

SENATE BILL REPORT

EHJM 4004

As Reported By Senate Committee On:
Agriculture & Agricultural Trade & Development, March 16, 1995

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.

Brief History:

Committee Activity: Agriculture & Agricultural Trade & Development: 3/16/95 [DP].

SENATE COMMITTEE ON AGRICULTURE & AGRICULTURAL TRADE & DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Loveland, Vice Chair; Bauer, Morton, Newhouse and Snyder.

Staff: Bob Lee (786-7404)

Background: The agricultural industry in the state of Washington grows a great number of different crops. From a national perspective, many of these crops are considered minor crops. Each of these crops has its own set of pest management problems.

The registration of pest control products is generally done by the federal Environmental Protection Agency under to federal law. Federal requirements adopted in 1984 and 1988 mandate additional studies and data for registration, and require pesticides that were previously registered to go through a reregistration process.

In general, FIFRA protects proprietary data submitted by an applicant for the registration of a pesticide for 15 years, if the data were submitted from December 1969 through September 1978. It protects the data for ten years if the data were submitted after September 1978.

There are many products for which current registrants will not be requesting reregistration due to the high cost of reregistration and the small quantities of product from which to recoup the investment. Thus, a number of crops are potentially left without an effective pest control alternative. As a result, grower organizations and universities increasingly are being called upon to fill the void by conducting the necessary studies to reregister the products.

One option to address the availability of pesticides for minor crops is to seek changes to the federal Insecticide, Fungicide, and Rodenticide Act to provide incentives or longer time periods to reregister pest control products.

Summary of Bill: Congress is requested to consider legislation that:

1. Extends the length of time for the registrant to hold exclusive data rights, thereby increasing the time period for the registrant to recoup the cost of registration;
2. Establishes specific time periods for the EPA to act on minor crop registrations so that registrants are encouraged to pursue additional registrations for minor uses;
3. Provides for an extension of time for registrants to submit data equal to the time that it takes EPA to act upon a request for waiver with this extension, so that registrants are not inadvertently forced to develop data during the time EPA is deliberating a waiver request;
4. Provides additional time for registrants to generate the necessary residue data for reregistration of pesticides for minor crops. If the registrant is unwilling to finance the generation of the data, this allows time to find other methods to generate the required data; and
5. Provides a temporary extension of registration of unsupported minor uses. If the current registrant declines to request the reregistration, other organizations have time to comply with requirements before cancellation of the registration.

Appropriation: None.

Fiscal Note: Not requested.

Testimony For: None.

Testimony Against: None.

Testified: No one.