



Position Statement on PESTICIDE CAUSE-RELATED LABELING

The Association of American Pesticide Control Officials (AAPCO) strongly opposes the allowance of “cause-related marketing” statements on an EPA registered pesticide product label. This radical departure from the EPA’s own regulatory policy and protocol is now problematic for the states, which AAPCO represents.

AAPCO opposes cause-related marketing statements and symbols placement on pesticide labels based on the following five reasons:

1) Many state lead agencies are unable to deny registration of cause-related labels due to provisions of state pesticide laws, even though these states would do so if state law allowed it.

Most of EPA's state partners lack the resources to duplicate EPA's product labeling review. These states rely exclusively on the EPA’s expertise and depth of human resources to effectively review and assure compliance of pesticide labels with FIFRA and the Pesticide Label Review Manual. These states then register these labels in their state without further review. This relational procedure is seriously jeopardized when senior management at the EPA alters long-established policy without consultation of their state partners. In the case of Cause-marketing labeling, it forces many State partners to register pesticides that they believe violate federal product labeling standards.

2) Allowing inclusion of a cause-related marketing symbol(s) and/or statement(s) can mislead, be misinterpreted, or can falsely offer assurances of safety or non-toxicity. Inclusion of cause marketing related symbols on a pesticide product label can and will be interpreted by consumers to mean “this product is safe” or at the very least, offer a margin of safety that perhaps other pesticides cannot offer.

3) Inclusion of cause-related marketing statements or symbols is easily interpreted as an endorsement, no matter the intent or statements to the contrary on the label. As with the “safety” implication noted above, such an endorsement (intended or unintended) is wholly inappropriate for a government agency to sanction or approve.

4) AAPCO has further concerns that cause-market labels set an unwanted and dangerous precedence for approved product label language that has little to do with pesticide use directions. Most pesticide labels are already seriously overloaded with mandatory language, creating labels that overwhelm the average user to the extent that compliance and understanding is made difficult. To add other statements or content that have little or nothing to do with the pesticide in the container creates confusion, drains on federal and state label registration resources, and potentially may cause litigation related to allegations of preferential treatment and favoritism.

5) Finally, the EPA/OPP "Label Review Manual" (Chapter 16; Graphics and Symbols on Labels, Section III.A.9), and 40 Code of Federal Regulations Part 156.10(a)(5) expressly prohibit the placement of such cause-related marketing statement on a registered pesticide product label. Allowing cause-related marketing statements is inconsistent with established, fair, state lead agency partnered and relied-upon standards, and places the credibility of EPA and state registration programs in question.

For these reasons, AAPCO strongly opposes the allowance of cause-related marketing on pesticide labels and recommends that the EPA/OPP make all efforts necessary to prevent cause-related marketing from being submitted for inclusion on or from appearing on pesticide product labels.

Last, AAPCO expresses its concern that the Agency approved the cause-related label language with little pre-notification or involvement of its state regulatory partners. As a courtesy, we ask that EPA consult with states as the Agency makes policy decisions that can have broad-reaching impacts on pesticide labeling and state regulatory programs.

A handwritten signature in black ink, appearing to read "Jack Peterson", with a long horizontal line extending to the right.

Jack Peterson, President, AAPCO, on behalf of
AAPCO Board of Directors