

State of Oregon Department of Agriculture  
January 22, 2019

**Response to comments on proposed rules:** Aligns definition of school in OAR 603-057-0500(14) with statute (ORS 634.700)

**Comment Period:** November 21, 2019 to January 11, 2019

**Public Hearing:** On December 17, 2019 a public hearing was held in Salem. Two people attended the hearing held in Salem, including the hearing officer and an ODA staff member. No members of the public attended the hearing.

**Organizations or Individuals Providing Comment:** Eric Shawn, Catlin-Gabel School; Megan Dunn, Northwest Center for Alternatives to Pesticides.

**Comments & ODA Response:**

1. *Is the response marked in yellow on the attached document accurate?*

**WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?**

The effect of this rule is to align OAR 603-057-0500(14) to match the existing statutory definition.

**ODA Response: Yes. Rule advisory committees are typically not called together when the revision is based on aligning rules with state law. Please let me know if you have any further questions about the proposed rule.**

2. The Department of Agriculture has requested public comment on the decision to align the definition of school in OAR 603-057-0500(14) with statute (ORS 634.700).

The Northwest Center for Alternatives to Pesticides (NCAP) respectfully submits the following comments in support of aligning the definition of schools in Oregon. We understand that this is an administrative change and there is no effort to reduce the impact or scope of the Oregon IPM in Schools bill.

We applaud the State of Oregon's recognition of the extent to which pesticide use in and near schools impact our economic and public health. Pesticides are proven or suspected to exert neurological, psychiatric, developmental, hormonal, reproductive, and/or carcinogenic effects<sup>1</sup>. NCAP has worked for over 40 years to reduce pesticides, especially in environments where vulnerable populations, such as school children and farm workers, are at increased risk of exposure. We focus on educating the public about

pesticides and their impacts, developing and implementing effective policies and alternatives to pesticides, and involving people at all levels to produce real change.

This rule change would update the definition of schools in OAR 603-057-0500(14) in accordance with the existing definition of schools. Based on this language change, it appears the effort is clerical and there is no change in the intent of the law and pre-K, Head Start, public and private schools would still be covered under the law. We agree with the findings of the fiscal and economic impact and cost of compliance. We see this update as an administrative change and have no concerns with any negative impacts, provided the intent of the IPM in Oregon schools laws remains the same.

Prevention from harm should be the highest priority. We look forward to continuing to work alongside concerned stakeholders, as we share the common goal of protecting children's health and safeguarding our schools, employees and public health.

Thank you for the opportunity to submit these comments on behalf of nearly 14,000 NCAP supporters.

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<sup>1</sup> Kroger, 2005 and Kerry & Kroger, 2012

**ODA Response: Thank you for your comment.**

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