

HCS HB 662 -- MISUSE OF HERBICIDES

SPONSOR: Rone

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Agriculture Policy by a vote of 13 to 0. Voted "Do Pass" by the Committee on Rules- Legislative Oversight by a vote of 11 to 0.

The bill authorizes the Department of Agriculture, if it determines that any individual has knowingly applied a herbicide to a crop for which the herbicide was not labeled for use, to assess a civil penalty of up to \$1000 per applied acre. If an individual is a chronic violator, the department has the authority to assess a civil penalty of up to \$2000 per applied acre.

During an active complaint investigation, the department may subpoena witnesses and compel the production of certain records relating to an individual's application of any herbicide. If the individual refuses to submit the records, the department may assess a civil penalty of up to \$1000 per applied acre.

Any individual who is penalized will be liable to the department for any reasonable costs associated with the department's testing of fields or personal property affected by the herbicide use. Any penalty collected will be remitted to the school district in which the violation occurred. The department, after inquiry and opportunity for a hearing, may deny, suspend, revoke, or modify the provisions of any license, permit, or certification issued under the Missouri Pesticides Use Act.

PROPOSERS: Supporters say that in southeast Missouri in 2015 and 2016, a small group of farmers used a herbicide in an illegal manner in order to control weeds because it was more cost effective to risk the administrative fine than to use other methods of weed control. This bill would increase the penalties for misusing a herbicide so that it is no longer the most cost effective alternative.

Testifying for the bill were Representative Rone; Missouri Agribusiness Association; Missouri Corn Growers Association; Missouri Soybean Association; and Missouri Farm Bureau.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill discussed the off-target movement of herbicides in southeast Missouri, what might have caused the movement of the herbicides and concerns for the future.

Testifying on the bill was Dr. Kevin Bradley.

This bill contains an emergency clause.