

# SB xxx:

## *Sunset Review of the Pesticide Applicators' Act*

Support Maintaining Statewide Uniformity

Keep Policies Safe, Consistent, and Science-Based

Colorado needs to preserve the responsible application of pesticides for the good of our citizens, their health, and their basic needs. Pesticide application is used in many facets of our lives to ensure that our homes, food, schools, hospitals, public transit, native species, and ecosystems remain clean and safe from destructive pests and pest-borne illnesses.

DORA's sunset report recommended maintaining our current system of statewide uniformity.

### **UNIFORM REGULATION LEADS TO SAFER APPLICATION**

All licensed pesticide applicators in Colorado have to go through an exam process through the Department of Agriculture, which utilizes EPA-developed scientific requirements for pesticide use designed to protect both human health and the environment.

Under a uniform, statewide system of regulation, pesticide applicators follow consistent protocols wherever they're applying. If each of Colorado's 64 counties and hundreds of municipalities were allowed to pass their own product bans, application instructions, notice requirements, and timing protocols (etc) then the risk of pesticide application errors could increase dramatically.

### **UNIFORM REGULATION IS A MATTER OF EQUITY**

Your ability to be protected from pests and pest-borne illnesses shouldn't be dependent on your ZIP code. Homes, schools, and hospitals often rely on safe pesticide application for these safeguards, but a patchwork of local regulations means that not all citizens will be equally protected.

Companies that operate in multiple cities (such as indoor pest control and landscapers) may need to change their protocols to match the most

burdensome requirements. That means that if an affluent city passes a pesticide restriction, it could increase costs for consumers across the board – including in lower-income communities.

HB 19-1328 (Landlord and Tenant Duties Regarding Bedbugs) puts a mandate on landlords across the state to treat bedbugs in a specific and timely manner – which requires the use of pesticides. Allowing local ordinances that go beyond state law could mean that not all tenants have access to this protection.

### **UNIFORM REGULATION SUPPORTS EXPERTISE AND PREVENTS BURDENS ON LOCAL GOVERNMENTS**

Pesticide applicators are currently licensed and regulated through the Colorado Department of Agriculture, which has been delegated authority by the EPA to oversee all pesticide applications in the state.

Safe and science-based pesticide application is complicated, and the risks – to home, food production, and public and private land – of unintended consequences due to misregulation are high. Local governments do not have the staffing or resources to effectively manage expansive pesticide programs, which is why the EPA delegates to the state Departments of Agriculture.

## **UNIFORM REGULATION SUPPORTS COLORADO'S FARMERS AND SMALL BUSINESSES**

Farmers utilize organic and synthetic pesticides to sequester carbon, prevent crop loss, and protect the viability of their land. Local bans could harm farmers' ability to utilize emerging agriculture technologies and threaten their environmental and economic sustainability.

Some farms stretch across county lines, and a patchwork of regulations would impair farmers' ability to effectively manage their land. Also, uncertainty about pesticide regulation prevents farmers from creating the multi-year plans they need to be successful.

Many pesticide applicators work for small businesses that cross city lines – such as pest control and landscapers. Trying to follow (and track changes) for a patchwork of regulations would create significant administrative and logistical burdens for small businesses, challenging their ability to operate effectively.

Multi-location businesses – like restaurants – rely on uniform pesticide regulations to protect the inside of their facilities and the outside landscaping. Inconsistent regulations would make it difficult for these businesses to efficiently manage weeds and pests.

## **UNIFORM REGULATION IS THE NATIONALLY-SUPPORTED BEST PRACTICE**

No state in the country has ever moved from a model of uniform regulation (Colorado's current system) to local control of pesticides.

Every pesticide preemption law that has passed has been to take a state that allowed local control – or where it was unclear in statute – to uniform statewide regulation.

44 out of the 50 states currently have statewide pesticide preemption – local governments are not allowed to pass patchwork laws.

