



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Agriculture
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HB 1575 – RELATING TO PESTICIDES

Chair Creagan, Vice Chair DeCoite and members of the House Committee on Agriculture:

Thank you for the opportunity to testify on HB 1575 relating to pesticides, which prohibits the use of any pesticide use unless the user is certified by the Hawai'i Department of Agriculture (HDOA) and requires HDOA to include an educational component in the pesticide use certification process. The University of Hawai'i at Mānoa, College of Tropical Agriculture and Human Resources opposes the intent of this bill and we respectfully provide the following information to substantiate our position.

- 1) We are aware of no data that support prohibiting the use of all pesticides unless the applicator is certified by HDOA.
- 2) All pesticides have a label which is specifically designed to encourage safe and effective use. It is not clear why pesticides such as Neem Oil, CuSO₄, and others of certain toxicities which can be safely applied using basic care, would require a certified applicator.
- 3) We do not believe that sufficient consideration has been given to the amount of time and resources required to train and certify thousands of current farmers and to train and certify new farmers. How will the state provide the capacity for thousands of farmers to re-certify by taking 17 credit hours of seminars, etc. in a three-year period, or retake the exam as is done with restricted use pesticides?
- 4) The bill does not determine nor fund the need to offer continuous educational workshops on pesticide safety for re-certification credits.
- 5) This is another regulation being cast upon the farmers who are already dealing with the requirements of the U.S. Food and Drug Administration Food Safety Modernization Act and other regulations that are putting them out of business, so how will we resolve our food security issues and double food production?

- 6) The U.S. Environmental Protection Agency and HDOA already have rules and federal laws that address pesticide application. Federal law stipulates that the label on a pesticide has to be followed or it can lead to civil or criminal liability for damages to other parties. Certain pesticides, based on their chemistry and toxicity, are already required to use a certified applicator at the federal level. This bill does not provide any justification that the same should apply to all pesticides.
- 7) As written, this bill appears to apply to any pesticide, including those used in the home such as RAID, boric acid and other similar materials for small extermination events. Is that the intent of the bill? Will one need a certification to buy such materials?
- 8) We question how this will adversely affect the fight against invasive species such as little fire ants where homeowners are asked to be part of the solution.
- 9) Currently the funding is insufficient to do the background work to put new crops/pests on current labels of pesticides. This has been a continuing problem that would be aggravated by this bill.

In lieu of passing additional regulations that are unnecessary if current law and regulations are followed, the legislature should address the main concerns that cause misuse of pesticides. We oppose this bill as written and recommend the following amendments.

- 1) Translation services (oral and written) for the immigrant farming community on proper pesticide use would address the fact that they may not be able to read the labels in English. Pertinent information can be put in their native languages.
- 2) Workshops for the diverse variety of communities on the proper use of pesticides.
- 3) Develop Best Management Practices for pesticides and work toward 100% adoption by individual farmers.

We believe that education is the first line of defense.

Thank you for the opportunity to submit testimony.