



# BEYOND PESTICIDES

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October 26, 2016

Dear Attorneys General,

With neonicotinoid (neonic) insecticides linked to the increase in pollinator decline, we are writing to urge you, on behalf of our members in your state, to stop misleading and fraudulent advertising of these pesticide products. We make this request following the settlement reached by Massachusetts Attorney General Maura Healy with Bayer CropScience, announced today, that ends the company's deceptive advertising practices on their neonicotinoid-containing lawn and garden products.

Bayer agreed to change its advertising practices, so that the neonic-containing lawn and garden products are no longer misrepresented by false safety claims. This landmark settlement, filed under the state's Consumer Protection Act, is believed to be the first time any major pesticide company has agreed to a court order to address alleged false advertising regarding risks posed by neonic products to honey and native bees, and other pollinator species. The lawn and garden products subject to the settlement, which include Bayer Advanced® All-in-One Rose and Flower Care, Bayer Advanced® 12 Month Tree & Shrub Protect and Feed II, and Bayer Advanced® Season Long Grub Control Plus Turf Revitalizer, contain the active ingredients imidacloprid and/or clothianidin, both neonics.

In addition, according to the Massachusetts AG, Bayer is paying the Commonwealth \$75,000 to settle these claims against the company. Attorney General Healy stated that, "This company was misleading consumers with deceptive claims, including falsely advertising its products as akin to giving 'a daily vitamin' to plants, when, in fact, the pesticides are highly toxic to honey bees and other pollinators in the environment. This groundbreaking settlement will promote truth in advertising for consumer products that expose bees to harmful pesticides and will increase awareness about the risks these pesticides pose to bees and other pollinators essential for food production."

Neonics are a class of insecticides with a common mode of action that affects the central nervous system of insects. There is extensive evidence that neonic pesticides play a major role in recent pollinator declines. Neonics decrease learning, foraging and navigational ability of bees, as well as increase their vulnerability to pathogens and parasites as a result of the suppression of bee immune systems. In addition to toxicity to bees, neonics have been shown to also adversely affect birds, aquatic organisms, and biodiversity, while contaminating soil and waterways. They are persistent in the environment and, because they are systemic,

translocate throughout the plant and are expressed in the pollen, nectar, and guttation droplets, causing indiscriminate poisoning of wildlife.

Given the shortcomings in federal oversight of misleading labeling claims and the use of neonicotinoids, it is prudent that your office take action to mitigate these concerns. With growing concerns surrounding the detrimental role that neonics have on pollinator health, we applaud the actions taken by the Massachusetts Attorney General and urge your office to assess the pesticide labeling practices in your state and take appropriate action. Farm, beekeeper, and environmental groups, including Beyond Pesticides, have urged EPA to follow the lead of the European Union and restrict neonics.

Founded in 1981 as a national, grassroots, membership organization that represents community-based organizations and a range of people seeking to bridge the interests of consumers, farmers and farmworkers, Beyond Pesticides advances improved protections from pesticides and alternative pest management strategies that reduce or eliminate a reliance on pesticides. For more information on neonics and their effect on pollinators, please see [www.beyondpesticides.org/PollinatorScience](http://www.beyondpesticides.org/PollinatorScience).

We appreciate your urgent attention to this matter. Please do not hesitate to contact me at 202-543-5450 or [jfeldman@beyondpesticides.org](mailto:jfeldman@beyondpesticides.org) for additional information. We look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Feldman", with a long horizontal flourish extending to the right.

Jay Feldman  
Executive Director

cc. All State Attorneys General