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Subject: SB853

Please oppose Senate Bill 853

Testimony of Larry E. Bailey, Ph.D.

President, Multnomah County Farm Bureau

Before the Oregon Senate Environment and Natural Resources Committee

Chair Dembrow and committee members:

I urge you to oppose SB 853. As you know, this bill proposes to ban the sale, purchase, and use of chlorpyrifos-based pesticide products in the State of Oregon and to reclassify neonicotinoid-based pesticide products as restricted-use pesticides. These pesticide products are important tools that permit Oregon agriculture to be effective, and their safety and efficacy are re-evaluated on an ongoing basis by the United States Environmental Protection Agency.

Beneficial tools for Oregon agriculture

Oregon is blessed with widely varying geography and climate. This variation permits Oregon farmers to produce a diverse array of crops. At present, it is estimated that over 200 agricultural commodities are produced in Oregon.

Along with this diverse array of agricultural commodities comes a diverse array of pests. Chlorpyrifos and neonicotinoid-based pesticide products are broad-spectrum tools that Oregon farmers utilize to combat these pests. Limiting, or eliminating, the availability of these tools would be detrimental to Oregon agriculture for a variety of reasons.

As an example, Oregon Christmas tree growers rely on chlorpyrifos-based pesticides to treat a variety of pest; and, for some, no clear alternatives exist. Banning the use of chlorpyrifos-based pesticides would eliminate these growers' ability to combat some of these pests.

As another example, chlorpyrifos and neonicotinoid-based pesticides both are highly effective for certain pests. In many instances, restriction or elimination of these products would force agricultural producers to turn to other, less effective, products. This would have the undesirable effects of increased pesticide usage, increased crop damage, and increased chemical costs.

As a third example, pesticides are most effectively utilized in the context of an integrated pest management strategy. Such strategies seek to eliminate environmental factors that encourage pests and also to utilize pesticides for residual control. This is most effective when different pesticide products, with different modes of action, are applied at different times in order to combat natural resistance. Thus, decreasing the number of available pesticide products has the additional impact of making the remaining pesticide products somewhat less effective in the long-term. The proposal to ban chlorpyrifos-based pesticide products and to further restrict neonicotinoid-based pesticide products is particularly egregious in this regard, as these products often are utilized to combat the same pests.

Already reviewed and evaluated

“Pesticide risk management must be based upon sound science, consistent with the laws under which pesticides are regulated in the United States” (<https://www.epa.gov/pollinator-protection/epa-actions-protect-pollinators>). The United States Environmental Protection Agency controls the legal application of pesticide products via the pesticide label process. This agency has the scientific resources, financial resources, and regulatory structure needed to carefully evaluate when pesticide products may be applied, how pesticide products may be applied, and to what crops pesticide products may be applied.

All of this information is provided on the product label. Pesticide applicators understand that “the label is the law.”

The EPA has determined that chlorpyrifos and neonicotinoid-based pesticides are safe and effective when utilized according to the label. In fact, as recently as 2017 and in response to a petition to revoke all chlorpyrifos tolerances, the EPA determined that the scientific evidence does not support such a revocation.

That said, the EPA’s determination is not static. Instead, labels are re-evaluated on a 15-year cycle. This review process relies upon a body of up-to-date and continually evolving scientific evidence to evaluate potential human and environmental health hazards of a given pesticide product. Chlorpyrifos-based pesticide products are scheduled for review in 2022, and neonicotinoid-based pesticide products currently are being reviewed. Should the scientific evidence point to a need to change, or eliminate, permissible uses of these products, the EPA will revise the product labels accordingly.

Summary

I urge the Oregon legislature to defer important decisions regarding the tools that Oregon farmers can utilize, and cannot utilize, to the EPA. Such decisions should be made based upon a careful examination of the scientific facts, and this Agency has the necessary resources to make such determinations.

Thank you for your time and consideration,

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