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A.B. 91
Revises Provisions Governing Regulation of Pesticides
4/30/2003

Mr. Chairman, Committee Members—Dr Chris Mason, Nevada Dept of Agriculture

The primary intent of AB 91 is to change the manner by which the Department registers and collects registration fees for pesticides authorized for sale in the state. As you know, the department has existing statutory authority to analyze pesticides submitted for state registration for proper labeling and registration status with the U.S. Environmental Protection Agency. This authority also includes the ability for the department to test pesticides registered for sale in the state to ensure accuracy of the label's stated contents.

This existing state program is fully supported by the resulting registration fees for pesticide registered for sale in Nevada. Currently this pesticide registration fee is \$60 per product registration and is based on the pesticide formulation. NRS 586.250 provides a registration fee exemption for pesticide products that have the same formula and are manufactured by the same person or entity.

For the purpose of simplifying the pesticide registration process and eliminating the time consuming research required by department staff to register pesticides by formulation, AB 91 proposes to amend NRS 586 to allow the department to register pesticides by individual product brand rather than formulation. This statutory change is primarily reflected in Sections 1 and 4 of AB 91.

With only 2.1% of 8,000 pesticide products currently registered in Nevada relying on the same formula exemption, the department expects this statutory amendment to be revenue neutral. In other words, with the change proposed in AB 91, the department expects to reduce its total number of registered pesticides by only 168 same-formula registrations. These limited formula exemption registrations currently provide no revenues to support the overall program.

The second primary revision offered in AB 91 is found in Section 6.

In addition to supporting program costs, pesticide registration fees are also authorized for use in the department's pesticide disposal program. An equally important department program is the monitoring and detection of pesticide residues in the state's waters. This later program is currently funded solely by an annually renewed grant from the U.S. EPA.

Section 6 of AB 91 will allow excess funds from the pesticide disposal fund to be used to assist in paying the costs associated with the department's existing water monitoring program for detection of pesticide contamination. Under this program, state's waters are monitored for early detection of pesticide contamination. If pesticide contamination is detected, restrictions on that pesticide can be put in place by the department to prevent further contamination.