



Testimony in support of HB 3028

March 25, 2019

Dear Chair Clem, Vice-Chair McLain, and Members of the Committee:

My name is Amy Wong and I am active in regenerative agriculture issues. I am interested in shifting Oregon away from chemical-intensive agriculture to more regenerative methods that prioritize soil, human, and environmental health. One step towards this vision is banning the use of chlorpyrifos, the toxic nerve agent that is unsafe at any detectable level, as well as restricting the use of bee-killing neonicotinoids to licensed professionals only, thus removing them from store shelves. HB 3028 will accomplish this and I urge you to support the bill.

It is extremely concerning that despite the fact that in 2015 EPA made a clear determination that chlorpyrifos is dangerous at any level—and the agency was ordered to ban chlorpyrifos by the 9<sup>th</sup> Circuit Court of Appeals 2018—the Trump administration has chosen to ask the 9<sup>th</sup> Circuit Court of Appeals to re-hear the case and has allowed of chlorpyrifos to stay on the market. This case is not an outlier. EPA has a history of allowing harmful pesticides to be used far longer than they should due to the agency's use of "conditional" registrations.

EPA uses two categories of pesticide registration: unconditional and conditional.<sup>1</sup> There are deep flaws in both registrations and thousands of conditional pesticides are in use. Conditional registrations grants companies the authority to sell their pesticides on a "conditional" basis despite missing efficacy and/or safety data necessary for EPA approval.<sup>2</sup> For example, while the E.U. wisely banned neonicotinoids, the EPA allowed Clothianidin (a neonicotinoid) to remain conditionally registered for over nine years, despite incomplete safety data and a growing body of evidence that the product is harmful.

Missing data is supposed to be submitted within four years, but in reality, many pesticides remain in use and conditional for far longer. EPA does not always mandate when the additional data should be submitted; requested studies are not executed and/or are inadequate and the extent to which the EPA ensures that registrants actually submit additional data for review is unknown, due to poor EPA tracking mechanisms.

In light of these regulatory gaps, it is exciting that Oregon has the opportunity to takes steps to better protect the health of the state by banning chlorpyrifos and restricting the use of neonicotinoids and I urge you to support HB 3028.

Most sincerely,

Amy Wong

[amy@ourfamilyfarms.org](mailto:amy@ourfamilyfarms.org)

[www.ourfamilyfarms.org](http://www.ourfamilyfarms.org)

805 455 4200

Cultivate Oregon

[www.cultivateoregon.org](http://www.cultivateoregon.org)

---

<sup>1</sup> GAO, PESTICIDES, *EPA Should Take Steps to Improve Its Oversight of Conditional Registrations*, August 2013, available at <http://www.gao.gov/assets/660/656825.pdf>.

<sup>2</sup> GA J, PESTICIDES, *EPA Should Take Steps to Improve Its Oversight of Conditional Registrations*, August 2013, available at <http://www.gao.gov/assets/660/656825.pdf>.