

Pesticides and You

News from the National Coalition Against the Misuse of Pesticides (NCAMP)

One in a Series of NCAMP "How-To's"

Preventing Pesticide Pollution Locally

Your community's right to adopt a local ordinance regulating pesticides is currently governed by your state's pesticide law. In most states, local jurisdictions have the authority to regulate pesticides. In some states, that authority has been taken away by state law. While the federal pesticide law—the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)—establishes a minimum standard of environmental and health protection across the country, local governments and special districts can and do play a valuable role in protecting people and the environment. In fact, when the Supreme Court in *Wisconsin Public Intervenor v. Mortier* in June, 1991 upheld the right of local governments to

regulate pesticides under the federal law, the justices wrote that the law "does not equate [pesticide] registration and labeling requirements with a general approval to apply pesticides throughout the Nation without regard to regional and local factors like, climate, population, geography and water supply."

Who wants to take away local authority for regulating pesticides?

A coalition of pesticide user groups and state agriculture departments has launched a campaign to deny local government authority over pesticide use.

Why is local authority important?

Tampering with local police powers and home rule is dangerous in light of the historic role that local political

subdivisions have played in protecting the health and welfare of their residents. No-smoking ordinances are an example. **What kind of ordinances are local governments now adopting?**

Local governments have adopted pesticide ordinances that require activities ranging from notification and sign posting when pesticides are used to reviewing proposed pesticide uses under a permitting system to control for drift, groundwater contamination and other potential community problems.

Will regulatory chaos result from ordinances?

There is no evidence of any interference with necessary services.

Aren't we adequately protected by EPA?

Report after report indicates that EPA has failed to adequately protect people and the environment.