

April 8, 2019

Representative Brian Clem  
Chair House Committee on Agriculture and Land Use  
[haglu.exhibits@oregonlegislature.gov](mailto:haglu.exhibits@oregonlegislature.gov)

RE: 2019 Oregon Legislative Session – HB 3058

Dear Chairman Clem:

Permapost Products Company is a family-owned, woman operated, Oregon legacy small business. We are a trade sector business providing fabrication and preservative treatment of lumber and engineered forest products for 62 years. We pride ourselves in the preservative treatment of high-end architectural lumber and engineered wood products for our customers in Oregon, across the US, Hawaii, Alaska, the South Pacific, South America, and China. We are a large producer of trail bridges for the US Forest Service and park equipment for state and local governments.

It has come to our attention that HB 3058 has been introduced seeking to list as “restricted use” certain pesticides known as “Neonicotinoids”. Neonicotinoids are known to affect pollinator insects such as bees when sprayed in an agricultural setting. One of the sub-insecticides of neonicotinoids listed in the bill is “Imidacloprid”.

Imidacloprid is a pesticide that is standardized under the American Wood Preservers Association (AWPA) for above ground protection of wood products such as lumber, plywood, deck boards and fencing. Imidacloprid is a component in one of our wood preservatives, Klear-Gard 25 with Tru-Core Technology™ (“Klear-Gard 25”). Klear-Gard 25 was introduced approximately three years ago although the Imidacloprid component has been used in wood treating for many years. Klear-Gard 25 treated wood is approved by the International Building Code Commission (ICC-ESR 3834) for use in construction applications.

Klear-Gard 25 is a new generation preservative. It is water carried and molecularly transfers all the way through the wood product thus protecting the wood even if it is cut or cracked. It contains no metals, no colorants, and has no more VOCs than the untreated wood. Permapost treats picnic table parts, trail bridge deck and handrails, interior framing, refrigerated rail car parts, and glulam beams to name a few applications.

Lumber and other wood products are treated in a closed pressure vessel by state licensed certified applicators. Permapost is regulated by the Oregon Department of Agriculture (Certified Applicator testing and licensing) and the Oregon Department of Environmental Quality (Air Quality, NPDES, and RCRA permits). We treat per the AWPA standards and report chemicals usage and inventory annually to the Oregon State Fire Marshall. All the components used in Klear-Gard 25 wood preservative are registered with the EPA and regulated by the Federal Insecticide Fungicide Rodenticide Act (FIFRA).

In economic terms, products treated with Klear-Gard 25 are about 15% of our sales revenues and growing. The Klear-Gard 25 treatment service we provide to one of our wholesale customers, has contributed to more than \$1,000,000 in sales revenues to his company. Also Klear-Gard 25 is now government specified in certain applications replacing higher VOC emitting petroleum-based preservatives.

We are attaching to this letter three (3) documents that we hope will give the committee more information regarding Imidacloprid, a Neonicotinoid insecticide component used in the wood preservative system KlearGard 25 with Tru-Core Technology™ (“KlearGard 25”).

The three documents are as follows:

1. Permapost’s KlearGard 25 Product Information and Specification Guideline brochure. The information in this document describes the preservative and provides general use in wood products.
2. International Code Council Evaluation Report (ICC-ES3834). This document summarizes the rigorous testing and ultimate approval of the KlearGard 25 pesticide components, including Imidacloprid, for use in wood treatment of specific species and end-use applications of treated wood.
3. A materials solicitation amendment issued by the US Forest Service dated April 3, 2019 changing the specification on the Drift Creek Falls Deck Replacement Project near Hebo Ranger District. The amendment states, “ Due to a recently found change in the Routine Actions and Maintenance Biological Opinion for USDA Forest Service et al (RAMBO) from the 2016 document to the 2018 document..... In order for the Drift Creek Falls Deck Replacement to comply with the most current programmatic, the only type of pressure treatment now allowed is Klear-Gard 25 (or approved equal)”. As stated in our March 25<sup>th</sup> testimony letter, KlearGard 25 is now government specified in certain applications replacing higher VOC emitting petroleum-based preservatives.

We understand there are concerns with Neonicotinoids pesticides. There may be some types of applications, which should be regulated more or removed from the EPA approved label. However, lumber products are treated with pesticides to protect the wood and extend the life of a renewable resource. The pesticide is contained in the wood and does not affect pollinators. The wording of the bill does not consider a building product exemption nor the pesticide application processes (i.e., pressure treatment).

Sincerely,



**Jayne Bond**  
**President**  
**Permapost Products Company**  
**jayne@permapost.com**