



# WHAT THEY ARE SAYING!

More than 200 organizations are committed to codifying state oversight of pesticides at the state-level, otherwise known as state-level pesticide preemption. The following quotes demonstrate the importance of state-level preemption to both agriculture and non-agriculture user groups, in addition to the regulator community.

## NEW YORK AGREES...

“ This bill [SB 5957] is identical to legislation I vetoed last year, and would undermine the integrity of DEC’s robust pesticide program, its wetland protection program and its protections for freshwater wetlands. Further, this bill would lead to confusion and the inconsistent application of State laws leading to unintended consequences for pesticide regulation in New York.

*New York Governor Kathy Hochul; Veto Memo: SB 5957, An act to amend the environmental conservation law, in relation to prohibiting the application of pesticides to certain local freshwater wetlands*

“ New York citizens, growers, and applicators rely on pesticide tools to maintain safe and healthy homes, grow our state’s food supply, and prevent public health disasters. Pest pressures in the state are increasing due to climate change, population growth, and many other factors, and to best manage this increased pest activity, our state needs to maintain its current regulatory framework, which does not allow localities to restrict pesticide use. Local interference can yield inconsistent patchworks of city and county ordinances that are in direct conflict with the scientific findings of the New York State Department of Environmental Conservation and U.S. EPA. State-level pesticide preemption is a system that works for New York citizens, which was recently acknowledged by Governor Kathy Hochul in a veto memo concerning SB 5957. We hope to see U.S. Congress follow the lead of New York, California, and over 40 other states and codify state oversight of pesticides at the state-level into federal law.

*Robert Moloney, President, New York Pest Management Association (NYPMA)*

## REGULATOR COMMUNITY

“ State Departments of Agriculture serve as co-regulators on crop protection decisions alongside EPA in 43 states, providing critical science-based expertise on the use of products in their respective states. We support efforts by Congress to codify this important role they play in partnering with EPA to provide regulatory clarity to U.S. farmers and ranchers.

*Ted McKinney, CEO, National Association of State Departments of Agriculture (NASDA)*

“ State-level pesticide control officials are career employees with extensive scientific and regulatory training. This expertise, complemented by longstanding partnerships with EPA, positions ASPCRO members as the best situated entities to regulate pesticide sale, use, and distribution.

*Allison Cuellar, Association of Structural Pest Control Regulatory Officials (ASPCRO) President & Texas Department of Agriculture*

“ Currently 43 U.S. states, including California through the county agriculture commissioners and sealers offices, employ state-level oversight of the sale and use of pesticides following the uniform implementation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). California has the most robust pesticide use and enforcement regulatory program in the world. In 2023 CACASA, with 499 inspectors throughout California, carried out a total of 29,355 inspections. What other state in the U.S. can match this? In California farmers maintain a 98% compliance rate. Moreover, the 32nd consecutive release of the 2022 U.S. Department of Agriculture’s (USDA) Agricultural Marketing Service (AMS) annual Pesticide Data Report found 99 percent of samples tested across the U.S., including those from California, had pesticide residues under maximum limits established by EPA. Thus the 43 states, including California with pesticide preemption are implementing successful, uniform regulations and enforcement activities for proper pesticide use according to FIFRA. In the next Farm Bill, Congress should codify state oversight of successful pesticide regulations at the state level and prevent unnecessary local regulations and enforcement, which create overly burdensome financial responsibilities for local governments.

*Tim Cansler, California Agricultural Commissioners & Sealers Association (CACASA)*

## CALIFORNIA AGREES...

“ My Administration takes the impacts of harmful chemicals on our people and environment seriously. I have tasked DPR to accelerate a systemwide transition to safer, more sustainable pest management. By statutorily prohibiting a pesticide and its use, this bill would circumvent California’s regulatory process of establishing restricted materials.

*California Governor Gavin Newsom; Veto Memo: AB 2146, Neonicotinoid pesticides: prohibited nonagricultural use.*

“ California has some of the most unique pest challenges in the country, and our industry has continuously been able to protect communities and families and from pests due to the state’s robust state level pesticide preemption laws, administered by the California Department of Pesticide Regulation. Governor Newsome continues to instill confidence in the California Department of Pesticide Regulation, as recent as 2023, and we believe Congress should look to our Governor’s recent positive statements about California’s state pesticide preemption as it considers federal legislation codifying state pesticide preemption.

*Michael Wilson, CEO, Pest Control Operators of California (PCOC)*

“ California Department of Pesticide Regulation serves as co-regulators of pesticides alongside EPA. This regulatory framework, often referred to as state-level pesticide preemption, prevents localities from interfering with EPA and DPR’s work aimed at protecting our nation’s crops, farms, food supply, farm workers, and consumers.

*Chris Reardon, Director, Government Affairs, California Farm Bureau*

## NON-AGRICULTURE COMMUNITY

Ensuring that policy decisions concerning pesticide use remains at the state level is of paramount importance to the green industry. We support efforts in this Congress to ensure science-based decisions are made through a deliberate and transparent process with state and federal regulators. This will better enable trained and certified applicators to make informed decisions to responsibly use pesticides to protect and enhance the properties of homeowners and businesses throughout the nation.

*Andrew Bray, Senior Vice President of Government Relations and Membership, National Association of Landscape Professionals*

GCSAA strongly supports the work of state lead agencies as the co-regulators of pesticides alongside the EPA. Consistent statewide pesticide regulations provide the certainty needed by golf course superintendents to treat for damaging pests and diseases that can degrade the quality of dense turfgrass found on golf courses. Turfgrass pests and disease move throughout communities regardless of political jurisdiction or zip code, which is why equitable, consistent regulation is necessary. We appreciate the work of state and federal government experts, who keep public/environmental safety top of mind, for their tireless work to regulate and register the products often relied upon to grow and maintain healthy turfgrass which provides so many environmental benefits to our world.

*Rhett Evans, Chief Executive Officer, Golf Course Superintendents Association of America*

## AGRICULTURE COMMUNITY

Clear and concise enforcement of U.S. pesticide regulation is important to our farmers and ranchers, who benefit from having one lead agency per state addressing pesticide issues. American Farm Bureau Federation supports efforts in Congress to codify state pesticide preemption, which would provide regulatory clarity for our farmers and also ensure adequate protection of human health and the environment.

*Zippy Duvall, President, American Farm Bureau Federation (AFBF)*

Pesticide registration and use is heavily regulated by the EPA and the states to ensure its important use in food, fiber and biofuel production is conducted safely. EPA and the states have the expert policymakers well-versed in science and the law to do this. In the aerial application industry that treats 127 million acres, or a third of our nation's cropland, a uniform system regulating pesticides is needed to not unnecessarily burden our small businesses that often times treat in multiple states due to an aircraft's ability to easily migrate from state to state. For this reason, enactment of pesticide preemption legislation is of paramount importance.

*Andrew D. Moore, CEO, National Agricultural Aviation Association (NAAA)*

## PEST MANAGEMENT ASSOCIATIONS

The Georgia pest control industry has a long history of engagement with the Georgia Department of Agriculture (GDA) and EPA as they work to develop effective, common-sense, and comprehensive regulation of pesticide sale, use, and distribution. While we don't always get our way, the state's current system of state-level pesticide preemption ensures that our industry will have an opportunity to participate in a robust dialogue facilitated by career scientific experts at GDA and EPA. If our system of preemption was rolled back, these conversations could be moved to the local level, where local politics and funding challenges could distract from efforts aimed at developing and maintaining comprehensive oversight of the pest control industry.

*Greg Holley, President, Georgia Pest Control Association (GPCA)*

Pennsylvania Pest Management Association (PPMA) members respectfully request Chairwoman Stabenow and Chairman Thompson codify oversight of pesticides at the state-level in the upcoming Farm Bill. This would ensure consistent science-based decision making and regulation just as the Pennsylvania Department of Agriculture currently does in our Commonwealth. Pennsylvania has over 2500 municipalities. If all were to enact a patchwork of pesticide usage guidelines, doing business here would be nearly impossible and public safety could be at risk.

*Jeffrey King, President, Pennsylvania Pest Management Association (PPMA)*

In Arkansas, the regulated community benefits from clear, regular communication with the Arkansas Plant Board, the state's sole pesticide regulator, of which in turn has a similarly strong, unique relationship with the U.S Environmental Protection Agency. As Congress considers codifying state pesticide preemption, it should look to Arkansas as a model example of how state pesticide preemption should and can work.

*Marilyn Porterfield, Executive Director, Arkansas Pest Management Association (APMA)*

Michigan farms, schools, hospitals, businesses, and families already benefit from the Michigan Department of Agriculture and Rural Development acting as the centralized, sole state-level pesticide regulator in regular coordination with the U.S. Environmental Protection Agency on federal laws. If enacted on the state level, a new patchwork of local Michigan pesticide regulators would cause much confusion for the state, taking the focus away from public health. Therefore, Congress should strongly consider codifying state level pesticide preemption nationally and look to Michigan's current regulatory system as a shining example.

*Bill Welsh, Board Member, Michigan Pest Management Association (MPMA)*

The New Jersey Department of Environmental Protection currently maintains a robust, centralized regulatory system for pesticides, and works alongside Rutgers University, which employs teams of entomologists and public health experts. Should NJDEP's responsibilities be disseminated to the local level, New Jersey communities could be at risk for increased exposure to pests as localities often aren't equipped with specialists to deal with outbreaks and even routine regulatory compliance. Therefore, Congress should enact state pesticide preemption on the federal level.

*Len Douglan, Executive Director, New Jersey Pest Management Association (NJPMMA)*

Minnesota pest management professionals were extremely disappointed with last year's rollback of our state's system of pesticide preemption. The state legislature's decision to allow cities of the first class to restrict the sale, use, and distribution of a particular class of chemistry clearly demonstrates that preemption rollback is a tool for activists to work around the expertise housed at the Minnesota Department of Agriculture, and target local governments with non-scientific proposals to restrict vital public health tools. The Minnesota Pest Management Association is a strong supporter of restoring our state's system of state-level pesticide preemption through a national solution that codifies state oversight of pesticides.

*Jay Bruesch, Executive Director, Minnesota Pest Management Association (MPMA)*

State-level pesticide preemption is a system that North Carolina applicators rely on to ensure that our pest management professionals are operating in compliance with the law. Local regulation would be a compliance nightmare because of poorly defined county boarders and unclear enforcement responsibilities. Furthermore, we depend on the expertise at EPA and the North Carolina Department of Agriculture and Consumer Services to tell us what is safe for our customers, applicators, and the surrounding environment. That expertise is not available at the local-level. Because of this, we are desperate for a national solution that offers us certainty that our current regulatory framework will remain in effect.

*Dylan Morrison, President, North Carolina Pest Management Association (NCPMA)*

## IMPORTANCE OF STATE-LEVEL PREEMPTION