

LANDSCAPE MANAGEMENT

COVER STORY / LEGISLATION

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.

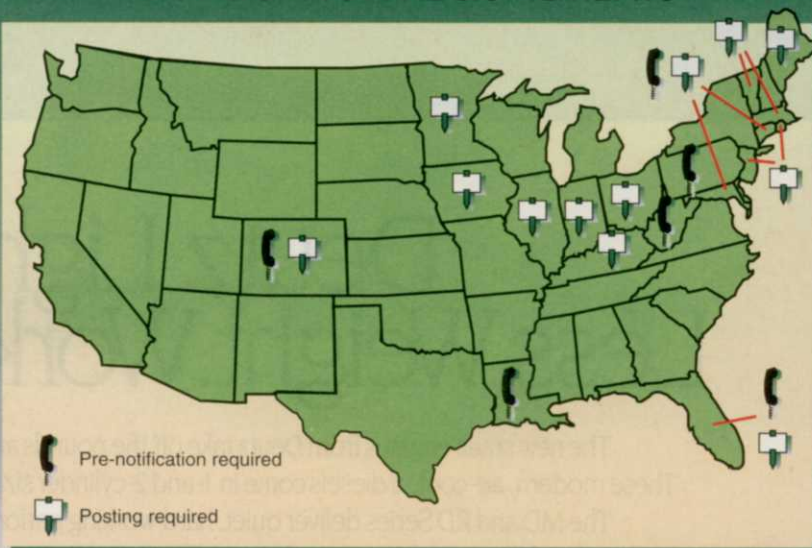
As this issue of *LANDSCAPE MANAGEMENT* went to press, a groundswell of local regulations were being passed and/or contemplated across the country. (For more details, see "Lawn Care Industry" section.) Most of the legislation deals with the lawn care segment of the green industry; but, more and more, 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

STATE-BY-STATE PESTICIDE APPLICATION REQUIREMENTS



Source: Professional Lawn Care Association of America

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	Elsmere	Hoffman Estates	Schaumburg
Huntsville*	Illinois	Lake Zurich	Wauconda*
Colorado	Aurora	Lincolnshire	Iowa
Boulder	Chicago	Oak Park	Waterloo*
Denver*	Franklin Park	Palatine*	Iowa City*
Delaware	Highland Park	Rockton	

Continued on page 9

Are you on this list?

Kansas	Flushing
Wellington	Livonia*
Kentucky	Milford
Georgetown*	West Bloomfield
Maine	Minnesota
Lebanon	Bloomington
Maryland	Cottage Grove*
Prince Georges	Minneapolis*
County*	Roseville*
Montgomery	St. Louis Park*
County*	St. Paul
Massachusetts	South Shores
Boston*	Missouri
Greenfield	Lake Winnebago
Mansfield	(in process on
Mashpee	8/12/91)
West Springfield*	Montana
Wellesley	Missoula*
Wrentham	New Jersey
Yarmouth	Berlin*
Michigan	Bernardsville
East Lansing*	Blomingtondale*

Cresskill	on 8/12/91)
Dumont*	Fairlawn
East Windsor	Fairview Park
Evesham	Hillsboro
Fair Lawn*	Mayfield Village
Galloway*	Parma
Gibbsboro	Oklahoma
Hanover	Edmond
Kinnelon*	Pennsylvania
Medford Lake	Abington
Old Bridge	Bethlehem*
Ringwood	Millcreek
River Edge*	Township*
Tenafly*	Murraysville*
Vernon	Packer Township*
West Milford	Plum
Woodcliff Lake*	Westchester
New York	Vermont
Buffalo*	Burlington
Cazenovia	Washington
Tarrytown	King County*
Ohio	Wisconsin
Berea	Casey
Euclid (in process	Kenosha*

Source: National Agri-Chemical Association

scheme."

The Supreme Court decision, which ruled that states and local communities across the country had the right to draft and pass their own pesticide laws, resulted in the CSPP's formation.

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 Manufacturer's 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.

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



Duncan: 'An industry divided cannot stand.'



McClure: RISE, PLCAA notification split will 'sort itself out.'

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,