



BEYOND PESTICIDES

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February 7, 2007

The Honorable Stephen Johnson
Environmental Protection Agency
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Re. Petition on “Cause Marketing”/Fund Raising Logos on Pesticide Labels

Dear Mr. Johnson:

Beyond Pesticides and the undersigned groups petition EPA to rescind and deny the pesticide product label for the Clorox Company, which allows the display of the Red Cross symbol and language. We submit this petition with extreme concern over the recent decision, and procedures leading up to this decision, to allow “cause-related marketing” on a pesticide product label (or printing on a pesticide product label a company other than the registrant). Our interest in this issue lies in our goal to seek to restrict pesticide use in a manner that protects public health and the environment, and advance alternatives that eliminate dependency on toxic chemicals.

Currently in question is EPA’s approval of the use of the Red Cross symbol on Clorox Company products.¹ It may be the intent, and it is certainly the effect, of the Clorox Company to associate itself and its product with the American Red Cross, which represents an American institution chartered by Congress and founded on the positive fundamental principles of humanity, impartiality, neutrality, independence, voluntary service, unity and universality. The Red Cross symbol itself internationally represents (largely due to the Geneva Convention’s adoption of its use) neutrality, humanitarianism, safety and denotes medical aid. The EPA registration process and the product, which bears the EPA-approved label, should not be confused with any of these principles and qualities. The use of the Red Cross symbol implies an endorsement of the product and may imply an endorsement of its safety to many, which may mislead users and contribute to product misuse.

Above and beyond the symbolism and misrepresentation associated with the use of this label, EPA’s decision to allow Clorox to label its pesticide products with the Red Cross symbol is a blatant violation of its own guidelines:

III. UNACCEPTABLE GRAPHICS & SYMBOLS

A. If the draft label under review contains graphics or symbols that violate FIFRA e.g., 12(a)(1)(b) or the applicable regulations e.g., false and misleading in 156.10(a)(5), then the label reviewer must advise the registrant to remove these from the label. Examples have included the following:

¹ US EPA. SFIREG Meeting Minutes: December 4-5, 2006.

9. Symbols implying safety or nontoxicity, such as a **Red Cross** or a medical seal of approval (caduceus).²

The use of the Red Cross symbol is very misleading to the public and communicates a false sense of safety and false values regarding these products. The inherent danger is that misleading the public about pesticides can result in harm to consumers who either do not unfortunately take the time to read pesticide labels or who cannot read or comprehend labels (e.g. non-English speaking citizens, visually impaired persons, children). The report³ that EPA will allow placement of the phrases, “Dedicated to a healthier world” and “Help Clorox raise \$1M for the Red Cross,” as well as the use of the Red Cross logo on both the front and back panels, on five Clorox products, only further compounds the false message that such a label communicates.

Additionally, such a decision that reverses the agency’s policy should have been proposed openly and made available for public comment. Instead, months after the labels in question were accepted by EPA, the public is only now learning of this decision. This is not acceptable agency procedure, especially considering the first allotted promotion has been authorized for the current month.

We recognize that this decision currently affects only a few (albeit widely used) products, but we are greatly concerned about the precedent this decision sets. EPA’s own notes show the agency is developing criteria for future similar situations. Any such criteria need to be formally proposed and open to public comment.

Please consider this a petition to rescind and deny the pesticide product label for the Clorox Company, which allows the display of the Red Cross symbol and language. Beyond Pesticides and the undersigned groups ask EPA to immediately comply with the *Federal Insecticide Fungicide and Rodenticide Act* (FIFRA) and order the Clorox Company to cease any labeling activities that use the Red Cross logo.

Sincerely,

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Beyond Pesticides

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² US EPA. Label Review Manual Chapter 16: Graphics & Symbols on Labels. Accessed January 31, 2007. <http://www.epa.gov/oppead1/labeling/lrm/chap-16.htm>

³ Public Employees for Environmental Responsibility. “EPA Okays “Cause Marketing” Labels for Pesticides and Poisons.” January 22, 2007.

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