



## BEYOND PESTICIDES

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## PRESS RELEASE

**For Immediate Release**

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### **EPA Moves to Cancel Toxic Pesticide It Allowed without Complete Review, Manufacturer, Bayer, Reneges on Agreement to Take Product Off Market**

(Washington, DC, March 1, 2016) After pesticide manufacturer Bayer CropScience would not voluntarily remove from the market the insecticide flubendiamide, the U.S. Environmental Protection Agency (EPA) formally issued a *Notice of Intent to Cancel* the insecticide, citing its high toxicity to aquatic organisms. Bayer is embroiled in controversy over its neonicotinoid insecticides because, as systemic pesticides, they move through the entire plant and express the poison through pollen and nectar, indiscriminately killing bees and other pollinators and polluting waterways. Flubendiamide is “locally systemic” within the plant’s leaves. EPA’s action today may take years of regulatory review and legal action while the pesticide remains on the market.

EPA used the controversial conditional registration provision of federal pesticide law, when in 2008 it allowed flubendiamide on the market, despite outstanding environmental data. At the time, it struck an agreement that, if unreasonable adverse effects on the environment were found, Bayer would withdraw the chemical’s registration. Today’s action serves to exemplify the consequences of allowing potentially harmful substances onto the market without all the information necessary to issue a complete finding of environmental and public safety. Because of EPA’s long cancellation process, unless it takes the rare action of finding imminent hazard, it is standard practice at the agency to negotiate voluntary cancellations by pesticide manufacturers. EPA thought it was short circuiting this long process with its agreement, but Bayer has refused to remove the pesticide voluntarily.

Since its conditional registration, studies showed that flubendiamide –which is registered for use on over 200 crops, including soybeans, almonds, tobacco, peanuts, and cotton– is toxic to aquatic organisms, breaking down into a more highly toxic substance that harms organisms important to aquatic ecosystems, especially fish. The insecticide is also persistent in the environment. According to EPA, after being informed of the agency’s findings on January 29, 2016, the manufacturers, Bayer CropScience, LP and Nichino America, Inc., were asked to submit a request for voluntary cancellation by Friday, February 5, 2016. Bayer has rejected the request and EPA’s interpretation of the science.

“The prudent approach to protecting environmental health would be to halt conditional registrations,” said Jay Feldman, Beyond Pesticides’ executive director. The Canadian Pest Management Regulatory Agency (PMRA) recently decided to stop the practice.

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