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Statement of
Jay Feldman, Executive Director
Beyond Pesticides
on
Order 123-24/5 Amendment to
City Code Chapter 34 RE: Landcare
to
Portland City Council

March 3, 2025

Honorable City Council Members. I am Jay Feldman, Executive Director of Beyond Pesticides, a national, grassroots, membership organization that represents community-based organizations and a range of people seeking to improve protections from pesticides and promote alternative pest management strategies that reduce or eliminate a reliance on toxic pesticides. Our membership spans the 50 states, the District of Columbia, and groups around the world. We are submitting this statement on behalf of our supporters who are residents of Portland, ME

**We oppose the amendment to Chapter 34 of the Pesticide Use Ordinance to allow chlorantraniliprole use because of adverse effects to the environment and human health, and given that this use is out of step with the city's sustainability goals.**

The amendment proposed to allow the use of a chlorantraniliprole (acelepryn) will undermine Porland's commitment to sustainable management practices, which the city has embraced in the adoption of its Pesticide Use Ordinance in 2018 and synthetic fertilizer ban over five years later. The recognition that creating sustainable fields, lawns, and landscapes requires a holistic approach to land management is central to the passage and updating of the ordinance. We urge that the City Council reject the amendment to the ordinance that will allow the chemical's use and constitute a serious setback for the City's sustainability efforts.

**A Sustainable Systems Approach, Not a Product Approach**
Portland has been a leader in transitioning to sustainable organic land management of its lawns, fields, and landscapes. The Portland policy requires a commitment to a systems approach on the part of land managers, recognizing the critical importance of soil organisms in the cycling of nutrients and support for resilient plants and turf. The introduction of toxic substances into the soil is destructive of the microbial life and would certainly adversely affect a healthy soil system, resulting in a cycle of dependency on other pesticides. Elected officials in Portland, in passing the ordinance and its updated provisions, understood the importance of land management

addressing the existential health, biodiversity, and climate crises of our time and the real impact that a community has in eliminating petrochemical pesticides and fertilizers. In seeking to address the critical sustainability crises of our time, there is an understanding that we can stop purchasing toxic chemicals and utilize management practices that draw down atmospheric carbon contributing to the climate crisis. City officials are reminded of the importance of this policy as we see a weakening of policies at the federal level that threatens the livability of our planet. We urge that the Council help to move us forward, not backwards, in implementing its rigorous and responsible program. We urge that, rather than weaken the law, you assist the community to seek out the resources needed to fully implement the organic model. Now is not the time to move backwards.

**Chlorantraniliprole (Acelepryn) Is Not Compatible with Sustainable Organic Practices**

With an understanding of the systems approach to land management, the City Council adopted the pesticide ordinance. Key to its passage was an understanding that Portland was not going to take a product substitution approach to land management, replacing a toxic pesticide with an "organic" pesticide, but that it was facilitating the adoption of an organic systems approach that used allowed inputs (defined in the ordinance) when necessary. The Council considered testimony on this very topic and incorporated into the law the restrictions that only allowed substances that are determined to be compatible with life in the soil. Chlorantraniliprole (acelepryn) is not one of them. There are materials that comply with the Portland ordinance as identified in federal law under the National List of Allowed and Prohibited Substances in organic certification law and listed by the Organic Materials Review Organization. However, material use must be part of a holistic program that includes cultural practices (e.g., aeration, mowing height, overseeding, etc.), biological controls like beneficial nematodes, and proper soil amendments to feed the microbial life in the soil. These organisms are critical to breaking down the organic matter in the soil and solubilizing nutrients to make them plant available. The allowance of this chemical into the system will have a destructive effect and interfere with the natural nutrient cycling and plant health and cause problems related disease and infestation. Jeff Moyer, emeritus director the Rodale Institute, has said about chemical use, "It's a little disingenuous to say you can regenerate soil health and sequester carbon and still use nitrogen fertilizers and synthetic pesticides. What you're really saying is equivalent to saying, 'I want to be healthy as a person, but I still want to smoke cigarettes.'"

**More Specifics on Chlorantraniliprole (Acelepryn)**

As a product registered for use in chemical-intensive land management, not organic, **chlorantraniliprole (acelepryn)** adversely affects nontarget organisms and is persistent and mobile in the environment (U.S. Environmental Protection Agency (EPA) Factsheet, 2008). Chlorantraniliprole does not easily dissolve in water and breaks down in soil very slowly, with half-lives of up to 1,130 days. The chemical, as expected, is toxic to butterflies and moths. This endangers species such as the Monarch butterfly, which studies find Monarch eggs are killed by chlorantraniliprole at very low doses. of 0.018 µg/g per egg. While acute exposures to chlorantraniliprole are low in toxicity to fish, studies note that fish species are more sensitive when exposed over longer periods of time. Chlorantraniliprole is also considered moderately toxic to birds and aquatic plants by the International Union of Pure and Applied Chemistry.

This chemical is detectable in surface waters around the world, which runs off into larger bodies of water and threatens aquatic organisms. Many studies find chlorantraniliprole highly toxic to aquatic invertebrates. Chlorantraniliprole is highly toxic to crayfish, and other aquatic organisms are very sensitive to chlorantraniliprole as well, including water fleas and freshwater midges.

A study of a case of insecticide poisoning highlights, "Although claimed to be nontoxic to humans, chlorantraniliprole, an insecticide, could cause conduction defects by activating ryanodine receptors [RyR]." Raising concerns about complex issues of human health, "RyR channels release calcium from internal stores during excitation-contraction coupling in muscle," and therefore are important to the functioning of neurons and muscle.

Also of note, PubChem lists the following hazards for chlorantraniliprole: "H319 (40.2%): Causes serious eye irritation [Warning Serious eye damage/eye irritation]; H335 (40.2%): May cause respiratory irritation [Warning Specific target organ toxicity, single exposure; Respiratory tract irritation]; H400 (59.8%): Very toxic to aquatic life [Warning Hazardous to the aquatic environment, acute hazard]; H410 (59.8%): Very toxic to aquatic life with long lasting effects [Warning Hazardous to the aquatic environment, long-term hazard]."

**The Acelelpyrn Label, Nondisclosure of Product Ingredients, Label Restrictions**

It should be noted that in allowing acelepryn, the City Council is allowing a formulation of chemicals, which includes a majority of ingredients NOT LISTED on the product label. The acelepryn label (attached) shows that the "active" ingredient, chlorantraniliprole, makes up 18.4% of the product's ingredients and 81.6% of the product's ingredients are "other ingredients" that are not disclosed to you or the user, but can be biologically and chemically active. In our view, it is not good public policy, given the inadequacies of the pesticide registration process, to allow the use of products for which full ingredient statements are not disclosed. It should also concern public officials in Maine that this product is "Not for Sale, Sale Into, Distribution and/or Use in Nassau, Suffolk, Kings, Queens Counties of New York State," possibly because of its adverse impacts on waterways and aquatic invertebrates.

**Conclusion**

We urge the City Council to continue its responsible investment in sustainable organic practices of land management within its jurisdiction. With more training and investment in its sound public policy, Portland will continue to be a leader in investing in the community's health, biodiversity, and climate. This is needed now more than ever.

Thank you for your consideration of our comments.

PULL HERE TO OPEN

Not for Sale,Sale Into,Distributionand/orUse in Nassau,Suffolk,Kings, Queens Countiesof NewYork State.

CHLORANTRANILIPROLE GROUP INSECTICIDE

# )f Acelepryn®

syngenta®

## Insecticide

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**EPA Est No.072344-MO-004**TRR
(Superscript isfirst three letters of balch code on container)
**EPA** Reg. No.100-1489

| *Active Ingredient:* | |
|---|---|
| Chlorantranilipro •· | .. 18.4% |
| *Other Ingredients* | 81.6% |
| *Total:* | t00.0% |

'GASNo.500008-45-7

Chlorantranilipro belongsto the anthranilic diamide chemicalclass.

Acelepryn®is formulatedas a suspension concentratethat contains 1.67 lb chlorantraniliproleper gallonof product.

Product of USA

**KEEP OUT OF REACH OF CHILDREN**

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**SCP 1489A-L1D 0519**
**4096690**

**2 quarts NetContents**
**Non-refillableContainer**