



**OREGON**  
ASSOCIATION OF  
NURSERIES

**Testimony before the Senate Environment and Natural Resources Committee  
Senate Bill 853, prohibits sale, purchase or use of pesticide chlorpyrifos and requires the State  
Department of Agriculture to place pesticide products containing neonicotinoid on a list of  
restricted-use pesticides**

By Jeff Stone, Executive Director, Oregon Association of Nurseries  
March 26, 2019

Chair Dembrow, Vice-Chair Olsen, members of the committee, my name is Jeff Stone and I serve as the Executive Director of the Oregon Association of Nurseries. The OAN opposes SB 853 – which is a misguided mandate relating to pollinators and the use of insecticides as well as the outright ban of the pesticide Chlorpyrifos.

**The Economic Footprint of the Nursery and Greenhouse Industry**

The nursery and greenhouse industry is the state’s largest agricultural sector, and the industry ranks third in the nation, with over \$948 million in sales annually to customers in Oregon, the rest of the United States, and abroad. In fact, nearly 75% of the nursery stock grown in our state leaves our borders – with over half reaching markets east of the Mississippi River. The nursery industry employs over 22,000 full time workers with an annual payroll over \$327 million. We send ecologically friendly green products out of the state and bring traded sector dollars back to Oregon.

Nursery association members represent wholesale plant growers, Christmas tree growers, retailers, and greenhouse operators. Our members are located throughout the state, with our largest nursery growing operations found in Clackamas, Marion, Washington, Yamhill and Multnomah Counties.

**SB 853 is bad bill and would harm education-oriented retail nurseries**

The OAN is concerned about the legislature placing requirements on any retailer selling neonicotinoids be a “licensed pesticide dealer.” To become a licensed dealer in Oregon, you submit a fee and an application to ODA. The OAN views this bill as unfair fee for those who grow and sell nursery products.

We are opposed to requiring retail stores to obtain special certification at a fee to be able to sell products that contain neonicotinoids. The retail stores that handle these products are critical in educating the general public as to the correct and responsible use of these products and do so willingly. Imposing increased regulations and fees upon this group is unfair and uncalled for. Retailers are proactive in educating people on the benefits of bees, how to improve pollinator habitat, and the importance of responsible use of all insecticides - not just neonicotinoids.

### **The Nursery and Greenhouse industry is a committed leader on pollinator health**

The OAN and many other organizations have been working hard over the last half decade to educate consumers and agricultural sectors, prioritize research and incentives, and bring together agriculture stakeholders, beekeepers, garden clubs and conservation groups to engage on increasing the populations of native and honey bees along with monarch butterflies.

Pollinating bees are important to sustaining life on our planet. They support our food chain, and many plants are dependent on bees for production. The horticulture industry is committed to ensuring their sustainability because of their important role in the life cycle of plants and humans.

The state took affirmative action in 2014 with House Bill 4139 – which created a task force of stakeholders to collaborate and create a science-based approach to pollinator health which would lead to a better solution. The “Report to the Oregon Legislative Assembly” by the Task Force on Pollinator Health was released in November 2014. Four main consensus items emerged that received the support of stakeholders. In 2015, the OAN and others advocated for the creation of three bills to enact the recommendations of the task force. They are below:

- I. Oregon should develop a strong, effective outreach and education strategy on pollinator health, including best management practices. (House Bill 3362)
- II. Oregon should fully fund a state-of-the-art bee health diagnostic facility at Oregon State University. (House Bill 3360)
- III. An integrated pollinator health research plan should be developed and funded to improve understanding of the many issues affecting pollinator health. (House Bill 3361)
- IV. A sustainable revenue stream to fund the proposed outreach, education and research programs is needed.

It is imperative that over the coming years, stakeholders roll up their sleeves and work with our land grant university (Oregon State University), legislators, and state agencies to determine the most appropriate path forward. It is critical we work with interested parties to examine how to study this issue further and create a communication effort for the general public and industry. We all benefit when we move in a reasoned manner to evaluate trends in pollinator health, including the use of best management practices.

### **Senate Bill 853 is unwise policy**

SB 853 would make neonicotinoids "restricted use" pesticides. This limits the purchase and use of these products to be certified pesticide applicators. This chemical class is relatively safe to both human and pollinators and is used as part of pest mitigation by our greenhouse and nursery members. The association did extensive outreach to retail, greenhouse and field grown members to increase awareness of the pollinator issue as well assess the use of the chemical class and the number of licensed pesticide applicators.

Some facts for the committee to consider:

- Neonicotinoids have been in use for more than 17 years and have been widely adopted by growers and urban applicators because of their performance, lower toxicity to mammals, including humans, and relatively favorable environmental profile over the older products they replaced.
- Restrictions on the use of neonicotinoids will force applicators to use alternatives, such as organophosphates and pyrethroids, which pose increased risks to humans and the environment.

- SB 853 attempts to allow farmers to use neonicotinoids, but there is no program in place to identify farmers and allow them to purchase and use these products.
- These products have met the Environmental Protection Agency’s high standard of having “no unreasonable adverse effect on health or the environment.” This means that they have had extensive safety testing including:
  - Honeybee acute contact toxicity (all outdoor use products)
  - Honey bee toxicity of residues on foliage (if high acute toxicity and exposure likely)
  - Field testing for pollinators (specific conditions)
- EPA has stated that:
  - ...the Agency is “NOT aware of any data that reasonably demonstrates that bee colonies are subject to elevated losses due to chronic exposure to this pesticide.” (02/18/11); and
  - “... is NOT aware of any data indicating that honey bee declines or the incidence of CCD in the U.S. is correlated with the use of pesticides in general or with the use of neonicotinoids in particular.” (07/27/12)
- EPA is engaged in registration reviews for the four major neonicotinoids. Preliminary pollinator reviews have concluded that, “most approved uses do not pose significant risks to bee colonies.”

**Zero tolerance on neonics lowers success rate and increases pest and disease risk**

We are aware that media attention regarding pollinator health has focused on neonicotinoid insecticides and their potential impact on bees. Many of these stories provide important information for the green industry to consider and reflect upon, while others represent overstated perspectives with the intention of driving a zero-pesticide-tolerance agenda.

Research and peer-reviewed publications from trusted and legitimate sources, including those from the United States Department of Agriculture and the Environmental Protection Agency, strongly contradict the finger-pointing at neonicotinoids. Rather, the research suggests that “colony collapse disorder” of managed hives is likely caused by a combination of factors, including the destructive Varroa mite (first found in 1987), bee pathogens, loss of habitat and forage, and the constant stress of transporting hives to far-off locations by beekeepers. Pesticides may play some role in the concerns about pollinator health but are likely to be one relatively small factor in a complex array of challenges. Candidly, agriculture also depend on pesticides as tools to control destructive pests and diseases which can obliterate a market. The nursery industry wants to make sure that protecting bee health, and retaining pesticides as an effective tool, are not mutually exclusive.

For these reasons, our healthy pollinator initiative has three primary components. Our plan includes the following steps:

1. Developing a bee and pollinator stewardship program that improves the circumstances surrounding pollinator health concerns.
2. Funding research that will help us answer key science questions that support the stewardship program.
3. Spreading the word to our horticulture industry communities and our customers how the program has a positive impact on pollinators and still allows us to mitigate the spread of invasive pests that threaten our natural environment.

*Nursery research initiatives underway*

The Horticultural Research Institute, the AmericanHort research foundation, has released new Best Management Practices (BMPs) for Bee Pollinator Health in the Horticulture Industry.

Relevant to greenhouse and nursery growers as well as landscape managers, the BMPs were developed by a team of researchers, including those funded directly by HRI, to convey research results to date. They will be updated as the research effort continues. By following BMP guidelines, horticulture can do its part to support pollinator health.

In 2015 the Horticultural Research Institute, in collaboration with AmericanHort, launched the broad-based Horticulture Industry Bee & Pollinator Stewardship Initiative. Through the initiative, HRI directly funded four important research projects, positively influenced millions of dollars in research funding from federal and other sources, launched the Grow Wise, Bee Smart™ website, and helped to launch the Million Pollinators encompass thousands of different species, such as managed honey bees, wild bees, butterflies, birds, and bats. Protection of pollinators in general, and especially bees, continues to be a major concern among the general public and within the green industry. Several culprits have been identified as factors contributing to manage honey bee losses, including Varroa mites, other pests and pathogens, loss of habitat and nutrition, and off-target effects of pesticides. Wild, unmanaged bee populations are thought to be most affected by landscape changes and habitat degradation.

HRI developed the BMPs, which cover greenhouse and nursery production, woody ornamentals, and managed landscapes, with the assistance of researchers and apiarists throughout North America.

#### **The Pollinator Task Force recommendations need to be fully implemented**

The Oregon Legislature should give the Pollinator Task Force recommendations time to be implemented and evaluated. House Bill 2535 – a pollinator forage pilot is the most forward-looking piece of legislation on the pollinator issue introduced this session.

#### **Opening the door on a pesticide by pesticide basis is bad policy**

The second part of SB 853 would ignore science-teams and regulators at the state and federal agency level and in its place putting legislators in a position of banning chemical classes at a whim.

Let's be clear what SB 853 does:

- **Completely ban the sale and use of all pesticide products containing chlorpyrifos.** Effective Integrated Pest Management (IPM) tools is critical to the agricultural community and many of Oregon's specialty crops have state approved Special Local Need registrations of chlorpyrifos since there are **no alternative products available** for certain pests. It is critical that a safe and effective rotation of pest management tools be available.
- **Impacts Oregon exports.** Oregon agriculture competes with other states and country's for market share and they share on common objective - strong phytosanitary requirements. This legislation takes away a tool used to meet those requirements for crops with limited or no alternatives. Additionally, public health programs will not have the tools needed to control invasive insect populations.

#### **The OAN urges the committee to oppose SB 853**

Many farmers are not currently licensed as they do not use Restricted Use Pesticides. This would require farmer to obtain a pesticide applicator license from those who properly the product and would take hundreds of effective and easy to use products away from homeowners and gardeners.

Please oppose SB 853. Thank you for your time and attention.