



**Testimony Supporting HB 3058  
House Agriculture & Land Use Committee  
March 26<sup>th</sup>, 2019**

Chair Clem, Vice-Chairs McLain and Post and Members of the Committee,

I submit this testimony on behalf of the Oregon Law Center (OLC) in support of HB 3058, which would ban the use of chlorpyrifos and classify neonicotinoid pesticides as “restricted use.”

The Oregon Law Center (OLC) is a non-profit law firm whose mission is to achieve justice for the low-income communities of Oregon by providing a full range of the highest quality civil legal services. OLC has over forty years of experience in providing legal services to Oregon’s farmworkers on issues such as unpaid wages, labor housing conditions and workplace health and safety concerns. Just like employees in other sectors, these laborers work hard to earn a decent living and provide basic necessities for their families. Our clients who work in or near fields also work hard to keep themselves and their families safe and free from pesticide contamination.

We visit farmworkers and their families where they live when they are not working. Our staff report that one of the most striking impressions as we are asked into farmworker living spaces is the strong scent of bleach or Tide. Even after a long day in the field, families work hard to keep their clothes, floor, and counters free of pesticide residue, soil and possible chemical contaminants. The second thing that one may notice is that there is not a distinct inside or outside space for most labor housing occupants. They often do not have indoor plumbing so that their sinks, potable water spigots, toilets and even stoves are outside the cabins. The clothing hangs to dry outside on fences or lines, and the children use the parking space on soil near the fields and the cabins. The housing is often enveloped inside the orchard or fields within less than one hundred feet and often much closer to the row crops or trees treated.

Farmworkers are increasingly aware of the dangers of pesticides. Whether the training about how to protect oneself against pesticides is provided by the employer or from an organization like ours, farmworkers wish to learn and use it. We know this first-hand because for thirteen years, our organization led a nationally funded project focused on the needs of indigenous farmworkers (who do not speak Spanish but instead one of the indigenous languages of Mexico or Central America as their primary language) when it comes to health and safety. Due to language and cultural barriers, these farmworkers are some of the most isolated farmworker populations. Through the work of this project, together with other community organizations, universities, health clinics, and indigenous farmworkers themselves, we learned

that one of the top priorities for farmworkers is concerns about pesticide exposure and how it may affect their families. We learned that there was no information in any form available in indigenous languages on such training for our clients, so the team focused on creating training materials. The project's work was successful and we produced a video in five indigenous languages and Spanish, along with animations and a *promotores* (peer educator) program on the newly adopted Federal Worker Protection Standards and its state counterpart. In creating the programs and sharing them with health clinics, housing providers, migrant education programs, and farmers, we have shared what we learned. Through peer-reviewed journals we have opened the discussion among public health advocates about an often overlooked population working in the fields with inadequate opportunity to learn the materials that maybe offered in English or Spanish.

Even through language barriers and limited time windows in complicated lives, our clients have worked hard to try to learn how to reduce exposure and try to keep their families safe. However, nothing they can do will fully resolve the fact that under current law, their children and families may continuously be exposed to chlorpyrifos in the fields and near their homes. As other testimony submissions have pointed out, the most recent Human Health Risk Assessment for chlorpyrifos from the EPA has recently found that there are no safe levels of the pesticide in food or water, and that unsafe exposures to farmworkers continue to occur on average 18 days after the applications (note that worker re-entry regulations are only 5 days).<sup>1</sup> The well-documented dangers of this pesticide have led to the banning of its use in non-farm residential settings since 2001. Farmworker families currently bear a risk that other families do not, to their significant detriment.

We appreciate that all stakeholders have concerns about the safety of farmworkers and rural residents, and know that these issues are not taken lightly. However, the dangers to our clients and their children from the use of chlorpyrifos cannot be sufficiently mitigated to justify their continued use. Some have suggested that the state should not act, and instead leave these decisions to the federal government. Oregon should not wait to act: the risks to families and children are too great. On behalf of our clients, we urge support of HB 3058.

Thank you for the opportunity to submit testimony.

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<sup>1</sup> US Environmental Protection Agency. Chlorpyrifos: Revised Human Health Risk Assessment for Registration Review at 36-37. Health Effects Division, Office of Pesticide Programs at 36-37 (November 3, 2016). <http://www.epa.gov/ingredients-used-pesticides-products/revised-human-health-risk-assessment-chlorpyrifos>