

ANALYSIS OF HB 2081

House Agriculture & Ecology Committee

March 14, 1997

BACKGROUND:

Although statutes regulate spraydrift from agricultural spraying, there are no standards for evaluating the seriousness of any drift that may occur. There is also no requirement for cities and counties to establish a buffer area between agricultural areas and residential areas as part of the planning process to protect residents from spraydrift.

SUMMARY:

No certified applicator may have an action maintained against them for incidental amounts of spraydrift from the application of a pesticide that may occur if the spraying: (a) was done in accordance with the label; (b) was done under favorable wind conditions; and (c) was not intentionally directed from the lands to which it was applied.

An incidental amount of spraydrift is defined as spray residue found off target and on a person's property or body, and the amount of the residue is less than the amount of residue allowed under federal the Environmental Protection Agency standards for edible produce. Favorable wind conditions are defined as either calm or the wind is blowing towards the intended place of application.

As part of the planning process, cities and counties are required to establish a reasonable amount of buffer space on lands that will be developed for residential use and located next to agricultural lands, in order to protect residents from incidental spraydrift from agricultural spraying.