



25 January 2024

The Honorable Chair Marcus B. Simon
Virginia House General Laws Committee
Virginia House Housing/Consumer Protection Subcommittee
1000 Bank Street
Richmond, VA 23219.

Please Oppose HB 922: This Legislation Preempts Statewide and Federal Regulation of Pesticides.

Dear Chair Simon and members of the Housing/Consumer Protection Subcommittee:

The National Pest Management Association (NPMA), founded in 1933, is the only national trade group representing the structural pest control industry with over 5,000 members from around the world. We are proud to represent a multitude of small businesses through our members; over 80% have an annual revenue of less than \$1 million. We appreciate the opportunity to share our thoughts on HB 922, as we want to be constructive in the policymaking process. **Also, we commend the legislature's efforts to protect the health of residents and the environment of public spaces in Virginia.**

The professional structural pest control industry and our certified commercial applicators, operators, and technicians use pesticide products in, on, and around structures to protect public health and property. The structural pest management industry utilizes pesticides to control infestations in homes, food service and food processing facilities, schools and daycare centers, hospitals, senior care facilities, and hotels. Our industry professionally manages a wide range of structural pests with these products including ants, bedbugs, and mosquitos, among many other pests. Our member companies take pride in their role as protectors of public health extremely seriously and welcome further dialogue on the topic. We wish to work alongside the legislature to ensure thoughtful, science-based regulation wins the day.

The pest management industry is a highly regulated industry on both the federal and state levels, where the Virginia Department of Agriculture and Consumer Services (VDACS) works alongside the United States Environmental Protection Agency (EPA) to co-regulate our industry. Pest management professionals are required to complete training, licensure testing, and continued education to stay in compliance and ensure their applications have no adverse effects on human

health and the environment. NPMA members support, teach, and implement Best Management Practices (BMPs) for a variety of products, which greatly increases the ability of our members to safely use pesticides in a manner that does not negatively impact humans and non-target organisms. We are happy to share our BMPs, including those on protecting pollinators and fighting bedbug infestations, with the Committee.

Our main concern is that HB 922 could eliminate the structural pest management industry's ability to apply pesticides around building foundations, even though pest management uses are unlikely to affect other lots, units, and common elements. These products are the most effective and useful in protecting residential, commercial, and institutional facilities from pest infestations. Applicators read and follow EPA-approved label directions to ensure that their applications do not cause any adverse environmental harm. To ensure our industry's applications are not prohibited from use, and that public health is protected, we respectfully request the Subcommittee strike the following language from the bill's final version:

§ 55.1-1818. Pesticides; notice of application or prohibition on use.

14 The association shall post notice of all pesticide applications in or upon the common areas. Such
15 notice shall consist of conspicuous signs placed in or upon the common areas where the pesticide will
16 be applied at least 48 hours prior to the application.

17 *The association may prohibit or restrict the use of pesticides in or upon the common areas. and may*
18 *establish reasonable restrictions on the use of pesticides within the common interest community that*
19 *might reasonably affect any lot or common area.*

20 § 55.1-1957. Pesticides; notice of application or prohibition on use.

21 The unit owners' association shall post notice of all pesticide applications in or upon the common
22 elements. Such notice shall consist of conspicuous signs placed in or upon the common elements
where

23 the pesticide will be applied at least 48 hours prior to the application.

24 *The unit owners' association may prohibit or restrict the use of pesticides in or upon the common*
25 *elements. and may establish reasonable restrictions on the use of pesticides within the common*
interest

26 *community that might reasonably affect any unit or common element.*

27 § 55.1-2139. Pesticides; notice of application or prohibition on use.

28 Associations shall post notification of all pesticide applications in or upon the common elements.
29 Such notice shall consist of conspicuous signs placed in or upon the common elements where the
30 pesticide will be applied at least 48 hours prior to the application.

31 *The association may prohibit or restrict the use of pesticides in or upon the common elements. and*
32 *may establish reasonable restrictions on the use of pesticides within the common interest community*
that

33 *might reasonably affect any unit or common element.*

In conclusion, we thank you for the opportunity to inform the Subcommittee on Housing/Consumer Protection as to how the professional pest control industry protects public health and property. Do not hesitate to contact me at mmoore@pestworld.org if you have any questions and would like to discuss further.

Sincerely,

Michelle Moore
Manager of Legislative and Regulatory Affairs

National Pest Management Association
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