

SENATE BILL REPORT

SB 5253

AS OF FEBRUARY 26, 1991

Brief Description: Modifying pesticide notification and application requirements.

SPONSORS: Senators Murray, Snyder, Owen, L. Kreidler, Wojahn, Gaspard, McMullen, Niemi, A. Smith, Skratek, Moore, Talmadge, Williams, Madsen, Vognild, Pelz, Rinehart and Sutherland.

SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES

Staff: John Stuhlmiller (786-7446)

Hearing Dates: March 5, 1991

BACKGROUND:

Interest has been expressed in creating a notification and posting process for residential pesticide applications. Additionally, concern has been raised over the lack of a comprehensive education and information program to inform homeowners of the proper use of pesticides.

SUMMARY:

When pesticides are applied by a certified applicator to public and private school yards, day care centers, public recreation areas, or residential property, the applicator is required to post warning signs. Signs must be posted during the application and must remain in place for at least the following forty-eight hours. The signs must say "NOTICE!-Area Sprayed" and must contain the name of the pesticide, the pesticide label signal word, information identifying the applicator and an address and telephone number where additional information can be obtained; and the application date.

In addition to posting, applicators must provide the owner or the owner's agent with the approximate date or dates of the application; the number of applications and quantity; the pesticide to be applied; pesticide label information; and the name, address, telephone number and the certified applicator's license number. If the application is to be delayed, the applicator must give notice to the owner and the owner must agree to a rescheduled date for the application.

Prior to the application of a pesticide on or within a home or residential property, every certified applicator must supply the occupants with all health warnings found on the label of the pesticide. In the case of multiple dwelling units, the

applicator is required to provide notice to the owner or the owner's agent.

State and local health departments and mosquito control districts are exempt from posting and notification requirements.

The Department of Agriculture is directed to adopt the necessary rules to: (1) implement the posting program; (2) develop warning signs and other information materials for distribution at retail sales outlets where home and garden use pesticides are sold; (3) establish a pesticide use and information program; and (4) establish a Home and Garden Pesticide Product Advisory Board. The board is to be composed of six members representing the pesticide manufacturing industry, the certified applicators, the environmental community, the Department of Health, the Department of Ecology, and the Department of Agriculture. The board is to report to the Legislature by June 30, 1992.

Appropriation: \$45,000 from the state toxics control account

Revenue: none

Fiscal Note: none requested