

# Pesticides on the shelf:

*Our national government seems to be devoting almost all its energy to positioning for the 1996 Presidential election. That leaves little time to attend to issues that might affect the green industry.*

by RON HALL/Senior Editor

**S**o far in 1996, the environment—including pesticides—is not one of Washington D.C.'s burning issues. The green industry is even less of a topic.

The Capital crowd is concerning itself...well, mostly with itself. An impending Presidential election tends to do that.

"The environment is not a first-tier issue," says Mary Bernhart, environmental policy manager for the U.S. Chamber of Commerce.

"It's not something that will make or break an election. No one candidate is going to lose because of his or her stand on environmental issues," says Bernhart. "And Presidential politics kicked in very, very early."

Presidential politicking may, in fact, keep Congress from modernizing FIFRA by year's end, although Allen James remains "guardedly optimistic" it won't.

James, headquartered in Washington D.C., is executive director of Responsible Industry for a Sound Environment (RISE). FIFRA is the Federal Insecticide, Fungicide and Rodenticide Act that governs the use of all pesticides in the country.

"It's been 10 years since FIFRA was overhauled, and more than 10 years since it was overhauled in a

big way," says James.

## Delaney Clause blues

Especially worrisome to industry is the so-called Delaney Clause which is included in FIFRA. The Delaney Clause says no product will be registered or sold that has been linked—even by a single test—to causing cancer.

It's been in effect since 1958, but today's sophisticated testing and detection capabilities would—assuming Delaney is enforced—disqualify almost all chemical products.

"There is a greater recognition that the Delaney Clause is outdated scientifically and that it needs reform," says a staff member for Senator Richard Lugar (R-Ind.), chairman of the Senate Agriculture Committee.

RISE wants the Delaney Clause revoked. Many others, both on and off Capitol Hill, feel the same way.

"The big obstacle is that Presidential politics are soon going to take the place of all other politics," says James.

## Political tug of war

As part of the bigger picture in the Capital, political action escalated last fall when Pres. Bill Clinton and the Republican majority in Congress locked horns over the Republicans' balanced budget proposal.

But the stakes involve more than dollars, says Congressman John Linder (R-Ga.).

"Any two of us can sit down in the next 30 minutes and solve this problem. This is not about money, it's about control," says Rep. Linder.

The impasse between the President and Republicans has, in fact, accomplished something unprecedented: it shut down federal offices twice this past winter, and threatened a third shutdown this spring.

It also put a funding squeeze on the U.S. EPA. The Republicans authored a \$1 billion reduction (10 percent) from EPA's actual 1995 budget in the face of the President's request for a \$1.7 billion increase.

## Re-registration process slows

The smaller budget is causing EPA to slow pesticide re-registration just



Phil Forgarty, left, Crowley Lawn Service, and Bill Hoopes, Barefoot Grass, leave Old Executive Office Building during PLCAA's 1996 legislative visits.



Rep. John Linder (R-Ga.) says budget stalemate is really a tug-of-war for power.

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when it was gaining momentum.

In 1995, the EPA re-registered 40 active ingredients, "historic numbers," according to the EPA's Jim Aidala, Associate Assistant Administrator for Prevention, Pesticides and Toxic Substances.

"One of the biggest complaints has been, gosh, there are all kinds of these old chemicals, and they're not getting re-



**'Lawn care issues aren't terribly controversial right now. It doesn't mean they're gone.'— Jim Aidala of the U.S. EPA.**

viewed," says Aidala. "Finally, we were getting a pay off to the 1988 amendments to the statute (FIFRA). We were getting products reviewed."

Since chemical manufacturers fund half of the process, some re-registration work continues, Aidala explains.

But pesticide issues remain one of EPA's top priorities.

## WASHINGTON'S IMPACT ON THE GREEN INDUSTRY

### PROPOSAL

### HOW IT WOULD AFFECT YOU

#### Adams Fruit Bill

Prohibits lawsuits against agricultural employers for work-related injuries (under the Migrant and Seasonal Agricultural Workers Protection Act) when employees received workers' compensation.

#### Clean Water Act, Wetland Reform Act

One provision likely to pass would allow golf superintendents to use the broad-spectrum fumigant methyl bromide until suitable alternatives are available. Passage of new act will place more decision-making at the local level with guidance from Army Corps of Engineers. Republicans reluctant to pursue this legislation; passage unlikely this Congress.

#### Endangered Species Act

Three proposals have provisions dealing with taking and modifying species habitat and private property rights. Very controversial; not likely to pass this Congress.

#### EPA budget cuts

Would curtail underground storage tank clean-up activities; would limit enforcement of environmental standards and reduce funds for wastewater projects. Would also limit EPA-sponsored training and publication of newsletters and guidebooks.

#### FIFRA/Title IV

Deals with infant/child exposure to toxic substances; could include "sensitive populations."

#### Immigration control

Could slow the number of legal immigrants by 30 percent and stop illegal immigration. This would cause a labor shortage in agriculture that could be passed on to the you. "Automated verification" provision would require every employer in the nation to phone a toll-free number "to ask permission to hire any new worker, citizen or not," according to A.A.N.

#### Minimum wage increase

Undetermined whether it would force layoffs to cut expenses or allow employers to hire more workers. It also might force manufacturers to take their operations overseas where labor is cheaper, freeing up more viable prospective domestic employees.

#### Minor Use Crop Protection Act

Would provide additional new pest and disease management tools. Officially endorsed by EPA.

#### Occupational Safety and Health Administration changes

Could downshift OSHA into non-enforcement actions like consultation, education and training. A separate "ergonomic standard" that places heavy punishment on small businesses is still alive. Approved by Senate Labor Committee, but Pres. Clinton has promised to veto it.

#### Reclamation Recycling and Water Conservation Act of 1995

Would create water recycling projects in California, Nevada, New Mexico, Utah. Could also require effluent water to be used to irrigate golf courses, parks, cemeteries and other open areas.

#### Safe Drinking Water Act

Would establish a national, non-point-source pollution standard controlling runoff. Passage likely this Congress.

#### State Management Plans

Would outlaw using atrazine, simazine, cyanazine, alachlor and metochlor in all states except those with state management plans.



Delaney says the green industry has facts and credible info supporting its claim that it's at environment's forefront.

#### Residential exposure studied

For instance: the turf industry, at EPA's direction, has put together an Outdoor Residential Exposure Task Force to define and quantify just how much exposure to pesticides people are getting.

"The questions that have to be answered are: What are the real exposures, and what are the real risks?" says Aidala.

"The sooner we can get this informa-

tion, the better off we will be," he adds. However, it will be at least 18 months before the EPA can start wading through this data.

The EPA says pesticide labeling should be more consistent and clear, especially for consumers.

"You can have all the greatest information in the world on the label, but if nobody can understand it, or read it, or use it, it doesn't do a lot of good," says Aidala.

#### Industry/EPA partnerships

On a more positive note, the green industry and the EPA have struck what looks like a good deal for professional turf managers.

Both the Golf Course Superintendents Association of America (GCSAA) and the Professional Lawn Care Association of America (PLCAA) are partnering with the

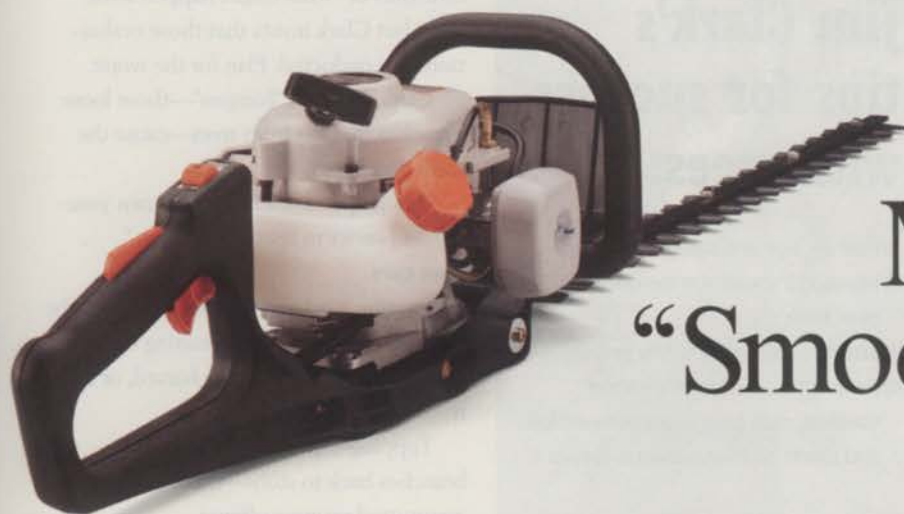
EPA in separate "Pesticide Environmental Stewardship Programs." The aim of these programs is to encourage user groups to develop and implement strategies for reducing risks associated with pesticide use.

Thomas Delaney of the PLCAA says he hopes that individual PLCAA members can become involved in the EPA-approved stewardship program by early summer.

"They (members) have to be using good practices and adding something, too, that shows they're willing to increase the protection of their employees or the public. They can come up with practices of their own," explains Delaney, that can be used as marketing tools.

The GCSAA is partnering with EPA at the association level.

"We didn't think setting up a program where individual golf courses would be graded and become individual partners was workable," says GCSAA government relations manager Cynthia Kelly. **LM**



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