

EPA's Scientific Malpractice and Health and Environmental Threats Escalate

There's a chipping away at public health and environmental protections. It goes largely unnoticed, lost in the big news events that capture public attention. In this issue of *Pesticides and You*, we show a pattern of ignored science—no longer being applied to decisions that have direct impact on the most vulnerable, from children to ecosystems.

A pattern of abuse

The decision that stands out as immoral is the agency's ongoing effort to eliminate protections for children from neurotoxic pesticides, most recently with EPA's proposal to allow children's exposure to the highly neurotoxic synthetic pyrethroid insecticides to increase by three times. It's a simple maneuver that could easily go unnoticed—just reduce the safety threshold that has been in place (already not protective enough) from 3x to 1x. This follows EPA's announcement that it was not going to take the insecticide chlorpyrifos off the market in 2017, after the agency had determined in 2015 that adverse effects to brain development in children warranted its removal from the market. The laws governing pesticides, and toxics generally, put trust in the scientific oversight performed by agencies, and in so doing vest the agencies with discretionary authority to apply science in an evenhanded and unbiased way.

Embracing precaution wholeheartedly

This situation provides the basis—the legitimacy, the mandate—for states and local governments to adopt a precautionary approach to the regulation of pesticides. The federal system, and the state apparatus that depends on it, cannot ensure the public that their health and environment are being protected, so precaution is critically and urgently needed as a matter of policy.

The problem is not just glyphosate (Roundup)

If we thought that the problem was contained to the worst chemicals that make headlines or are the subject of lawsuits, that's not the case. With the deadly weed killer paraquat, EPA is simply dismissing the science on the link to Parkinson's disease and fails to consider the chronic and endocrine disrupting effects. An in-depth *Beyond Pesticides'* analysis, provided in public comments to the agency with 15 groups in December, critiques the agency's failure to correctly apply basic information, such as calculating effects from dietary pesticide residues with exposure levels below those estimated to be taking place. By now, many are aware of EPA's decision not to restrict glyphosate (Roundup), ignoring the World Health Organization's determination of its cancer causing properties.

The local response

Despite increasing community awareness of Bayer Monsanto's deceptive "science" and EPA's collusion with the chemical industry, glyphosate use is still widespread. Kudos to those who have stopped use. However, parks departments and school districts often defer to EPA. And then there's the herbicide atrazine, a known endocrine disruptor that causes hormonal effects and birth defects. A memo released by EPA in November announces a proposal to increase the amount of the atrazine allowed in U.S. waterways by 50%.

EPA has clearly abused the public trust. Virtually every EPA decision, purported to be science-based, is filled with either errors of science or an outright decision to ignore the facts.

Looking to local action and the backlash

People and communities are ready to act. We write in this issue about the City of Toledo, Ohio, which adopted a novel approach to protecting Lake Erie with the adoption of a Bill of Rights—enabling residents to sue on behalf of the lake, and protect it from the contamination it endures. Similarly, the people of Lincoln County, Oregon voted to stop exposure from aerial drift when the state agriculture department, the primary enforcement authority, would not act.

However, the chemical industry has successfully lobbied for state law that preempts local jurisdictions from adopting restrictions more stringent than the state. They've used anti-democratic state law to shut down Lincoln County's ban on aerial spraying. In Ohio, the Chamber of Commerce moved an eleventh hour amendment to unrelated state legislation denying Toledo's right to implement the bill of rights.

Local leaders are starting to push back. Constituents of members of Congress successfully blocked a Farm Bill amendment this year that would have codified federal preemption of local authority to restrict pesticides. The amendment failed, but the industry will be back. Similarly, in states that allow their local jurisdictions to restrict pesticides, the industry is repeatedly seeking to insert preemption language into state law—especially in Maine and Maryland. Meanwhile, efforts are moving to repeal preemption in states where it is in place—so communities can protect their residents from pesticide drift, run-off, and non-target effects to ecosystems, as pesticides move throughout the community off the sites where they are applied.

Local authority is especially important with the current erosion of science at the highest levels of public safety standard setting.

Best wishes for the new year.

Jay Feldman,
executive director of
Beyond Pesticides

