

## **State of Oregon, 70th Legislative Assembly- Regular Session 2003. House Bill 3602. (The Pesticide Right to Know Law) Salem: Oregon State Printing Office 1999. (Reviewed by Whitney Avery)**

### **The launching of the Pesticide Use Reporting System (PURS)**

An overwhelming majority passed House Bill 3602 in 1999. It gives the Oregon Department of Agriculture the right to create a reporting system for all of the pesticides used in Oregon, and the ability to regulate the use of those pesticides. It requires pesticides to be registered and fees to be paid for using pesticides (to supplement the cost of the reporting system). This law is very broad in what must be reported, for example, retailers must report how much pesticides they have sold for private use. This bill is an attempt to find and correct the problems of non-point source pollution. The stated purpose of the bill is

**“the development of a comprehensive, reliable, and cost-effective system for collecting and organizing information on all categories of pesticide use in Oregon {that} is needed by government agencies, researchers, policymakers and the public to ensure the public health and safety and to protect Oregon's water and environment.”**

It is also stated in Section 7 that one reason for the State Department of Agriculture to create this system is for “Protecting public health, water quality and fish and wildlife.” It is also interesting to note that the data collected by the PURS are protected from disclosure to the public. There is even a section that imposes penalties on groups for bringing “frivolous” lawsuits against pesticide users. There are also provisions for the education and licensing of pesticide users and sellers. The State Department of Agriculture is also required to create a manual for the use of pesticides and create an annual report on the use of pesticides based on watershed areas.

### **Critique**

This is an important and complicated bill. It is complicated in the sense that it creates a lot of work. This creates several positions in the Department of Agriculture, there is a lot of bureaucracy attached to this bill, but that does not mean that I think it is bad. This bill could create a lot of useful, important information. I think that it could be a problem the extent to which they have made the reported information private, because it bars civil action from being taken by the people, thereby creating the potential for a situation like that in the movie *Erin Brokovich*. There could be a farm, or other industry using a pesticide, reporting it to the government, who knows that it is harmful, refusing to stop using it and causing illness in the local population. I realize that the government feels that it would deal adequately with any such threats and doesn't want good farmers harassed by environmentalists.

The real problem with this bill is funding. There are some provisions made for funding in the last sections of the bill, but it is minimal. This is a monstrous task that would require a lot of money. The economy was doing much better when this bill was passed than it is right now and that may have

contributed to the optimism that led to the passage of this bill. Maybe the true importance of this legislation was sensed, I don't know. I do know that this bill was totally defunded by the 2003 Legislature. There has already been money raised for the system through the fees established (\$350,000) and a lot of research into the creation of the reporting system (\$1 million in tax dollars). This was reported by KATU when the bill was defunded. The bill is still on the books and therefore not totally defunct but it will take some ingenuity and a lot of lobbying before there is enough money to make anything happen with it.

Oregon State. 70th Legislative Assembly- Regular Session 2003. House Bill 3602. Salem: Oregon State Printing Office 1999.

"Lack of funding stalls pesticide tracking system." KATU 2 News. ABC. Walt Disney Company, New York. 23 Sept. 2003.

[return to info sources page](#)

[return to home page](#)