

VIII. CHEMICALS

General Chemical Statement 8.005

1 The state chemical laws and rules must be built on a sound basis
2 that recognizes the general benefit to agriculture. (07)

Agricultural Chemical Liability 8.010

1 We support legislation exempting producers, who apply pesticides
2 properly, from liability claims for environmental pollution.

3 Because federal or state regulatory agencies have the power to levy
4 fines and enforce the laws concerning agricultural chemical misuse,
5 private citizens should not be allowed any monetary gains from the
6 proceedings.

7 We urge that state and national legislation be enacted to:

8 1. Require that individuals or groups that file injunctions against the
9 proper use of registered chemicals should reimburse farmers,
10 timber growers, contractors, federal, state and county
11 governments for all court costs, legal fees, financial losses and
12 other costs that arise from an injunction if the injunction is shown
13 to be unfounded or is overturned in a court of law.

14 2. Require a bond guaranteeing payment of aforementioned filing
15 the complaint, in an amount to be set by the court and subject to
16 review upon motion by defense counsel and increase in amount
17 if the court finds appropriate after conducting a hearing thereon.

18 3. Compliance with federally approved label instructions should
19 absolve farmers from liability claims of environmental pollution.
20 (10)

Chemical Use Criteria 8.020

1 Criteria used to establish or prohibit domestic and foreign use of an
2 agricultural chemical should be uniform and equitable.

3 We also oppose any system which is funded by a tax or surcharge
4 on pesticides, farmer or farming operations. Any such system should be
5 funded from the General Fund so the cost is shared by all taxpayers.
6 (10)

Agricultural and Forest Chemicals 8.040

1 Agricultural chemicals are an essential tool of agricultural production.
2 We support reasonable regulation of their use. We support an expanded
3 program to inform and educate the public on the need for agricultural
4 chemicals and the protection against their misuse.

5 We believe implementation of the Federal Insecticide, Fungicide and
6 Rodenticide Act (FIFRA), as amended, based on credible scientific
7 information would benefit farmers, the environment and the public.

8 We support improved training programs on the proper handling and
9 safe use of pesticides. We believe that the EPA/state pesticide applicator
10 training and certification programs should be periodically upgraded to
11 ensure they are a sound and effective source of training and information.

12 We support improved safety information on labels of agricultural
13 chemicals. Expanded information on labels concerning poison control
14 centers, medical information, worker protection and possible adverse
15 environmental effects will assist farmers to better protect themselves and
16 the environment.

17 We recommend that compliance with federally approved label
18 instructions should absolve farmers from liability claims of environmental
19 pollution. We support added training requirements to address dissipation
20 of chemicals (drift and volatilization) to the core pesticide training
21 program. Training should also include education regarding application
22 timing to prevent damage to non-target plants. This training should be
23 prepared and delivered by the Oregon State University Extension
24 Service or a specific program approved by the Oregon Department of
25 Agriculture to insure credibility.

26 To avoid the use of ineffective pesticides, we believe a labeling
27 system covering the date of manufacture; effective life and proper
28 storage requirements must be required.

29 We encourage continued research and development of pesticides
30 which degrade more rapidly, are less environmentally persistent and are
31 compatible with accepted integrated pest management practices. We
32 support the environmental and economical concept of integrated pest
33 management.

34 We support expanded biological pest control research to determine
35 where biological pest control measures can provide practical and
36 feasible substitutes for, and supplements to, chemical controls.

37 We urge that chemicals cleared for use on edible food crops to
38 control a specific pest be automatically cleared for control of the same
39 pest on ornamental and other seed crops.

40 Provisions providing for experimental use, emergency exemptions
41 and state registration are particularly important until federal registration
42 are completed.

43 We oppose any curtailment of the safe and proper use of agricultural
44 chemicals and drugs unless research and scientific data determine that
45 injury to health and well being would result. We also request reevaluation
46 of previously canceled pesticides based on current scientific data.

47 We will work with and encourage the agricultural chemical industry to
48 present through its advertising a positive and professional image of
49 farmers and agriculture to the general public.

50 We oppose politically mandated buffer zones.

51 We support the use of vegetable oils as the base or carrier for
52 pesticides and herbicides and also in the development of practical
53 equipment for farm applications.

54 We recommend the agricultural chemical industry and agricultural
55 producers work with the appropriate state agencies to develop a durable
56 and safe container and an economical and logistically feasible plan for
57 reusable pesticide containers and for disposal of pesticide containers.

58 We oppose the inclusion of a "Private Right of Action" provision in
59 the statutes.

60 We support the use of maximum contaminant levels (MCLs) in
61 establishing drinking water standards for pesticides and urge that EPA
62 expedite the standard setting process.

63 No food product should be imported into the United States from
64 countries which allow the use of agricultural chemicals or pharmaceutical
65 products that the American farmer is prohibited from using. Food
66 products treated with agricultural chemicals in foreign countries should
67 not be imported unless those chemicals are registered for use in the
68 United States.

69 We support the use of approved pesticides for timber production
70 management. Landowners should be guaranteed the right to use
71 approved management practices in forestry zones. (05), (10)

Pesticides

8.050

1 We support the use of pesticides as an essential tool of agriculture
2 and forestry. We support the American Farm Bureau Federation
3 pesticide policy and the extension of that policy to Oregon State laws
4 and regulations. We support an expanded program to inform and
5 educate the public using more positive terms, stressing the need for
6 agricultural chemicals for the health and protection of our plants and
7 animals.

8 We support reasonable legislation that does not require more
9 records to be kept than are required by the federal government for
10 noncommercial restricted use pesticide applicator for two years. These
11 records should only be released to the Oregon Department of
12 Agriculture, and only after a specific need their release has been
13 demonstrated to exist. Reasons for the release of application records
14 from the noncommercial applicator may include such things as illegal
15 restricted use pesticide usage, pesticide contamination of groundwater or
16 a documented complaint.

17 We believe the existing means of tracking the sales and use of
18 agricultural pesticides in the state is adequate and we oppose any
19 system which identifies individual growers or farming operations or
20 makes available their pesticide use records to the public.

21 Any public "pesticide right to know" legislation would be inadequate
22 without a complete accounting of all pesticides used by every individual
23 household. Any legislation should also require a provision to insist that

24 anyone who purchases or applies pesticides should meet the
25 requirements established for agriculture by FIFRA, WPS, EPA and the
26 State of Oregon.

27 We also oppose any system which is funded by a tax or surcharge
28 on pesticides, farmer or farming operations. Any such system should be
29 funded from the General Fund so the cost is shared by all taxpayers.
30 (09), (10)

Certification and Education 8.051

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2 safe use of pesticides. We believe that the EPA/state pesticide applicator
3 training and certification programs should be periodically upgraded to
4 ensure they are a sound and effective source of training and information.

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6 chemicals (drift and volatilization) to the core pesticide training program.
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8 prevent damage to non-target plants. This training should be prepared
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10 specific program approved by the Oregon Department of Agriculture to
11 insure credibility.

12 We support an expanded program to inform and educate the public
13 using more positive terms, stressing the need for agricultural chemicals
14 for the health and protection of our plants and animals. (10)

Pesticide Sales and Use Reporting 8.052

1 We support an alternate paper reporting system for reporting
2 pesticide use.

3 We will only support extension of the Pesticide Use Reporting
4 System if all general public retail sales are also required to be reported in
5 the system. (02), (06)

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21 household. Any legislation should also require a provision to insist that

22 anyone who purchases or applies pesticides should meet the
23 requirements established for agriculture by FIFRA, WPS, EPA and the
24 State of Oregon. (10)

Pesticide Labels

8.054

1 To avoid the use of ineffective pesticides, we believe a labeling
2 system covering the date of manufacture; effective life and proper
3 storage requirements must be required.

4 We support improved safety information on labels of agricultural
5 chemicals. Expanded information on labels concerning poison control
6 centers, medical information, worker protection and possible adverse
7 environmental effects will assist farmers to better protect themselves and
8 the environment. (10)

The Food Quality Protection Act

8.055

1 All legislation that requires review of chemical exposure risks should
2 incorporate the following elements:

- 3 1. Ample time for data collection, including a use pattern,
4 application rates, and other relevant exposure rates.
- 5 2. An allowance for minor crop uses:
- 6 3. A top priority for streamlining the Section 18 registration process
7 so products are quickly and readily available for emergency use;
- 8 4. Incentives for registrants to register new products and reduced
9 risk products for minor crop, food and non-food uses; and
- 10 5. A requirement that growers are consulted prior to the
11 cancellation of chemicals used in agriculture.

12 USDA must be an active partner in the regulation of chemicals in
13 agriculture.

14 USDA must be encouraged to continue working as an advocate for
15 farmers by collecting and disseminating essential chemical use and
16 residue information, especially for the minor crops, both food and non-
17 food.

18 Integrated Pest Management (IPM) and other advanced crop
19 protection techniques help to reduce overall chemical use. IPM programs
20 are weakened when chemicals that target specific pests are lost. The
21 EPA and USDA should consider the impact on lost IPM use when
22 deciding whether or not to reregister a product for agricultural use.

23 Research must be promoted that accurately identifies exposure risks
24 to consumers of food and other horticultural products.

25 Implementation of any food quality regulations must rely on accurate
26 and adequate scientific data which precisely quantifies the risk exposure
27 levels and the benefits of agricultural products. New regulations should
28 not be implemented until all available scientific information and use data
29 are collected and evaluated. Any statutory deadlines deemed
30 unreasonable should be changed.

31 We support legislative solutions to ensure the availability of minor
32 crop use pesticides. These solutions should include, but not be limited to,
33 expanded IR-4 activities, tax credits to registrants who maintain these
34 uses, and reduced third party registration liability.

Purple Loosestrife Control Research 8.060

1 We encourage the American Farm Bureau Federation to lobby for
2 federal funding for the Cornell Research Team to continue importation
3 and testing of biological control agents of Purple Loosestrife for release
4 in the United States.

5 We encourage the Oregon State legislature to provide funding to
6 continue biological and chemical control research and complete field
7 surveys being conducted by the Oregon Department of Agriculture and
8 Oregon State University.

Chlorofluorocarbon Exemption 8.070

1 Agriculture should be given an exemption to the 1996 phase-out of
2 chlorofluorocarbons.

3 We encourage the retention and use of Freon or other feasible,
4 economical types of coolants.

Restricted Chemicals 8.080

1 Provisions should be made for the use of restricted chemicals when
2 no effective alternatives are available. Protection of food production and
3 forestry resources should have priority over limited environmental
4 consideration.

5 We support reasonable regulation of restricted chemicals, but
6 restrictions should be based on residue and toxicity rather than for use
7 on specific crops.

Rebuttable Presumption Against Registration (RPAR) 8.085

1 In order to establish an orderly manner of reassessing and re
2 registering agricultural chemicals, and to develop and maintain an
3 adequate number of these same chemical tools necessary to agricultural
4 production, we support Oregon's RPAR Response Team by the following
5 action:

- 6 1. Notifying our county Farm Bureaus and through them our county
7 Farm Bureau members of the eminent danger of loss of use of
8 agricultural chemicals posed by EPA through the established
9 RPAR process.
- 10 2. Request development of an active program of communication
11 with EPA, our Congressional delegation, and our RPAR team
12 (This means at least 5 copies of each letter).
- 13 3. Obtain all possible media publicity on the plight we face should
14 EPA not adopt a reasonable attitude on RPAR.

15 We urge that the burden of proof in support of, or in opposition to,
16 use of agricultural chemicals be placed upon the scientific community
17 and not upon individuals, as hearings continue for RPAR.

Food Quality

8.100

1 We support the production and marketing of pure, wholesome food.
2 Modern agriculture cannot continue to provide sufficient quantities of
3 high quality food, fiber and other agricultural products to meet the
4 nation's needs without the judicious use of agricultural chemicals and
5 drugs. Any undue curtailment of the safe and appropriate usage of these
6 products will result in lower quality and/or quantities of food and fiber at
7 higher costs to consumers.

8 In any evaluation of chemicals and drugs, the possible detrimental
9 effects must be considered in relation to the benefits derived. We support
10 the establishment of sound research criteria for the range and dosage
11 levels to be tested, the replication needed for valid results, the use of
12 animals as subjects in the research and the determination of applicability
13 of the results to humans. A direct correlation between artificial exposure
14 to carcinogens and ill effects, as compared with natural exposure, should
15 be proven before an additive is deemed unsafe.

16 All legislative and regulatory decisions on food irradiation should be
17 based on valid research including safe levels of usage on food products.
18 Irradiation should be defined as a food process and not a food additive.

19 We support legislation to require qualified people to prepare and
20 publish in advance of final rulemaking an agricultural cost benefit
21 analysis statement on proposed regulations having a significant effect
22 upon agricultural producers.

23 We support uniformity in pesticide residue standards. States should
24 not be allowed to establish residue tolerances which differ from those set
25 by the federal Environmental Protection Agency.

26 Pesticide residue tolerances established for imported raw and
27 processed agricultural commodities should be identical to those set for
28 domestically produced agricultural commodities.

29 We encourage increased frequency of the USDA inspection of
30 foreign raw produce imports to guarantee chemical use safety and
31 equality.

32 We support legislation to create a study commission of highly
33 competent, non-crusading scientists to conduct an in depth study of the
34 current situation regarding the detection and assessment of carcinogens.

Medical History and Pesticides

8.200

1 We actively seek a mandate from EPA (and other decision making
2 agencies) to study the medical history and background of users and their
3 families as a part of the data assessed in determining the safety of
4 pesticides (both those currently being used and those pesticides which
5 have a history of use within the past 15 years).

Industrial and Municipal Waste 8.300

1 We support the need for reasonable legislation for developing proper
2 disposal methods of solid wastes.
3 The producer of municipal or industrial waste should provide
4 disclosure (i.e. "truth in labeling") on all waste products applied to all
5 lands.
6 We oppose the placement of municipal bio-solids on agricultural land
7 unless applied in a safe and appropriate manner that includes
8 involvement of both local and state agencies and notification of
9 neighboring landowners.

Bottle Bill Law 8.320

1 We support the Bottle Bill being expanded to include all glass,
2 plastic, and aluminum carbonated and non-carbonated beverage
3 containers and increase the deposit to 10 cents. (06)

Recycling of Pesticide Containers 8.330

1 Empty pesticide containers made of plastic or steel that are one
2 gallon or larger and that are triple rinsed on the farm should be
3 returnable to the dealer of origin or other disposal and recycling sites that
4 have a controlled access.
5 We support the efforts in cooperation with the Oregon Agricultural
6 Chemical Association and the DEQ in the voluntary program to get
7 empty pesticide containers off the farm.

Air and Water Pollution 8.400

1 Water and air pollution are serious problems affecting farmers and
2 rural communities. Extensive research and education are important in
3 the development of practical private, local and state programs of
4 abatement. Emphasis should be placed on mutual understanding of the
5 relationship between agricultural operations and water and air quality.
6 We support maintenance of the agricultural exemption in the Air
7 Pollution Act, and the abolishment of DEQs proposed inspection and
8 maintenance program.

Federal Section 319 Fund Advisory Committee 8.405

1 We support the appointment of an advisory and review committee by
2 the Environmental Quality Commission. The committee should be
3 composed of potential non-point source pollution stakeholders to review,
4 evaluate, prioritize, and make recommendations to the department and
5 commission on all Section 319 grant applications.

Underground Storage Tanks 8.410

1 The Underground Storage Tank (UST) State Insurance Fund should
2 be funded by:

- 3 1. Generators of hazardous waste materials;
- 4 2. The oil over charge refund revenues, and
- 5 3. Fees on underground storage tanks.
- 6 The state should create the option of supplementing or supporting
- 7 private insurance companies as an incentive to encourage private
- 8 insurance to offer this coverage.
- 9 Proper tank installation ought to be assured by passing a DEQ
- 10 certified inspection. Installation should not be restricted to a licensed
- 11 contractor.