

Senate Bill 929

Sponsored by Senator PROZANSKI, Representatives MARSH, HOLVEY; Senators BURDICK, FREDERICK, MAN-
NING JR, MONNES ANDERSON, TAYLOR, Representatives GORSEK, KENY-GUYER, LIVELY, NOSSE,
SANCHEZ, SOLLMAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires State Department of Agriculture to classify neonicotinoids as restricted use pesticides. Requires department to restrict sale and use of pesticide products containing neonicotinoids. Creates exceptions.

Requires that information concerning restrictions on neonicotinoid use be included in educational materials developed by Oregon State University and department.

A BILL FOR AN ACT

1
2 Relating to pesticides; creating new provisions; and amending ORS 634.045.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Sections 2 and 3 of this 2017 Act are added to and made a part of ORS**
5 **chapter 634.**

6 **SECTION 2. As used in section 3 of this 2017 Act, "neonicotinoid" means:**

7 (1) **Acetamiprid;**

8 (2) **Clothianidin;**

9 (3) **Dinotefuran;**

10 (4) **Imidacloprid;**

11 (5) **Nithiazine;**

12 (6) **Thiacloprid;**

13 (7) **Thiamethoxam; or**

14 (8) **Any other chemical the State Department of Agriculture determines by rule to belong**
15 **to the neonicotinoid class of chemical compounds.**

16 **SECTION 3. (1) The State Department of Agriculture shall adopt rules to classify**
17 **neonicotinoids as restricted use pesticides.**

18 (2) **Except as provided in subsection (4) of this section, the department shall allow the**
19 **sale of pesticide products containing neonicotinoids only to a person presenting evidence as**
20 **required by department rule that the person is:**

21 (a) **A pesticide applicator licensed under this chapter;**

22 (b) **A veterinarian licensed under ORS chapter 686; or**

23 (c) **An owner or operator of a farm used for the commercial production of an agricultural**
24 **or horticultural crop.**

25 (3) **Except as provided in subsection (4) of this section, the department shall allow the**
26 **use of pesticide products containing neonicotinoids only by:**

27 (a) **A licensed pesticide applicator or a certified pesticide trainee acting under the**
28 **supervision of a licensed pesticide applicator;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) A veterinarian licensed under ORS chapter 686 and acting within the scope of that**
 2 **license or a person employed by the veterinarian and acting within the scope of the person’s**
 3 **employment; or**

4 **(c) An owner or operator of land used for the commercial production of an agricultural**
 5 **or horticultural crop, or employees of the owner or operator acting within the scope of their**
 6 **employment, when applying the pesticide to the owned or operated land.**

7 **(4) This section does not authorize the department to restrict the sale or use of**
 8 **neonicotinoids contained in:**

9 **(a) Pet care products for the eradication, control or mitigation of parasites harmful to**
 10 **domestic animals;**

11 **(b) Personal care products for the eradication, control or mitigation of lice or bedbugs;**
 12 **or**

13 **(c) Products for indoor use in an enclosed space to eradicate, control or mitigate pests.**

14 **SECTION 4.** ORS 634.045 is amended to read:

15 634.045. (1)(a) Oregon State University, in consultation with the State Department of Agricul-
 16 ture, shall develop educational materials regarding the best practices for avoiding adverse effects
 17 from pesticides on populations of bees and other pollinating insects.

18 (b) The educational materials must include, but need not be limited to, measures that pesticide
 19 applicators and pesticide trainees can take to protect honeybees and bumblebees.

20 (c) The university and the department shall design the requirements to ensure that any pesticide
 21 applicator applying or supervising the application of a pesticide is knowledgeable regarding alter-
 22 natives to, the appropriateness of, and precautions for pesticide use that may be injurious to the
 23 health of bees and other pollinating insects.

24 (d) The department shall make the educational materials described in this section a part of the
 25 education required for taking the pesticide applicator licensing examination under ORS 634.122.

26 (2) Oregon State University, in consultation with the State Department of Agriculture, shall
 27 develop a pollinator health outreach and education plan to educate the public regarding the best
 28 practices for avoiding adverse effects from pesticides on populations of bees and other pollinating
 29 insects. The plan shall include:

30 (a) Educational materials that are appropriate and effective for a broad audience, including, but
 31 not limited to, pesticide applicators, consultants, dealers, operators and trainees and private
 32 applicators, as those terms are defined in ORS 634.006, and members of the public; and

33 (b) A communication strategy for dissemination of educational materials using media sources,
 34 state agencies, associations and organizations.

35 (3) The State Department of Agriculture shall develop a bee incident reporting system to facili-
 36 tate public reporting of incidents related to pollinator health to the department.

37 (4) Oregon State University, in consultation with the State Department of Agriculture, shall
 38 develop a pesticide use safety plan to educate the public regarding best practices in the use of
 39 pesticides. The plan shall include:

40 (a) Educational materials that are appropriate and effective for a broad audience, including, but
 41 not limited to, pesticide applicators, consultants, dealers, operators and trainees and private
 42 applicators, as those terms are defined in ORS 634.006, and members of the public; and

43 (b) A communication strategy for dissemination of educational materials using media sources,
 44 state agencies, associations and organizations.

45 **(5) The pesticide use safety plan educational materials described in subsection (4) of this**

1 **section shall include, but not be limited to, information regarding the restrictions on the sale**
2 **and use of pesticide products containing neonicotinoids as defined in section 2 of this 2017**
3 **Act.**

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