

Schooling Without Pesticides

Federal bill suspends hazardous pesticide use, defines safe management practices

When children attend school, it is assumed that they are going to a safe environment, free of toxic chemicals that could harm them. New legislation seeks to make this assumption a reality. With the introduction of the *School Environment Protection Act of 2009* (SEPA), H.R. 4159, in November 2009, members of Congress and public health, school employee, children's health and environmental groups are saying that it is time to stop the unnecessary use of dangerous chemicals and assist schools in the adoption of safer strategies to prevent and manage pest problems. U.S. Representative Rush Holt (D-NJ) and 15 of his colleagues put the legislation forward with the foundation of more than a decade of state and local school pest management and pesticide use policies and on-the-ground experience from across the country.

Why federal legislation is needed

School is a place where children need a healthy body and a clear head in order to learn. Numerous scientific studies find that pesticides typically used in schools are linked to chronic health effects such as cancer, asthma, neurological and immune system diseases, reproductive problems, and developmental and learning disabilities. Published in the *Journal of the American Medical Association*, a study, "Acute Illnesses Associated with Pesticide Exposure at Schools," (Vol. 294, No. 4, pp455-465), documents ongoing pesticide poisoning in schools across the country. Authored by Walter A. Alarcon, M.D. (National Institute for Occupational Safety and Health) and numerous state health departments, the study analyzes 2,593 poisonings from 1998 to 2002 from three surveillance systems. While the analysis finds overall incident rates of 7.4 cases per million children and 27.3 cases per million employees, the authors conclude, "These results should be considered low estimates of the magnitude of the problem because many cases of pesticide poisoning are likely not reported to surveillance systems or poisoning control centers." The authors recommend the adoption of strategies to reduce school pesticide use.

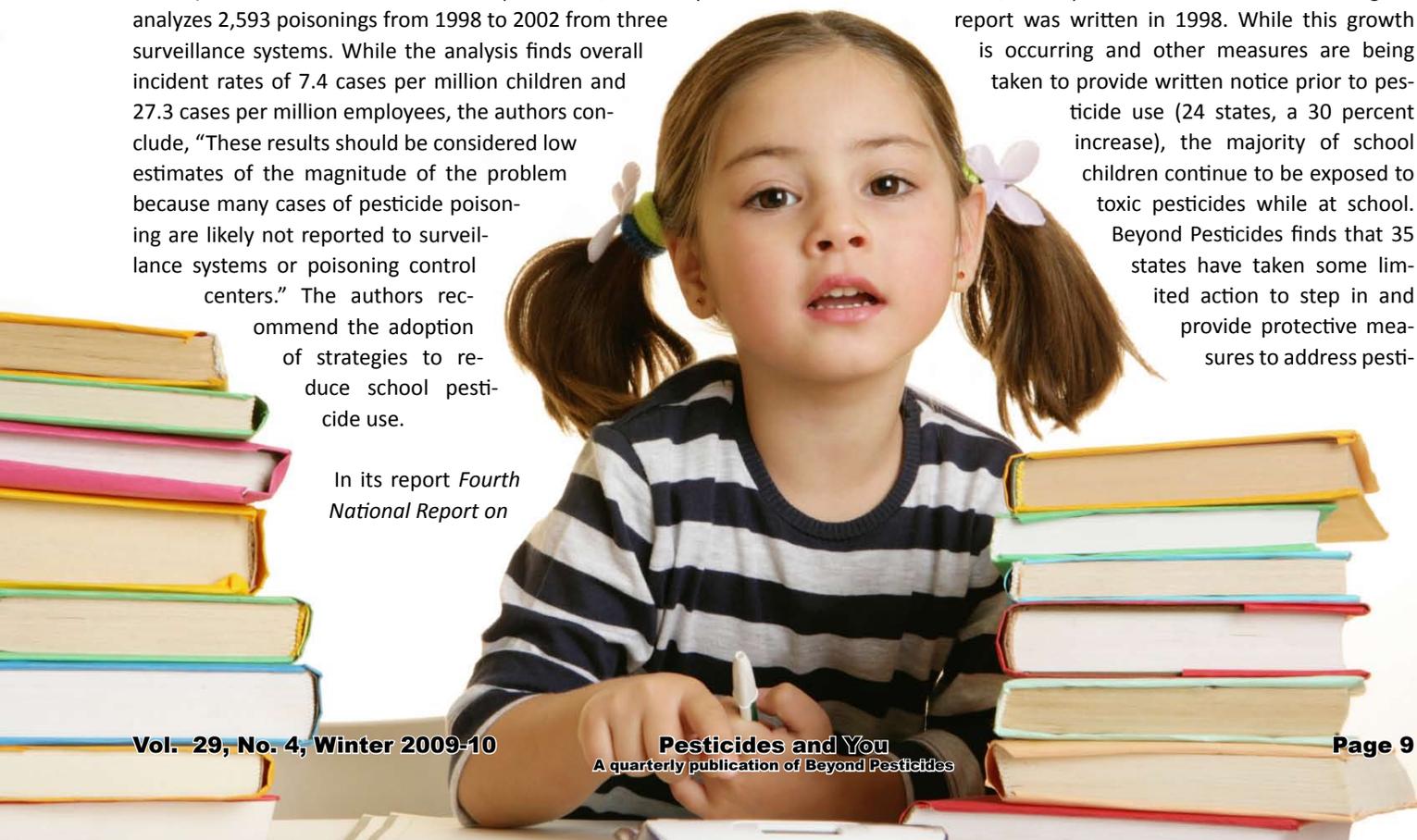
In its report *Fourth National Report on*

Human Exposure to Environmental Chemicals (2009), the Centers for Disease Control and Prevention (CDC) reports striking data on widespread exposure to commonly used neurotoxic pyrethroid pesticides, documenting residues of these chemicals in the bodies of over 50 percent of the U.S. population. Synthetic pyrethroids are linked to endocrine disrupting effects, respiratory illness and asthma. According to the National Institutes of Health, asthma affects an estimated 14.9 million people and has been increasing over the past 20 years, especially among children.

Children are among the group least protected from pesticide exposure, according to the National Academy of Sciences report, *Pesticides in the Diets of Infants and Children*. The report finds that EPA generally lacks the data necessary to protect children. Due to their small size, greater intake of air and food relative to body weight, developing organ systems and other unique characteristics, children are at higher risk than adults from pesticide exposure.

IPM in schools has proven to be an effective and economical method of pest management that can prevent pest problems and eliminate the use of hazardous pesticides in school buildings and on school grounds.

In a newly released report, *The Schooling of State Pesticide Laws—2010 Update (Pesticides and You 2009, vol. 29, no. 3)*, Beyond Pesticides finds that 21 states recommend or require schools to use IPM, a 24 percent increase since the original report was written in 1998. While this growth is occurring and other measures are being taken to provide written notice prior to pesticide use (24 states, a 30 percent increase), the majority of school children continue to be exposed to toxic pesticides while at school. Beyond Pesticides finds that 35 states have taken some limited action to step in and provide protective measures to address pesti-



SEPA Definition of IPM

INTEGRATED PEST MANAGEMENT- The term 'integrated pest management' means a managed pest control program that:

(A) eliminates or mitigates economic and health damage caused by pests;

(B) uses (i) integrated methods; (ii) site or pest inspections; (iii) pest population monitoring and prevention strategies; (iv) an evaluation of the need for pest control; and (v) one or more pest prevention and management methods that incorporate exclusion techniques, such as habitat modifications, sanitation practices, entryway closures, structural repair, mechanical and biological controls, other non-chemical methods, and (if non-toxic options have been exhausted) least-toxic pesticides; and (C) minimizes (i) the use of pesticides and (ii) the hazards to human health and the environment associated with pesticide applications.

cide use in, around or near their schools. These include a mixture of pesticide restrictions and parental notification and posting of signs before certain pesticides are used. Protection under state laws is uneven across the country and children in 15 states are provided no protection at all.

Previous efforts to pass SEPA

SEPA was first introduced in November 1999 in both the U.S. Senate and House, and a form of the legislation has past the U.S. Senate twice since then. The bill language is based on state school pest management laws. It also mirrors the structure of the *Organic Foods Production Act of 1990*, which established a national committee to oversee the program as well as a list of allowed practices and materials. Public health, labor and environmental groups have rallied with broad support for a national



mandate to stop hazardous pesticide use in schools.

SEPA sponsors in the U.S. House of Representatives include: Reps. Rush Holt [NJ], Keith Ellison [MN], Chris Van Hollen [MD], Raul Grijalva [AZ], Joe Baca [CA], Charles Rangel [NY], Sheila Jackson Lee [TX], Steve Israel [NY], Donald Payne [NJ], David Price [NC], Betty McCollum [MN], Alan Grayson [FL], Donna Christensen [USVI], Jan Schakowsky [IL], Diana DeGette [CO], and John Conyers, Jr. [MI].

For more information

For a copy of the bill summary, bill text, sample letter to Congress, list of supporters, and section-by-section bill analysis, contact Beyond Pesticides or see www.beyondpesticides.org/schools/sepa. See "SEPA: Myths and Facts" on page 12 of this issue of *Pesticides and You*.

Take action

■ **Contact your U.S Representative and U.S. Senators** to request that he/she co-sponsor SEPA. (See <http://www.senate.gov> and <http://www.house.gov/writerrep/> for contact information. Email info@beyondpesticides.org, at Beyond Pesticides for follow-up information.)

■ **Sign your organization up as a supporter** of SEPA by emailing info@beyondpesticides.org with your name and organization's contact information.

■ **Pass this information** on to your mayor, city council, local PTA and civic associations to see if they will endorse SEPA.

School Environment Protection Act: Bill Summary

The *School Environment Protection Act* (SEPA), H.R. 4159, ensures a healthy learning environment for children through the management of school buildings and school grounds without toxic pesticides.

Safer practices. The legislation requires that the safest methods of pest management are used in school buildings and on school grounds to protect children. As a first step, it requires public schools to use a defined Integrated Pest Management (IPM) program that focuses on using non-chemical strategies that prevent and manage pest problems and only allows least-toxic pesticide use as a last resort. IPM relies on a combination of methods that address sanitation, structural repair, mechanical measures, biological controls and other non-chemical methods inside buildings and additional approaches for turf and ornamental plant management that build healthy soil and natural resistance to unwanted insects and plants (weeds). The legislation prohibits synthetic fertilizer use on school grounds because of its adverse impact on soil health and waterways.

Least-toxic pesticides. The legislation defines least-toxic pesticides to prohibit the use of carcinogens, reproductive, developmental and nervous system toxicants, endocrine disruptors, and those chemicals that have not been fully evaluated for health effects. In addition, outdoor pesticides are excluded that adversely affect wildlife, have high soil mobility, or are groundwater contaminants. Specific least-toxic pesticides that may be used at a school include containerized boric acid, silica gels, diatomaceous earth, nonvolatile baits, microbe-based insecticides, and botanical insecticides. There is annual notification of the IPM plan, and individuals may contact the IPM coordinator to find out the specific product use schedule and health and safety information.

Public health emergency provision. If a school determines that there is an urgent need to mitigate or eliminate a pest that threatens the health or safety of students or staff members who cannot otherwise be protected through the use of its IPM program's non-chemical strategies and least-toxic pesticides, the legislation allows for emergency use of pesticides. The IPM Coordinator must approve the pesticide to be used for the public health emergency. In addition, notification is required to be provided to all parents, guardians, student and staff at least 24 hours prior to the application. The application must be made by a state certified applicator, the application area must be unoccupied for 24 hours following the application, and signs notifying school users of the pesticide application are required to remain posted for 72 hours.

Notification of IPM program. Notification regarding the school's IPM program and IPM coordinator contact information is required to be provided in school communications at the beginning of each school year. This notification also includes a statement that the IPM coordinator maintains pesticide product labels and material safety data sheets on each pesticide, including least-toxic pesticides, that may be used at the school, all of which are available from the IPM coordinator.

National School IPM Advisory Board. The legislation establishes a 12-member National School IPM Advisory Board made up of stakeholders without a conflict of interest who are nominated by the public. Board members will meet at least twice a year and are not compensated except for travel. The Board, with the help of a technical advisory panel, will develop school IPM standards and the list of least-toxic pesticide products.

IPM Coordinator. Each local educational agency is required to designate an IPM Coordinator who will be the contact person for all inquires regarding the IPM program. The IPM Coordinator maintains and makes available to the public information about pesticide applications, pesticide material safety data sheets, labels, EPA fact sheets, official EPA information related to the pesticides in use, and generally acts as a contact for inquiries. Each school is required to maintain all pesticide use data for at least three years.

Pesticides defined. Pesticides include "any substance or mixture of substances intended for: (i) preventing, destroying, repelling, or mitigating any pest; (ii) use as a plant regulator, defoliant, or desiccant; or (iii) use as a spray adjuvant such as a wetting agent or adhesive. The term 'pesticide' does not include cleaning products, other than those that contain pesticidal agents."

Legislation does not preempt states or localities. A state or locality can exceed the provisions of this act. States or localities that already have policies that meet or exceed this act can continue with their implementation.

Authorization. The bill authorizes \$7 million for each fiscal year 2011 through 2015.

For more information. Contact Beyond Pesticides at 202-543-5450 or info@beyondpesticides.org.