

FINAL BILL REPORT

EHJM 4004

As Passed Legislature

Brief Description: Petitioning Congress to introduce legislation on pesticide use for minor crops.

Sponsors: Representatives Chandler, Lisk, Schoesler, Mulliken, Robertson, Honeyford, Mastin, Clements, Chappell, Delvin, McMorris, Koster, Boldt and Foreman.

House Committee on Agriculture & Ecology
Senate Committee on Agriculture & Agricultural Trade & Development

Background: The registration and use of pesticides is regulated at the national level by the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA. In general, a pesticide cannot be sold or distributed within the United States unless it has been registered with the U.S. Environmental Protection Agency (EPA). In November 1984, the studies and data required to be submitted in support of the registration of a pesticide were expanded. With the 1988 amendments to FIFRA, Congress required, with certain limited exceptions, that pesticides originally registered before November 1, 1984, be reregistered under the data requirements which apply to pesticides registered after that date.

A representative of the state's Department of Agriculture has indicated that at the beginning of reregistration in 1988, approximately 44,000 pesticide products representing 611 active ingredients were registered for use; in October 1991, the number of registered pesticide products was reduced to approximately 20,000, representing 405 active ingredients.

In general, pesticides are considered to be for "minor" crops or "minor" uses in the context of the federal pesticide registration process if the acreage on which the pesticides would potentially be used is minor on a national scale. Crops such as apples which are important to this state's agricultural economy are considered to be minor crops in this context.

With certain exceptions, FIFRA protects proprietary data submitted by an applicant for the registration of a pesticide for 15 years if the data were submitted during the period December 1969 through September 1978. It protects the data for 10 years if the data were submitted after September 1978.

Summary: Congress is requested to review the effects of the 1988 amendments to FIFRA and to vote on legislation which considers: extending registrants' exclusive

data rights by 10 years; establishing deadlines for the EPA to act on minor crop registrations; extending the time for generating and submitting data; and temporarily extending registration deadlines for uses unsupported by registrants so that persons other than the registrants may comply with the registration requirements.

Votes on Final Passage:

House	93	2
Senate	43	1