

**1999 HOUSE AGRICULTURE**  
**HCR 3030**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3030

House Agriculture Committee

Conference Committee

Hearing Date 2-11-99

Tape Number	Side A	Side B	Meter #
Two HCR 3030	x		0 to 12
Committee Clerk Signature <i>Arlin Hansen</i>			

Minutes:

Summary of Resolution: Urge Congress to make sure we have tools to feed the world safely.

Rep Nelson: Sponsor of resolution.. Is a companion bill to HCR Resolution 3029. Basically there wasn't enough room for more wheras so we started another bill. In 1996 the US Congress passed the Food Quality Protection act as a result of that bill the EPA must begin to re-register more then 9700 crop protection products by the year 2006. We need to more actively promote and provide safe and quick access to chemicals and data that helps the American Farmer compete in todays market.

John Olson: ND AGR Assoc. Introduced Ab from Wash DC.

AB Basu.: Wash DC International Agr Assoc. Good resolution to convince Congress to expedite measures to help the American Farmer compete into's world.

Page 2

House Agriculture Committee

Bill/Resolution Number HCR 3030a

Hearing Date 2-11-99

Rep Stefonowicz: Looking at the list of chemicals only see 2 or 3 that are higher than US. The rest are all lower. What's the reason?

AB Basu: Whole of reasons for the difference in prices. First it takes 10 to 12 years to get a product approved in the USA. Quite a bit shorter time in other countries.

Robert Fairbe: ND Agri Assoc.. farm and ranch raising wheat, bly, corn and 7 other crops. We need access to chemicals to be successful in order to cut costs.

Gary Knutson: Agr Assoc. support resolution.

Chm Nicholas asked what the committee wishes were on HCR 3030. Rep Mueller moved a DO PASS and that it be placed on the consent calendar. Second by Rep Rennerfeldt Unanimous vote

Date: 2-11-99  
Roll Call Vote #: 7

**1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 3030**

House AGRICULTURE Committee \_\_\_\_\_

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken No Pass on Consent

Motion Made By Mueller Seconded By Rennerfeldt

Representatives	Yes	No	Representatives	Yes	No
Eugene Nicholas, Chaiman			Bob Stefonowicz		
Dennis E. Johnson, Vice Chm					
Thomas T. Brusegaard					
Earl Rennerfeldt					
Chet Pollert					
Dennis J. Renner					
Michael D. Brandenburg					
Gil Herbel					
Rick Berg					
Myron Koppang					
John M. Warner					
Rod Froelich					
Robert E. Nowatzki					
Phillip Mueller					

Total (Yes) Unanimous No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

REPORT OF STANDING COMMITTEE (410)  
February 12, 1999 10:27 a.m.

Module No: HR-29-2719  
Carrier: Nicholas  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HCR 3030: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3030 was placed on the Tenth order on the calendar.**

1999 SENATE AGRICULTURE

HCR 3030

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3030

Senate Agriculture Committee

Conference Committee

Hearing Date 3/18/99

Tape Number	Side A	Side B	Meter #
2	X		4675-5866
Committee Clerk Signature <i>Tricia Jorgensen</i>			

Minutes:

Senator Wanzek called the meeting to order, roll call was taken, all were present.

Senator Wanzek opened the hearing on HCR 3030.

Representative Nelson introduced the bill.

Steve Strege from the ND Grain Dealers spoke in support of the bill. Proposed amendments.

Beth Baumstark from the Attorney General's office stood in support.

Ab Basu stood in support of the bill.

Gary Knutson stood in support of the bill.

Lance Gaebe stood in support of the bill.

Senator Wanzek closed the hearing on HCR 3030.

Senator Klein made the motion for a Do Pass on the amendments.

Senator Urlacher seconded.

Page 2

Senate Agriculture Committee

Bill/Resolution Number Hcr 3030

Hearing Date 3/18/99

Motion carried.

Senator Klein made the motion for a Do Pass as Amended.

Senator Mathern seconded.

ROLL CALL: 7 Yes, 0 No

CARRIER: Senator Wanzek



PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3030

Page 1, line 2, after "possible" insert "including post-harvest crop protectants"

Page 2, line 12, after "possible" insert "including post-harvest crop protectants"

Renumber accordingly

Date: 3/18  
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR 3036

Senate Agriculture Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass Amendments

Motion Made By Klein Seconded By Urlacher

Senators	Yes	No	Senators	Yes	No
Senator Wanzek	✓				
Senator Klein	✓				
Senator Sand	✓				
Senator Urlacher	✓				
Senator Kinnoin	✓				
Senator Kroeplin	✓				
Senator Mathern	✓				

Total (Yes) 7 No 0

Absent \_\_\_\_\_

Floor Assignment SEN

If the vote is on an amendment, briefly indicate intent:

Date: 7/18  
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HR 3030

Senate Agriculture Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass as Amended

Motion Made By Klein Seconded By Mathern

Senators	Yes	No	Senators	Yes	No
Senator Wanzek	✓				
Senator Klein	✓				
Senator Sand	✓				
Senator Urlacher	✓				
Senator Kinnoin	✓				
Senator Kroeplin	✓				
Senator Mathern	✓				

Total (Yes) 7 No 0

Absent \_\_\_\_\_

Floor Assignment Senator Wanzek

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

HCR 3030: Agriculture Committee (Sen. Wanzek, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3030 was placed on the Sixth order on the calendar.

Page 1, line 2, after "possible" insert ", including post-harvest crop protectants"

Page 2, line 12, after "possible" insert ", including post-harvest crop protectants"

Renumber accordingly

1999 TESTIMONY

HCR 3030



**STATEMENT BY THE AMERICAN CROP PROTECTION ASSOCIATION  
BEFORE THE HOUSE COMMITTEE OF AGRICULTURE  
FIFTY-SIXTH LEGISLATIVE ASSEMBLY OF NORTH DAKOTA**

**FEBRUARY 11, 1999**

**CONCERNING HCR3030**

LADIES AND GENTLEMEN:

THE AMERICAN CROP PROTECTION ASSOCIATION IS THE NOT-FOR-PROFIT TRADE ASSOCIATION, BASED IN WASHINGTON, D.C., THAT REPRESENTS THE COMPANIES THAT PRODUCE, SELL AND DISTRIBUTE VIRTUALLY ALL OF THE CROP PROTECTION AND PEST CONTROL CHEMICALS REGISTERED FOR USE IN THE UNITED STATES.

**ACPA APPRECIATES THE INVITATION OF THIS COMMITTEE TO TESTIFY IN STRONG SUPPORT FOR THE RESOLUTION BEFORE YOU: HCR3030, TO URGE CONGRESS TO ENSURE THE AVAILABILITY OF CROP PROTECTION PRODUCTS AND A TRANSPARENT, SCIENCE-BASED IMPLEMENTATION OF FQPA BASED ON STATISTICALLY ACCURATE PESTICIDE USE DATA.**

**THE FOOD QUALITY PROTECTION ACT: EPA IMPLEMENTATION WILL HAVE SIGNIFICANT IMPACT ON GROWERS ACROSS THE COUNTRY.**

TO HELP UNDERSTAND THE CHANGES BROUGHT ABOUT NOW AND IN THE FUTURE BY FQPA, THINK OF THE EXPOSURE THAT CAN BE SAFELY ALLOWED FOR A PARTICULAR PESTICIDE AS FILLING A "RISK" CUP. THIS CUP CONTAINS THE AMOUNT OF PESTICIDE RESIDUE THAT A PERSON CAN BE EXPOSED TO DAILY WITHOUT AFFECTING HEALTH.

BEFORE FQPA, EACH PESTICIDE HAD ITS OWN RISK CUP, WHICH HELD ONLY THE RISK FROM USE ON FOOD CROPS; FOR EXAMPLE, FROM CORN OR APPLES. UNDER FQPA, THE RISK CUP MUST NOW MAKE ROOM NOT ONLY FOR RESIDUES ON FOOD, BUT ALSO FROM THOSE FOUND IN

**Testimony Concerning HCR3030**  
**North Dakota House Agriculture Committee**  
**Page Two**

DRINKING WATER, FROM USES IN AND AROUND THE HOME, SUCH AS ON LAWNS AND GARDENS, AND ON PUBLIC SPACES, SUCH AS PARKS, RIGHTS-OF-WAY AND GOLF COURSES. EXPOSURE FROM THESE MULTIPLE SOURCES IS COMBINED AS "AGGREGATE" RISK.

WHEN DATA PERTAINING TO A PESTICIDE'S POSSIBLE EFFECT ON CHILDREN'S HEALTH CALL FOR IT, EPA ALSO MAY ADD AN EXTRA TEN-FOLD OR MORE MARGIN OF SAFETY. IN THESE CASES, THE RISK CUP BECOMES EVEN SMALLER, RESULTING IN POTENTIALLY FEWER PESTICIDES AND/OR PESTICIDE USES.

FURTHERMORE, UNDER A CONCEPT KNOWN AS "CUMULATIVE" RISK, IF TWO OR MORE PESTICIDES HAVE THE POTENTIAL TO ACT ON HUMAN HEALTH IN THE SAME MANNER, FQPA REQUIRES THEM TO SHARE A COMMON RISK CUP, AGAIN SHRINKING THE NUMBER OF AVAILABLE PESTICIDES AND/OR PESTICIDE USES.

IN ADDITION, FQPA CONTAINS A PROVISION REQUIRING THAT ALL PESTICIDES BE TESTED FOR THEIR POTENTIAL EFFECTS ON THE HUMAN ENDOCRINE SYSTEM. FINALLY, THIS MASSIVE REASSESSMENT OF THE MORE THAN 9,000 PESTICIDES AND PESTICIDE USES MUST BE COMPLETED WITHIN TEN YEARS.

UNFORTUNATELY TO THIS DAY, EPA HAS NOT ISSUED ANY REGULATIONS OR GUIDELINES TO FOLLOW IN ADHERING TO THESE NEW REQUIREMENTS. THIS IS LEADING TO SIGNIFICANT DELAYS IN RE-REGISTERING EXISTING PRODUCTS AND THE REGISTRATION OF NEW PRODUCTS AND USES.

BECAUSE THE AGENCY IS SO FAR BEHIND IN IMPLEMENTING THE LAW, IT HAS ASKED MANUFACTURERS TO PRIORITIZE THEIR TOP FIVE PRODUCT USES, WHICH AGAIN AFFECTS BOTH AVAILABILITY AND PRICE.

**WE COMMEND REPRESENTATIVES NELSON, JOHNSON AND POLLERT FOR WORKING ON THIS ISSUE AND ADVANCING THE IDEA OF A RESOLUTION DOCUMENT TO ADDRESS CONCERNS ABOUT FQPA IMPLEMENTATION SUCH AS ADVERSE IMPACTS ON AGRICULTURE NOT ONLY IN THIS STATE BUT ACROSS THE COUNTRY.**

**Testimony Concerning HCR3030**  
**North Dakota House Agriculture Committee**  
**Page Three**

LAST YEAR, MICHIGAN, IDAHO AND PENNSYLVANIA BECAUSE OF GRASSROOTS REQUESTS FROM GROWERS AND AGRIBUSINESS ADOPTED SUCH FQPA RESOLUTIONS. ALSO, THE NATIONAL GOVERNORS ASSOCIATION AND THE NATIONAL ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE HAVE PASSED SIMILAR POLICY POSITIONS ON FQPA.

ASIDE FROM HCR3030 IN NORTH DAKOTA, KANSAS, WYOMING, AND GEORGIA ARE RIGHT NOW CONSIDERING SIMILAR FQPA RESOLUTIONS. OHIO AND NORTH CAROLINA MOST PROBABLY WILL ALSO REVIEW SIMILAR INSTRUMENTS TO MEMORIALIZE CONGRESS AND THE ADMINISTRATION. ALSO, ACTIVITY IS UNDERWAY IN NEW YORK AND FLORIDA AND SOME OTHER KEY AG STATES TO SECURE GUBERNATORIAL FQPA MESSAGES.

IN ADDITION, CALIFORNIA, WASHINGTON AND IDAHO HAVE HOSTED FQPA "GROWER CONCERN" MEETINGS FOR TOP EPA OFFICIALS AND THEIR U.S. REPRESENTATIVES (THE ENTIRE STATE'S CONGRESSIONAL DELEGATION ATTENDED THE WASHINGTON MEETING!), AT WHICH POTENTIAL FQPA-CRISES OF PRODUCT AVAILABILITY WERE AIRED.

WHEN STATE AFTER STATE--ESPECIALLY STRONG AG STATES—SEND SUCH CLEAR FQPA CONCERN SIGNALS TO WASHINGTON, WE KNOW THOSE INSIDE THE BELTWAY LISTEN.

THANK YOU FOR ALLOWING ME TO TESTIFY REGARDING THIS RESOLUTION. I AM OPEN TO QUESTIONS FROM THE COMMITTEE.



*Testimony*  
*House Concurrent Resolution 3030*  
*March 18, 1999*

North Dakota  
Fifty-Sixth Legislative Assembly  
Senate Agriculture Committee  
Terry Wanzek, Chairman

Chairman Wanzek and members of the Senate Agriculture Committee. My name is Gary Knutson. I serve as Executive Director of the North Dakota Agricultural Association. Our membership includes over 400 retailers, distributors, manufacturers and individual service providers of seed, fertilizers, crop protection products and equipment for farmers. Our members play an important role in our rural communities. We appreciate the direct correlation between a healthy farm economy and success for our businesses. In many cases our service centers for these crop production inputs are the major employer in the community.

The position of the Association has been to promote and support those efforts that will bring the timelines and registration requirements together for crop protection products registration between the United States and Canada. However, it has also been pointed out that as developments toward harmonization of the pesticide registration process take place, product availability to our farmers may worsen because of the implementation methodology of the Food Quality Protection Act. We feel this situation certainly warrants the attention of your committee today.

We endorse House Concurrent Resolution 3030 which urges the Congress of the United States to ensure the availability of as many crop protection products as possible, to use actual scientific data to determine the safety of crop protection products, to accept scientific data generated by the North Dakota State University Main Research Center and by the research extension centers regarding the safety of crop protection products, to establish uniform policies governing the implementation of the 1996 Food Quality Protection Act, and to ensure that implementation of the 1996 Food Quality Protection Act does not negatively impact agricultural production nor the availability and affordability of food. We believe this resolution addresses directly the vital issue of future crop protection product availability for our agriculture industry and appropriately recognizes scientific issues in keeping with the purpose of food quality protection in this country.