



**OREGON
WHEAT**



AOC
Association of
Oregon Counties



**OREGON
FOREST &
INDUSTRIES
COUNCIL**



House Committee on Rules
Chair Paul Holvey

RE: Opposition of HB 2619A -- Relating to pesticides. Prohibiting sale, purchase or use of chlorpyrifos

Oregonians for Food & Shelter, Oregon Wheat Growers League, Oregon Farm Bureau, Oregon Seed Council, Oregon Dairy Farmers Association, Oregon Cattlemen's Association, Oregon Seed Association, Oregon Potatoes, Association of Oregon Counties, Oregon Association of Nurseries, Oregon Forest & Industries Council and Oregon Women for Agriculture are writing you today in opposition to House Bill 2619A which would prohibit the sale, purchase or use of any pesticide with chlorpyrifos as the active ingredient. We thank you for the opportunity to submit comments on this important issue. Chlorpyrifos is an insecticide which is a critical tool for growers of more than 50 different crops in nearly 100 countries. Oregon farmers rely on chlorpyrifos because of its efficacy, low cost, and compatibility into Integrated Pest Management and resistance management programs. For many insect pests that can cause serious crop damage and yield loss, farmers face limited alternatives, especially here in Oregon.

Due to Oregon's diversity of over 200 crops, many of our farmers face additional challenges in managing pest problems. Many of Oregon crops are grown on small acreage and considered minor specialty crops. Most of these specialty crops do not have many pesticides labeled for their use as the uses are focused on commodity crops such as corn, soybeans or cotton. Many times, chlorpyrifos is the only product available to control insects on Oregon's minor specialty crops.

To address some of these issues, the Environmental Protection Agency (EPA) has a provision in place that allows the states to use Special Local Need (SLN) registration authority for specialty crops that may not otherwise have products available to control crop pests. Three specific criteria which need to be met before a SLN request will be considered in Oregon are:

1. There is no pesticide product registered by the EPA for such use.
2. There is no EPA- registered product which, under the conditions of use within the State, would be as safe and/or as efficacious for such use within the terms and conditions of EPA registration.
3. An appropriate EPA- registered pesticide product is not available.

In Oregon, Christmas trees and many crops grown for seed, such as clover, carrots, radish, daikon, table beets, sugar beets, swiss chard and perennial grass seed, rely on SLN registrations of chlorpyrifos to control insects.

The widespread international registration approvals for chlorpyrifos and the establishment of more than fifty international residue limits by the Codex Alimentarius Commission for chlorpyrifos residues on food crop commodities have facilitated global free trade of treated crops. This is especially important for Oregon's many crops that rely on export markets.

In March 2017, EPA denied a petition filed by the Pesticide Action Network North America (PANNA) and the Natural Resources Defense Council (NRDC) asking to revoke all pesticide tolerances (maximum residue levels in food) for chlorpyrifos and cancel all chlorpyrifos registrations. On April 19, 2019 a judicial review conducted by the full U.S. Court of Appeals for the 9th Circuit mandated EPA to provide justification of their denial of the 2017 petition. EPA has 90 days to respond to this court demand. Once EPA provides their response to the Ninth Circuit Court, a legal decision on the status of chlorpyrifos will be made.

In addition, EPA reviews data and current research on each pesticide at least every 15 years to determine if it still meets registration standards and to address any changes that may be relevant to the use of chlorpyrifos. EPA is conducting this ongoing registration review and will complete their assessment by the statutory deadline of October 1, 2022. The supporting science of chlorpyrifos covers over 45 years of research and EPA has produced a vast collection of science-related documents to support national and international pesticide registration decisions.

We respectfully request that you allow the federal legal and regulatory processes determine the future of chlorpyrifos and not make an uninformed decision at the state level to ban this much needed pesticide. If the federal court or EPA decides to restrict or ban chlorpyrifos, the restrictions or cancellation will be applied uniformly to all crops and all states.

We ask you to oppose HB 2619A as it will eliminate a much-needed crop protection product, especially for Oregon's minor crops and it will put Oregon growers at a significant disadvantage in a competitive national and international market.

Thank you for your consideration,

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