

SENATE BILL REPORT

ESB 5009

AS PASSED SENATE, FEBRUARY 8, 1991

Brief Description: Changing record keeping and posting requirements for pesticide use.

SPONSORS: Senators Barr, Newhouse, Bailey, Anderson and Hansen.

SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES

Majority Report: Do pass.

Signed by Senators Barr, Chairman; Anderson, Vice Chairman; Bailey, Gaspard, Hansen, Conner, and Newhouse.

Staff: John Stuhlmiller (786-7446)

Hearing Dates: January 18, 1991; January 22, 1991

BACKGROUND:

Pesticide records must be kept by all individuals who apply pesticides to or store pesticides for agricultural crops. These records must be kept for seven years and shall be kept and submitted on the form developed jointly by the Department of Agriculture and the Department of Labor and Industries.

RCW 17.21.100 requires all persons applying pesticides to more than one acre of agricultural land in a calendar year to keep records of the application. RCW 49.70.119 requires all employers who store or apply pesticides to agricultural crops to compile and maintain a workplace pesticide list by crop for each pesticide that is applied to a crop or stored in a work area.

When a pesticide having a reentry interval of more than 24 hours is to be applied to a labor-intensive agricultural crop, the area to be sprayed must be posted with warning signs. These warning signs must be in place at least 24 hours before the application and must remain up until the applicable reentry interval has expired.

SUMMARY:

Pesticide records must be submitted, when requested, on the form developed jointly by the Department of Agriculture and the Department of Labor and Industries. All agricultural pesticide application records shall be maintained in accordance with the statutory authority of the Department of Agriculture (RCW 17.21.100), and all storage records for agricultural pesticides shall be maintained in accordance with the statutory authority of the Department of Labor and Industries (RCW 49.70.119).

Posting for pesticide applications which require such measures shall be done prior to the application but not more than seven days in advance of the scheduled application. It is the employer's duty to inform the employees working in an area to be sprayed that they must vacate the area prior to application of the pesticide.

Appropriation: none

Revenue: none

Fiscal Note: none requested

Effective Date: The bill contains an emergency clause and takes effect immediately.

TESTIMONY FOR:

The bill is fine but needs clarification as to "area" in determining what workers need to be informed of the application.

TESTIMONY AGAINST: None

TESTIFIED: Steve Cant, Department of Labor and Industries; Mike Schwisow, Department of Agriculture