

HB 2679 -1, -6, -7 STAFF MEASURE SUMMARY

House Committee On Climate, Energy, and Environment

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Meeting Dates: 3/4, 4/8

WHAT THE MEASURE DOES:

The measure requires the Oregon Department of Agriculture (ODA) to classify as a restricted-use pesticide any pesticide that contains a chemical belonging to the neonicotinoid class of chemicals and prohibits people from applying a restricted neonicotinoid pesticide to a residential landscape, with some exceptions, effective January 1, 2027.

Detailed summary:

Defines terms. Requires the Oregon Department of Agriculture (ODA) to classify as a restricted-use pesticide any pesticide that contains a chemical belonging to the neonicotinoid class of chemicals or any other chemical designated by ODA as belonging to the neonicotinoid class of chemicals, with some exceptions, effective January 1, 2027. Prohibits persons from applying a restricted neonicotinoid pesticide to a residential landscape, with some exceptions, effective January 1, 2027. Allows ODA to issue an emergency permit for the application or use of a restricted neonicotinoid pesticide if ODA determines that issuing an emergency permit is necessary to control a pest emergency affecting ornamental plants, trees, or turf. Prohibits ODA from classifying as a restricted-use pesticide a pesticide that contains a chemical belonging to the neonicotinoid class of chemicals that is labeled for use:

- By a veterinarian;
- As flea or tick control for domestic animals; or
- As a personal care product, including lice treatments.

Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Suspected decline in pollinators as a result of neonicotinoid insecticides
- Potential impact of measure on agricultural practices
- Jurisdictions that can restrict neonicotinoid insecticide use
- Available alternative products to neonicotinoid insecticides
- Potential ease of obtaining an applicator license
- Importance of pollinator services to environment

EFFECT OF AMENDMENT:

-1 The amendment removes the requirement that the Oregon Department of Agriculture (ODA) classify as a restricted-use pesticide any pesticide that contains a chemical belonging to the neonicotinoid class of chemicals. It prohibits people from distributing, selling, or offering for sale a controlled neonicotinoid pesticide without holding and maintaining a pesticide dealer's license.

Detailed summary:

Adds definition of "controlled neonicotinoid pesticide." Removes definition of "restricted neonicotinoid pesticide." Removes requirement that the Oregon Department of Agriculture (ODA) classify as a restricted-use pesticide any pesticide that contains a chemical belonging to the neonicotinoid class of chemicals or any other chemical designated by ODA as belonging to the neonicotinoid class of chemicals, with some exceptions, effective January 1, 2027. Prohibits persons from distributing, selling, or offering for sale a controlled neonicotinoid

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pesticide without holding and maintaining a pesticide dealer's license. Allows a pesticide dealer to sell a controlled neonicotinoid pesticide to any person, regardless of whether the person is a licensed applicator. Prohibits persons from applying a controlled neonicotinoid pesticide to a residential landscape, with some exceptions. Allows ODA to issue an emergency permit for the application or use of a controlled neonicotinoid pesticide if the department determines that issuing an emergency permit is necessary to control a pest emergency affecting ornamental plants, trees, or turf.

- *FISCAL: May have fiscal impact, but no statement issued yet*
- *REVENUE: May have revenue impact, but no statement issued yet*

-6 The amendment modifies list of uses exempted from ODA prohibition of restricted-use pesticides and modifies list of exceptions to prohibitions for applying a restricted neonicotinoid pesticide to a residential landscape.

- *FISCAL: Fiscal impact statement issued*
- *REVENUE: No revenue impact*

-7 The amendment modifies provisions of measure.

BACKGROUND:

Oregon Revised Statute (ORS) 634.316 authorizes the Oregon Department of Agriculture (ODA) to establish, maintain, and amend lists of pesticides which are restricted-use pesticides. ODA has adopted by rule restrictions on use and application of specific pesticides in Oregon Administrative Rules Chapter 603, Division 57.