Testimony before the Senate Environment and Natural Resources Committee
SB 928: Requiring Labeling of Pesticides / Products containing Neonicotinoids
SB 929: Requires ODA to classify Neonicotinoids as Restricted Use

By Leigh Geschwill
Owner F & B Farms and Nursery, Past President Oregon Association of Nurseries
March 26, 2017

Chair Dembrow, Vice-Chair Olsen, members of the committee, my name is Leigh Geschwill. Thank you for the opportunity to speak to you today on the issue of pesticide labeling and regulation, and to go on record in opposition of these two bills.

Background:

Our family owns a third-generation farm and a 20 + year greenhouse operation in Woodburn. In our business, we utilize an Integrated Pest Management (IPM) approach to both field grown and nursery crops. IPM encompasses several techniques including reducing risks through watering and fertility strategies, planting buffer zones and cover crops, beneficial insects / predators (including mammals), and traditional and organic chemistries to target specific pests.

In each of these instances we utilize the most current data available to us, including Material Safety Data Sheets (MSDS), Department of Agriculture recommendations, EPA guidelines, research from universities and USDA-ARS. Some products are regulated, some like the beneficial "bugs" are not regulated at all. We have several licensed pesticide applicators that we employ at both operations.

SB 928:

Over regulating product labels:

By law, applicators are required to read and follow the label of each chemical that they apply (organic or traditional). Adding the word "Neonicotinoid" to the front of a container does not excuse an applicator from reading the label. Also, it does not provide any additional clarification, instruction or guidance to the applicator on how to best use the chemical in a safe manner. Labels for Neonicotinoids do contain a statement that forbids its use on flowering crops or while pollinators are present. In fact, in 2013 the EPA designed and implemented a new Bee Advisory Box to be placed on any pesticide that is harmful to pollinators. Furthermore, the EPA is working with each state to develop Managed Pollinator Protection Plans. This same action was suggested by our own state pollinator task force.

In this case, our existing federal systems and agencies have addressed the issue of product labeling. We should be focusing our legislative efforts to supporting our state and federal pollinator task force recommendations.

Confusing consumers:

In the matter of consumer product labeling, this bill is coming late to the marketplace party. Our marketplace, particularly in the Northwest, does an excellent job. Retailers communicate to growers, such as myself, customer requirements and concerns. In turn, I work to meet those requirements. Most greenhouse producers in the Northwest have transitioned to Neonicotinoid- or nearly Neonicotinoid-free production, not because the government regulated it, but because consumers demanded it.

www.fandbfarms.com
10498 Geschwill Ln. NE * Woodburn, OR 97071 * (503)932-6678 * Fax: (866)667-9087

Good labeling provides clarity for consumers. In the instance of "USDA Organic" the consumer readily identifies this mark. The mark is understandable and signifies clearly defined guidelines proscribed by the USDA. Labeling a product Neonicotinoid free does not signify anything except that a chemical was not used. Harsher organophosphates could have been used in their place.
The other issue for producers is that my label production is done by a local company often 3 to 6 months in advance of even planting a crop. I cannot predict at that time what weather and environmental forces may come into play during the growing cycle. There are times when beneficial bug applications simply don't work or are mistimed. Last year's hotter than normal spring caused certain pests to be present earlier than normal. At best, I would have to label all my products as a "might contain" if we are to move to this kind of system of cherry-picking what is and is not on labels.

SB 929:

Vote of No-Confidence?

This bill sets a dangerous precedence of stepping outside of our current system of studying, classifying and regulating chemical usage. If the legislature feels that changes need to be made to the state (ODA) and federal (EPA) system, it should focus its efforts there. This bill only serves to erode any confidence or authority that is invested in the ODA to act on behalf of the citizens of Oregon.

Our current system:

1.) Has technical staff, with specific education in entomology or biology, who spend their day focused on these issues and have significant more experience than the general public.
2.) Has been honed over the years to balance human and environmental impacts **and** to meet consumer demands for quality and public health safety.
3.) Requires all chemicals to have labels with specific directives for application methods, dates and rates.

It is unclear how circumventing the current system is appropriate, or how this body possesses the technical knowledge to make individual decisions. The process should remain in the hands of qualified scientists and regulators within the Oregon Department of Agriculture and the Environmental Protection Agency.

www.fandbfarms.com
10498 Geschwill Ln. NE * Woodburn, OR 97071 * (503)932-6678 * Fax: (866)667-9087