

# Vote NO on HB 2413

Here are some reasons why:

- It applies only to farms, not forestry or urban uses,
- The buffer applies to day care, schools, homes, and “any person outdoors”,
- Pre-notification is required to employers who have employees outside within  $\frac{1}{4}$  mile,
- State and local governments applying under a state-issued permit are exempt (special purpose districts are not mentioned),
- It is still enforced by the Department of Labor and Industries (L&I).
- It creates new problems:
  - It creates new definitions of “farm” and “pesticide” that do not match current state or federal law. According to HB 2413, “Pesticide” means, but is not limited to:
    - Any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any insect, rodent, nematode, snail, slug, fungus, weed, and any other form of plant or animal life or virus, except virus on or in a living human being or other animal, which is normally considered to be a pest or which the Director of Agriculture may declare to be a pest.
    - Any substance or mixture of substances intended to be used as a plant regulator, defoliant, or desiccant.
    - Any spray adjuvant, such as a wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent with or without toxic properties of its own intended to be used with any other pesticide as an aid to the application or effect thereof, and sold in a package or container separate from that of the pesticide with which it is to be used.
    - Any fungicide, rodenticide, herbicide, insecticide, and nematicide.
- It adds a civil cause of action allowing an employee to sue an employer for failure to notify.
- It would be especially costly for organic growers since they apply more frequently than conventional growers and thus would have to notify more often. The new, expansive definition of pesticides in the bill will cover everything used by organic growers. Because organic growers often use more labor, they will have more people to notify.
- It ignores the current regulatory framework within the Washington State Department of Agriculture (WSDA) and the close working relationship between WSDA and L&I.
- It muddies the current lines of enforcement by involving L&I in activities that they are neither prepared nor trained to do
- It creates a separate and distinct enforcement regime for pesticides applied on agricultural lands. When the same pesticides are used in forest, urban and other settings, this proposed law would not apply, creating unequal treatment of pesticide applicators based on the class of lands on which the application was made.