



March 4, 2025

Dear Chair Lively and Committee Members:

Thank you for the opportunity to provide testimony today in strong support of House Bill 2679.

### **Introduction**

Center for Food Safety (CFS) advocates for a better food system on behalf of our thousands of members in Oregon. CFS has worked for over 25 years to prevent the harms of industrial agriculture and secure better laws and regulations to protect farmers, consumers, and our environment. CFS **strongly supports** HB 2679 because it limits the harmful use of neonicotinoid pesticides, which are damaging to pollinators and our state's beautiful ecosystems, including threatened and endangered species. This legislation is a crucial step in protecting Oregon's environment, ensuring sustainable agricultural practices, and getting us in line with like-minded states.

Neonicotinoids are among the most ecologically destructive classes of pesticides currently in widespread use. The destruction they have already caused has been called a "second Silent Spring."<sup>1</sup> Chemically similar to nicotine, neonicotinoids kill insects by disrupting their nervous systems.<sup>2</sup> Through years of litigation and advocacy, CFS has extensively documented the pesticide's harmful impacts on pollinators, including bees, butterflies, and other essential insects, as well as the detrimental effects on soil health, aquatic ecosystems, and broader biodiversity.<sup>3</sup> Neonicotinoids are highly persistent in the environment, easily leach into waterways, and disrupt critical ecosystem functions.<sup>4</sup> Moreover, over 80 percent of flowering plants and about one-third of

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<sup>1</sup> See, e.g., The Editorial Board, *Risking Another Silent Spring*, The New York Times (Jun. 30, 2014), <https://www.nytimes.com/2014/07/01/opinion/risking-another-silent-spring.html>; Jason Bittel, *Second Silent Spring? Bird Declines Linked to Popular Pesticides*, Nat'l Geographic (July 9, 2014), <https://www.nationalgeographic.com/history/article/140709-birds-insects-pesticides-insecticides-neonicotinoids-silent-spring>; George Monbiot, *Ban Neonicotinoids Now – To Avert Another Silent Spring*, The Guardian (July 15, 2014), <https://www.theguardian.com/commentisfree/2014/jul/15/ban-neonicotinoids-another-silent-spring-pesticide-moratorium>.

<sup>2</sup> *Neonicotinoids*, CTR. FOR FOOD SAFETY, <https://www.centerforfoodsafety.org/issues/6459/pesticides/neonicotinoids> (last visited Mar. 4, 2024).

<sup>3</sup> See *Neonicotinoids*, CTR. FOR FOOD SAFETY, <https://www.centerforfoodsafety.org/issues/6459/pesticides/neonicotinoids> (last visited Mar. 4, 2024); Ctr. for Food Safety, Comments on draft Biological Evaluations for the neonicotinoid insecticides clothianidin, imidacloprid and thiamethoxam (Oct. 25, 2021) (Docket No. EPA-HQ-OPP-2021-0575); Ctr. for Food Safety, Comments on the EPA's Preliminary Pollinator Assessment to Support the Registration Reviews of Clothianidin and Thiamethoxam, dated (Jan. 5, 2017) (Docket No. EPA-HQ-OPP-2011-0865-0207); Ctr. for Food Safety., Comments to EPA on the Proposed Interim Registration Review Decisions for Several Neonicotinoid Pesticides: Imidacloprid, Clothianidin, Thiamethoxam, Acetamiprid and Dinotefuran (May 4, 2020) (Docket No.'s EPA-HQ-OPP-2008-0844 et al.); Env't Prot. Agency, Petition for Rulemaking by Ctr. for Food Safety et al., 40 C.F.R. §152.25(a) (Apr. 25, 2017) (a rulemaking petition asking the EPA to stop exempting neonicotinoid coated seeds from pesticide registration).

<sup>4</sup> *Id.*; Thomas James Wood & Dave Goulson, *The environmental risks of neonicotinoid pesticides: a review of the evidence post 2013*, 24 ENV'T SCI. POLLUTION RES. INST. 17286, 17289–98 (2017).

the food we eat require pollinators to reproduce.<sup>5</sup> Their continued, widespread, and largely unregulated use presents a direct and escalating threat to Oregon’s native pollinator populations, agricultural systems that depend on pollination services, and the overall health of our natural landscapes.

HB 2679 offers Oregon a clear, effective, and enforceable path forward by reclassifying certain neonicotinoid active ingredients as restricted-use pesticides (RUPs) under the existing authority of the Oregon Department of Agriculture (ODA). This is a prudent and scientifically grounded policy solution that leverages Oregon’s current regulatory infrastructure. By restricting the sale and use of these dangerous chemicals to only licensed, trained individuals, HB 2679 would immediately reduce unnecessary neonicotinoid exposure across Oregon’s ecosystems, while ensuring that their use is appropriately limited and closely overseen. Further, prohibiting the use of these products by residential users will avoid the overuse that often comes with home use, which is particularly important given that neonicotinoids are highly effective in very small amounts, persist in the environment, and move easily within water. CFS strongly supports HB 2679 in its current form.

CFS is greatly concerned that the -1 amendment, which has been proposed at the request of the Oregon Farm Bureau (OFB), would severely undermine the core protections of HB 2679, rendering the bill ineffective and Oregon’s ecosystems vulnerable. Below, I outline several of the most serious deficiencies of the -1 amendment and why its adoption would be detrimental to public health, environmental protection, and good governance.

### **CFS’s Opposition to the -1 Amendment**

#### **I. The -1 Amendment Creates a New, Undefined Pesticide Category Without Oversight Infrastructure.**

The -1 amendment eliminates the Bill’s straightforward and effective RUP classification and replaces it with an entirely new and undefined category: “controlled neonicotinoid pesticide.” This terminology has no precedent in Oregon law, nor does ODA have any existing regulatory framework to implement or enforce such a category.

Establishing a new classification system from scratch would impose unnecessary administrative burdens on ODA, divert limited resources, introduce significant legal uncertainty, and delay meaningful protection for Oregon’s ecosystems. During this time, harmful neonicotinoids would remain easily accessible and continue contributing to pollinator decline and environmental degradation.

#### **II. The -1 Amendment Allows Unlicensed, Untrained Individuals to Purchase and Apply Neonicotinoids.**

Unlike HB 2679’s RUP designation, which restricts the purchase and application of neonicotinoids to licensed pesticide applicators who have received proper training, the -1 amendment contains no such safeguards. Under its language, any individual, regardless of knowledge, training, or experience, would be permitted to purchase and apply neonicotinoid

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<sup>5</sup> Justin Boyles et al., *Will Oregon become the 13th state to help save the bees?*, ENV’T OR. (Jan. 20, 2025), <https://environmentamerica.org/oregon/center/articles/will-oregon-become-the-13th-state-to-save-the-bees/>.

pesticides, so long as they are purchased from a licensed dealer. This is directly contrary to the foundational purpose of the proposed bill, which is to ensure that only those with appropriate expertise handle chemicals of such high toxicity and environmental persistence. Further, many of the instructions on neonicotinoid product labels are vague and/or require more education to be effective.

For example, the most recent label for Aloft® insecticide for lawns, landscape ornamental trees and around residential buildings/parks/recreation areas, states that “this product is extremely toxic to fish and aquatic invertebrates....Do not apply where runoff is likely to occur.”<sup>6</sup> To protect bees, the label warns “do not apply this product to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period [5 days following treatment].” *Id.* at 3. The average homeowner is unlikely to know whether their plants are in this stage or whether bees may forage there during this time frame. The “bee box” that some opponents cited on this example label has only minimal additional instructions on how to avoid pollinator exposure, telling users to “minimize exposure of this product to bees and other insect pollinators when they are foraging on pollinator attractive plants around the application site.” *Id.* at 4. It is proper that products which are so “highly toxic” to aquatic and terrestrial invertebrates (including crucial pollinators) should only be applied by licensed applicators.

### **III. The -1 Amendment Fails to Provide Meaningful Protections for Residential Landscapes.**

A key feature of HB 2679 is its prohibition of neonicotinoid use on residential landscapes, where unnecessary applications (and failure to follow labels) contribute to widespread environmental contamination and present direct exposure risks to children, pets, and neighborhood pollinators. While the -1 amendment purports to address residential use, in practice it is riddled with broad exemptions. In addition to the exemptions for neonicotinoids labeled for use by veterinarians, as flea/tick control for domestic animals, or personal care products as in the original bill, the -1 amendment would also include, among other additions, “a bait product, including, but not limited to, bait station traps and scatter bait.” While indoor bait products may not have impacts to outdoor pollinators/wildlife, “scatter bait” sounds like a much larger exemption that could allow outdoor use of insect bait in contradiction of the intent to end residential use. Further, while residential users would have to purchase from a licensed pesticide dealer, they would still be able to purchase these products, making the prohibition on residential use enforceable. With these sweeping exemptions in place, the -1 amendment would leave Oregon’s residents and neighborhoods almost entirely unprotected from unnecessary and dangerous neonicotinoid exposure, undermining the very public health and ecological rationale for the bill itself.

### **IV. The -1 Amendment Weakens Environmental Protections and Undermines Legislative Intent.**

HB 2679’s framework is clear and enforceable: it limits neonicotinoid use by restricting applications to licensed individuals and eliminating nonessential residential uses, with narrow and carefully defined exceptions. In contrast, the -1 amendment would completely dilute these protections into a vague and largely unenforceable scheme that benefits pesticide manufacturers at the expense of Oregon’s pollinators, native wildlife, and overall environmental health. The amendment’s ambiguous language and lack of regulatory clarity would make it difficult, if not

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<sup>6</sup> [https://www3.epa.gov/pesticides/chem\\_search/ppls/059639-00213-20240918.pdf](https://www3.epa.gov/pesticides/chem_search/ppls/059639-00213-20240918.pdf).

impossible, for ODA to consistently and effectively protect ecosystems from neonicotinoid contamination.

### **Why HB 2679 Is the Right Path Forward**

In contrast to the deeply flawed -1 amendment, HB 2679 provides Oregon with a scientifically sound, administratively feasible, and immediately actionable solution to the urgent threat posed by neonicotinoid pesticides. Specifically, HB 2679:

1. Utilizes Oregon’s existing and well-established RUP regulatory framework, minimizing bureaucratic burdens and avoiding the need to invent new, untested systems.
2. Ensures that only trained, licensed applicators with demonstrated expertise in safe pesticide use can purchase and apply these hazardous chemicals.
3. Protects residential areas, pollinator habitats, and sensitive ecosystems by prohibiting neonicotinoid use in non-agricultural, ornamental, and landscape settings, with only narrow, clearly defined exceptions.
4. Brings Oregon into alignment with other states—including California and Washington—that have already enacted meaningful restrictions on neonicotinoids to protect public health and biodiversity.<sup>7</sup>

### **Conclusion**

The scientific consensus is clear: neonicotinoids are highly hazardous pesticides with far-reaching impacts on pollinators, ecosystems, and public health. Oregon now has the opportunity to join a growing number of states in taking decisive action to safeguard our natural resources, our agricultural economy, and our communities. HB 2679 offers a well-designed, enforceable, and urgently needed framework to reduce unnecessary neonicotinoid exposure and protect Oregon’s future.

By contrast, adopting the -1 amendment would gut the bill’s protections, introduce significant regulatory confusion, and allow harmful business-as-usual practices to continue unchecked under a new, ineffectual label. For these reasons, I respectfully urge this committee to pass HB 2679 without the -1 amendment and to stand in defense of Oregon’s pollinators, people, and environment.

Respectfully submitted,



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<sup>7</sup> Justin Boyles et al., *Will Oregon become the 13th state to help save the bees?*, ENV’T OR. (Jan. 20, 2025), <https://environmentamerica.org/oregon/center/articles/will-oregon-become-the-13th-state-to-save-the-bees/>.