

HOUSE BILL REPORT

ESJM 8000

As Reported By House Committee On:

Agriculture & Ecology

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

Sponsors: Senators Rasmussen, Morton, Snyder, Newhouse, A. Anderson and Hochstatter.

Brief History:

Committee Activity:

Agriculture & Ecology: 3/23/95 [DP].

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass. Signed by 16 members: Representatives Chandler, Chairman; Koster, Vice Chairman; McMorris, Vice Chairman; Mastin, Ranking Minority Member; Chappell, Assistant Ranking Minority Member; Boldt; Clements; Delvin; R. Fisher; Honeyford; Johnson; Kremen; Regala; Robertson; Rust and Schoesler.

Staff: Kenneth Hirst (786-7105).

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. Congress set up the reregistration process in five phases. The second phase of this process involves the submission of notices to the EPA regarding registrants' intention to seek reregistration.

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 of Bill: 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; providing an extension in the time for generating and submitting data; and providing a temporary extension of registration deadlines for uses unsupported by registrants so that persons other than the registrants may comply with the registration requirements.

Appropriation: None.

Fiscal Note: Not requested.

Testimony For: The Memorial is important for the agricultural industry.

Testimony Against: None.

Testified: Senator Rasmussen (prime sponsor).