible for the evaluation of chlorpyrifos, to continue its ongoing

science-based and expert-led evaluation of the product, before taking unnecessary action that will impact Oregon's agricultural industry.

Chlorpyrifos and neonicotinoids are important tools that are used as part of an IPM strategy to control pests and manage insect resistance. OFB respectfully asks the Committee to oppose HB 3058 and let the experts at EPA and ODA make determinations about the risks and benefits of individual pesticides used by Oregon farmers.

Thank you for the opportunity to provide testimony today. Please direct any questions to Jenny Dresler on behalf of the Oregon Farm Bureau (jenny@pacounsel.org).