Local laws: What to do

Are anti-pesticide interests in your community out to sabotage your business or department? There is help available.

- With this summer’s Mortier vs. Wisconsin Supreme Court decision, pesticide applicators should be wary of possible local outcries against pesticide use in their communities.

As this issue of LANDSCAPE MANAGEMENT went to press, a groundswell of local regulations were being passed and/or contemplated across the country. (For more details, see “Lawn Care Industry” section.) Most of the legislation deals with the lawn care segment of the green industry; but, more and more, communities are looking at all pesticide applications—including those done by golf course and park superintendents and by homeowners.

If legislation is rearing its ugly head in your community, however, you can get immediate help: the cavalry is just a phone call away.

More than 130 professional organizations calling themselves the “Coalition for Sensible Pesticide Policy” (CSPP) are making themselves available to the green industry and the agricultural community as a defense against irresponsible legislation.

Purpose of the group is “to secure sensible, uniform federal and state regulation of pesticides by passing pre-emptive legislation while allowing local input into the federal/state regulatory

Are you on this list?

- Here is the most recent list of communities that either have local pesticide application laws on the books, or are in the process of passing such legislation.

If your community is listed, it is imperative that you get involved at local council meetings and let your voice be heard (see “Local laws: What to say”).

An asterisk (*) denotes a community where previous “activity” has been reported, communities that bear further watching or investigation.

Alabama
Huntsville*
Colorado
Boulder
Denver*
Delaware

Illinois
Aurora
Chicago
Franklin Park
Highland Park
Hoffman Estates
Lake Zurich
Lincolnshire
Oak Park
Palatine*
Rockton
Schaumburg
Wauconda*
Iowa
Waterloo*
Iowa City*

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The National Agricultural Chemicals Association (NACA) was its prime mover. Individual associations on the membership roster of the CSPP include NACA, the United States Chamber of Commerce, the Professional Lawn Care Association of America, the National Pest Control Association, the Chemical Specialty Manufacturer's Association, the Chemical Producers and Distributors Association, and Responsible Industry for a Sound Environment (RISE).

One of the most organized and influential groups in the green industry—the Golf Course Superintendents Association of America (GCSAA)—is not on the CSPP's membership roster, but could be in the future. At the GCSAA's quarterly Board of Directors meeting later this month, involvement with CSPP is an agenda item.

Already, help has been offered to lawn care operators in Missoula, Mont., and other areas where local regulations have become stifling to business.

According to CSPP members, the organization's primary purposes are two-fold:

1) to amend the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) to provide clear language on pre-emption of local regulations; and

2) to work at the state level to provide clear language on pre-emption of local regulations.

"The bulk of the work is yet to come," notes Steve Russell, assistant general counsel to NACA. "We have, however, drafted technical amendments to FIFRA which we feel will go a long way in clearing things up."

If you have heard rumblings in your community about possible local pesticide legislation, you are urged to write the National Pest Control Association's Government Affairs Dept., 8100 Oak St., Dunn Loring, VA 2202, or fax messages to (703) 204-2271.

—Jerry Roche

**State ag departments prefer FIFRA**

The National Association of State Departments of Agriculture (NASDA) has issued a position statement endorsing the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) as its preferred method of pesticide regulation.

"The regulation of pesticides at the federal and state levels of government has proven to be a very effective means in which to administer this important program," says the NASDA, which believes that municipal regulation will "greatly impede the coordinated and orderly federal and state regulatory framework already in place."

The NASDA also urges states to enact legislation pre-empting local regulation of pesticides.

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**End-user groups: Divided or united?**

- Two user groups form the core of the green industry's campaign for fair pesticide legislation: the manufacturer's group, Responsible Industry for a Sound Environment (RISE), and the applicator's group, the Professional Lawn Care Association of America (PLCAA).

Both groups want more applicator training, and are working together to finalize a national program. The two disagree, however, on the issue of homeowner responsibility for posting and notification. PLCAA wants it, RISE does not.

"Our concern is with an organization going outside its own industry trying to regulate the homeowner," says Dr. Dave Duncan, RISE's issues chairman. Duncan admits that manufacturers do not want to work counter to LCO desires, but that "we will if we have to."

Ann McClure, executive vice president of the PLCAA, says the issue will eventually be resolved. But for now, says McClure,