



# Regulatory and Statutory Failures Inflict Harm

## DOCUMENTING GOVERNMENT CAPTURE BY INDUSTRY: GOVERNMENT NEGLECT

There is an institutional culture at the U.S. Environmental Protection Agency (EPA) that starts with the presumption that toxic pesticides are necessary for economic and quality of life purposes. Pesticides were originally recognized under the 1947 *Federal Insecticide, Fungicide and Rodenticide Act* (FIFRA) as “economic poisons” and the U.S. Department of Agriculture (USDA) then, and now EPA, embraced the notion that the benefits (defined by the marketplace demand) of these toxic substances were worth the harm associated with their use. This perspective has infected the agency until this day. This means that the Agency’s decisions, as

exemplified by actions in 2021, embrace a narrow approach to risk mitigation that fails to evaluate “reasonableness” of risk in light of the availability of less toxic alternative substances *and practices*. Practices are emphasized because so many pest problems are a function of management practices and the pesticide treadmill that assumes the need for pesticide dependency, even though the scientific literature and empirical evidence say otherwise.

The Office of Inspector General (OIG) pointed in 2021 to undue pressure from senior management that manipulated scientific conclusions, and whistleblowers and a

media investigation have cited agency corruption. EPA announced the establishment of Advisory Councils to Restore Scientific Integrity, which should be getting off the ground. Meanwhile, researchers at the Medical University of Vienna, Austria found that most of the studies submitted by Monsanto/Bayer to register glyphosate (Roundup) in the European Union were not “scientifically reliable” or only “partly reliable.”

With the Trump administration rejecting science in favor of industry preference, several reversals by the Biden administration and court judgements vacated the previous administration’s actions. However, all is not well, since EPA pushed to keep in place decisions to allow pesticides such as aldicarb, dicamba, glyphosate, paraquat, and streptomycin (antibiotic), as well as other specific chemical decisions that present serious public and environmental hazards. The agency has not acted on flea collars associated with 1,700 dog and cat deaths. EPA did propose the cancellation of the wood preservative pentachlorophenol—a highly persistent chlorinated hydrocarbon with dioxin contaminants still used on utility poles and railroad ties—only after the chemical was banned worldwide and the manufacturer could not find a site to produce it in the U.S. Then the agency is allowing a five-year phase-out, which permits another generation of exposure. EPA’s decision to phase-out agricultural uses of the neurotoxic insecticide chlorpyrifos in 2021 reinstates a proposal from the closing days of the Obama administration that had been reversed by the Trump EPA. The history of agency inaction on chlorpyrifos, however, goes back decades, when EPA in 1999 removed residential uses with a full-year phase-out, knowing its severe

threat to children, but left agricultural uses that were then petitioned for cancellation by farmworker groups in 2007. A federal court in 2021 said, “EPA’s egregious delay exposed a generation of American children to unsafe levels of chlorpyrifos.” Even so, the agency has still left uses on the market: containerized baits, outdoor areas, poles and posts, fire ants, nurseries and greenhouses, and public health mosquito control.

Another OIG report blasted EPA for not implementing a 1996 statutory requirement to regulate endocrine-disrupting pesticides, saying, “Without the required testing and an effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals.”

President Biden in his Executive Memorandum on *Modernizing Regulatory Review*, issued on his first day on the job, recognized the need for a holistic approach to government action, requiring agencies “to ensure that regulatory initiatives appropriately benefit and do not inappropriately burden disadvantaged, vulnerable, or marginalized communities” and “promote public health and safety, economic growth, social welfare, racial justice, environmental stewardship, human dignity, equity, and the interests of future generations.” Yet, Secretary of Agriculture Tom Vilsack lashed out against the European Union’s “Farm to Fork” sustainability transition plan to limit chemicals and fossil fuels and called for “a market-oriented, incentive-based, voluntary system [that] is effective,” which sounds like business as usual in the midst of existential public health, biodiversity, and climate crises.



## Trump EPA Adopts Rule To Undermine Science in Decision-Making

**JANUARY 8, 2021** | In an eleventh-hour move, the Trump administration's Environmental Protection Agency (EPA) announced on January 5 the finalization of its controversial, so-called "transparency" rule. The agency claims that the rule—dubbed "Strengthening Transparency in Pivotal Science Underlying Significant Regulatory Actions and Influential Scientific Information"—which mandates that researchers provide to EPA access to their raw data, will improve the credibility of its regulations because the public would be able to validate research that influences EPA regulations. In fact, as researchers and advocates recognize, this rule will significantly restrict the scientific research EPA uses in developing regulations to protect human health. This rule will mitigate against use of the best and broadest knowledge base in developing protections for U.S. residents. In its article on the EPA announcement, *The Washington Post* explains that the rule would "actually restrict the EPA from using some of the most consequential research on human subjects because it often includes confidential medical records and other proprietary data that cannot be released because of privacy concerns."

**Update:** EPA removed the regulatory provisions associated with the final rule *Strengthening Transparency in Pivotal Science Underlying Significant*

*Regulatory Actions and Influential Scientific Information*. This action effectuates the vacatur of the final rule ordered by the United States District Court for the District of Montana. It is also responsive to the Executive Order entitled "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis," signed on January 20, 2021.

## EPA Confirms Widespread PFAS Contamination of Pesticides, Announces "Investigation," Stops Short of Action To Protect Public

**JANUARY 20, 2021** | The U.S. Environmental Protection Agency (EPA) [has confirmed](#) that PFAS (per- and polyfluorinated alkyl substances) "forever chemicals" are contaminating containers that store pesticide products, and subsequently the products themselves. The confirmation comes after [preliminary testing](#) from the watchdog group Public Employees for Environmental Responsibility (PEER) found PFAS in the widely used mosquito pesticide Anvil 10+10 (synthetic pyrethroid). In response EPA announced further investigation and said, "EPA understands the need to provide guidance to states, tribes, and other users as they prepare to purchase mosquito control products for 2021 and will provide more information as it continues its investigation. According to EPA, high-density polyethylene (HDPE) containers used to store and transport pesticides are commonly treated with fluoride in order to create a "chemical barrier" that will "prevent changes in chemical composition." The fluorinated container is supposed to be more stable,



and "less permeable, reactive, and dissolvable." Earlier testing found PFAS chemicals well above safety limits established by states, as well as EPA's health advisory. Because it's a 'forever chemical,' PFAS does not break down in the environment, and any pollution becomes cumulative.



## Will Biden Reverse Last Minute Trump EPA Approval of the Deadly Insecticide Aldicarb, Previously Cancelled?

**JANUARY 22, 2021** | The ears and eyes of many advocates, as well as those in the agricultural community, are attuned (among myriad candidates) to the fate of the pesticide [aldicarb](#). Although U.S. Environmental Protection Agency (EPA) registration of this terribly toxic insecticide was [cancelled in 2010](#), various limited-use reapprovals since then have meant that the compound has found its way to increasing levels of use. On January 12, as another parting shot of [midnight rulemaking](#), Trump's EPA approved expanded uses. The \$64,000 question is whether the new administration will use its authority under the [Congressional Review Act](#)—which enables Congress to pass a joint resolution (then signed by the President) to overturn a new federal agency rule and prevent its reissuance in the future—to get this pesticide retired for good. Beyond Pesticides urges President Biden's EPA to do so.

**Update:** While the Biden EPA defended this previous action by the agency, in June the U.S. Court of

Appeals blocked EPA from approving use of the hazardous insecticide aldicarb on citrus crops in Florida.

## Biden Executive Orders Set the Stage for Systemic Change, If Words Turn to Action

**FEBRUARY 5, 2021** | The U.S. public has witnessed, in the barely launched tenure of President Joe Biden, a surge of Executive Orders (EOs). Based on the first flurry of orders, much of the Biden “reset” appears gauged to beat back Trump policies that worsened an already inadequate regulatory system, and to reconfigure federal operations and regulations so as to address and solve the biggest threats (beyond Covid) the country faces. Among the high-profile EOs already issued are three that stand out. One recalibrates the [operations of the OMB](#) (Office of Management and Budget) to forward health, racial equity, and environmental stewardship. A second and third seek to [restore scientific integrity](#) and elevate the role of science



across the federal government, and to tackle comprehensively the climate crisis with a “[whole of government](#)” approach. Beyond Pesticides welcomes these early efforts and maintains that vigilance and robust advocacy will be necessary to achieve needed transformational change across federal agencies, which exist to protect and support the people of the United States.



## Despite 1,700 Dog and Cat Deaths from Flea Collars, EPA Silent; Children at Risk

**MARCH 5, 2021** | Pet owners will be alarmed to read the report, by [USA Today](#), that a popular flea and tick collar—Seresto, developed by Bayer and sold by Elanco—has been linked to nearly 1,700 pet deaths, injuries to tens of thousands of animals, and harm to hundreds of people. At the time of publication, the U.S. Environmental Protection Agency (EPA), which regulates pesticides, had issued no informational alert to let the public know about these risks to pets—despite many hundreds of [incident reports](#) in its Office of Pesticide Programs Incident Report database. Beyond Pesticides and other advocates have warned of the [toxicity of pet pesticide treatments](#), not only to the animals themselves, but also, to children and other household members. There are [nontoxic ways](#) to protect pets from fleas and other pests, and to protect human family members at the same time. The active pesticide ingredients in the Seresto pet collars are imidacloprid and flumethrin. The neonicotinoid insecticide imidacloprid is a commonly used pesticide associated with serious health and environmental decline. It is a neurotoxicant, an endocrine disruptor, an immunosuppressant, linked to cancer, and also has negative reproductive impacts. Flumethrin is a chemical in the pyrethroid class of synthetic neurotoxic insecticides, which have been repeatedly linked to neurological issues, such as seizures and learning disabilities in children, and to gastrointestinal distress. [Hettinger, Johnathan. Midwest Center for Investigative Reporting. “Popular flea collar linked to almost 1,700 pet deaths. The EPA has issued not warning.” *USA Today*. March 2, 2021.]



## EPA Proposes Cancellation of Highly Toxic Wood Preservative

**MARCH 9, 2021** | The Environmental Protection Agency (EPA) announced an [interim decision](#) to cancel one of the most hazardous pesticides still used in the United States, pentachlorophenol (penta). Although long overdue, health advocates are hailing the agency's action, taken due to significant risks to human health, the availability of alternatives, and the uncertain future of penta production. Many advocates hope that EPA's announcement is the start of a pivot to science-based decision-making in the best interest of health and the environment, not the pockets of pesticide industry executives. However, many point to the closing down of one of the last penta production facilities in Mexico and the inability to find a location in the U.S. as the major reason for EPA action. Cancellation of this toxic chemical will bring the U.S. into conformance with the Stockholm Convention, an international treaty to ban persistent organic pollutants (POPs) joined by over 150 countries that was never ratified by the U.S. Senate.

**Update:** EPA announced on February 2, 2022, but signed in December 2021, the cancellation of pentachlorophenol, with a five-year phase out of use by the utilities, which the agency says they need to transition to different wood preservatives, but will expose future generations to this persistent toxicant. Produced for its ability to preserve wood through pressure treatment, penta has

been used on utility poles and railroad ties since the 1930s, before U.S. pesticide law was written. In the 1950s, it was registered for a range of pesticidal uses in addition to wood treatment, including as a fungicide, herbicide, insecticide, algacide, disinfectant, and ingredient in antifouling paint. Its uses as a catch-all pesticide began to be restricted in the mid-1980s as EPA identified a range of acute and chronic risks from exposure, and significant contamination of penta products with hexachlorobenzene, furans, and polychlorinated dibenzo-p-dioxins, one of the most toxic substances known to humankind.

## EPA Agenda Undermined by Its Embrace of Industry Influence, Article Documents

**JULY 9, 2021** | The investigative online publication *The Intercept* has turned its attention to the current and historical role of industry in distorting, undermining, and outright suppressing the protective function of the U.S. Environmental Protection Agency (EPA) with regard to pesticide exposures. The subsequent reporting—[“The Department of Yes: How Pesticide Companies Corrupted the EPA and Poisoned America”](#)—is a devastating chronicle of the theme and particulars that *Beyond Pesticides* has covered for years. That is, that EPA has repeatedly disregarded its charge to protect human and environmental health in favor of enabling industry to continue its chemical experimentation on the populace and on the nation's multiple natural resources. This pattern must change if the agency is to enact its mission and the public is to be protected. *The Intercept* interviewed more than 24 people with expertise on the regulation of pesticides, including 14 who have worked in EPA's Office of Pesticide Programs (OPP). The chief takeaway from those interviews, as written by reporter Sharon Lerner, is that EPA “is often unable to stand up to the intense pressures from powerful agrochemical companies, which spend tens

of millions of dollars on lobbying each year and employ many former EPA scientists once they leave the agency. The enormous corporate influence has weakened and, in some cases, shut down the meaningful regulation of pesticides in the U.S. and left the country's residents exposed to levels of dangerous chemicals not tolerated in many other nations.”

The investigation shows that data used by EPA on chlorpyrifos—which was written by Dow Chemical Company statisticians—had left out critical information that caused resultant EPA safe exposure limits (“no observed adverse effect levels,” or NOELs) to be, as *Beyond Pesticides* wrote, “flat out wrong.” In their 2020 peer-reviewed paper, University of Washington researchers conclude that “the omission of valid data without justification was a form of data falsification.” By 2020, however, massive on-the-ground damage had been done because of EPA's adoption of the NOELs “justified” by the erroneous data in that paper. And at EPA, presumably, either no one noticed, or no one cared to do anything about it.

*The Intercept* cites several top-level examples of EPA's failures to protect, unearthed during the research for the article:

- waiver, at industry request, of the vast majority of toxicity tests that could yield useful information on pesticide impacts;
- squelching of an internal report warning of the link between [glyphosate](#) and cancer;
- refusal to investigate evidence of carcinogenicity for another ingredient in Monsanto's glyphosate-based product, Roundup;
- failure to review evidence of brain-damaging impacts of a [neonicotinoid](#) pesticide;
- dismissal of scientific research demonstrating that malathion causes cancer.

[Lerner, Sharon. “The Department of Yes: How Pesticide Companies Corrupted the EPA and Poisoned America.” *The Intercept*. June 30, 2021.]

## Inspector General Blasts Trump's Politicized EPA, No Announced Plans To Reverse Unscientific Decisions

**MAY 28, 2021** | A report by the Office of the Inspector General for the U.S. Environmental Protection Agency (EPA) concludes that scientific analyses by the agency were altered so as to favor top Trump administration officials' policy choices in the 2018 reapproval of the highly toxic and problematic pesticide, *dicamba*. The report, "[EPA Deviated from its Typical Procedures in Its 2018 Dicamba Pesticide Registration Decision](#)," was publicly released on May 24. It confirms aspects of what Beyond Pesticides and many others in the science, advocacy, public health, and environmental communities have been saying and reporting since 2016: the Trump administration executed a wholesale [assault on scientific integrity](#) in federal decision-making. As reported by *The Hill*, examples include the following: One is that after a senior management review of the 2018 reapproval of *dicamba* (for use on genetically engineered cotton and soybeans), the assistant administrator's office instructed scientists to use an outline it provided to them for rewriting an impact analysis document, including removal of several sections of the original document. One scientist asserted that senior management in OCSPP (EPA's Office of Chemical Safety and Pollution Prevention) told them to use industry-provided data—rather than EPA's own data—for reported damage from *dicamba*. Yet another was a staff scientist's claim that senior management and policymakers instructed that plant height (rather than the academic standard of "visual signs of plant injury") should

be used to measure *dicamba*'s effects. The OIG report concluded that such behaviors ultimately changed the scientific conclusions about *dicamba*'s use.

The OIG report concluded: "We found that the EPA's 2018 *dicamba* pesticide conditional registration decision varied from the OPP's [Office of Pesticide Program's] written standard operating procedures, namely because EPA did not conduct the required internal peer review of scientific documents created to support the *dicamba* decision.... Senior leaders in OCSPP's immediate office—specifically the former deputy assistant administrator, former deputy assistant administrator for Law and Policy, and former acting principal deputy assistant administrator ("senior management")—were more involved in the *dicamba* decision than in other pesticide registration decisions. This led to *senior-level changes to or omissions from scientific documents, including omissions of some conclusions addressing stakeholder risks*" [emphasis by Beyond Pesticides]. The individuals in those specific EPA positions cited in the report included, respectively: Nancy Beck (former deputy assistant administrator, who previously served as a senior director at the American Chemistry Council—the trade organization for the chemical industry), Erik Baptist (former deputy assistant administrator for law and policy), and Charlotte Bertrand (former acting principal deputy assistant administrator). [Office of the Inspector General. *EPA Deviated from Typical Procedures in Its 2018 Dicamba Pesticide Registration Decision*. Report No. 21-E-0146. May 24, 2021; Frazin, Rachel. "Trump officials changed scientific analyses in pesticide reapproval: EPA watchdog." *The Hill*. May 24, 2021.]

## Whistleblowers Say EPA Managers Engaged in Corrupt and Unethical Practices, Removed Findings and Revised Conclusions

**AUGUST 6, 2021** | The organization [Public Employees for Environmental Responsibility](#) (PEER) has filed complaints with the U.S. Environmental Protection Agency's (EPA's) Office of the Inspector General (OIG) on behalf of four EPA whistleblower scientists. The scientists maintain that during the Trump administration, risk assessments for both new and existing chemicals were improperly

changed by agency managers to eliminate or reduce calculations of risks; further, they assert that some of this behavior at EPA is ongoing. [Beyond Pesticides](#) recently covered a report in *The Intercept*, written by Sharon Lerner, that examined the multiple aspects of undue industry influence on the regulation of pesticide chemicals. The PEER complaints address regulation of other kinds of toxic chemicals, but Beyond Pesticides maintains that some of the problems the whistleblowers identify hold true for EPA's Office of Pesticide Programs, as well.

The four whistleblowers worked under Office of Pollution Prevention and Toxics



(OPPT) (and the New Chemicals Division (NCD), which are supposed to evaluate risk assessment studies to gauge a new (or existing) chemical's



## Will Playing Fields, Parks, and Lawns Be Safe After Glyphosate in Roundup Residential Use Ends in 2023?

**JULY 30, 2021** | Bayer (Monsanto), the maker of the deadly herbicide glyphosate/Roundup, after hinting in May that it would end the weed killer's residential uses in the U.S., made it official yesterday. With its announcement to shareholders, Bayer puts an end to residential uses beginning in 2023 and allocates \$4.5 billion to cover "the company's potential long-term exposure" from lawsuits by those harmed by the chemical. At the same time, the company announced it is seeking a U.S. Supreme Court hearing to reverse significant jury verdicts (from \$289 million to \$2 billion) for individuals who have suffered health damage they tie to glyphosate exposure. Bayer claims that it will argue that federal pesticide law preempts litigation against products that it has registered with the U.S. Environmental Protection (EPA). Similar arguments have been tried before, most notably in [Bates v. Dow Agrosciences](#) (2005), and the Supreme Court has found that federal pesticide law does not protect "manufacturers of poisonous substances."

Despite the [extensive scientific review](#) (see [Beyond Pesticides Gateway](#)) of [glyphosate/Roundup](#) and a "probable" cancer causing ranking by the World Health Organization/International Agency for Research on Cancer in

2015, [Bayer says](#), "This move is being made exclusively to manage litigation risk and not because of any safety concerns." And despite finding that glyphosate has [contaminated the food supply](#) and is found in [waterways](#) extensively, Bayer's decision does not affect agricultural uses of glyphosate.

The residential market now shifts to other toxic weed killers for glyphosate uses unless the public initiates a shift in their purchasing practices and communities decide to transition to land management practices not dependent on toxic substances. (See [Beyond Pesticides' 40 Most Commonly Used Lawn Pesticides](#) and the [health and environmental](#) effects.)

The decision to withdraw glyphosate from the residential market is a rerun of Dow Chemical's decision in 2000 to stop residential uses of the highly neurotoxic, brain-damaging insecticide [chlorpyrifos](#). The chemical was removed from the residential market after extensive scientific study showed the adverse impact on children, but has remained in agricultural use for over 20 years until this day, due to EPA's sustained inaction in the face of strong science. Typically, the agency sits in the background and watches the marketplace, then codifies

voluntary decisions by manufacturers after years, even generations, of poisoning and contamination. To be fair, the agency does negotiate many of these cancellations with the manufacturers behind the scenes, but, as a result, the voluntary actions by the companies are highly compromised and do not include agency determinations or findings—allowing false claims of safety, offering a shield from liability, and permitting unencumbered international marketing. That is exactly what is playing out with glyphosate, except that much of the international community is now highly skeptical of the quality of EPA’s decisions. Common compromises are contained in Bayer’s announcement—a long phase-out period for cancelled uses without any warning to the user community or those exposed (many companies, distributors, and retailers engage in fire sales to sell off the products) and a large volume of retained uses (in this case most of glyphosate use), such as all or most agricultural use and other hidden exceptions that are not understood or fully disclosed to the public. With the glyphosate decision, which Bayer refers to as “risk mitigation”—that’s risk to the company’s profitability, economic viability, and shareholder investment—the harm inflicted by glyphosate will continue, first to those in the farm community who handle glyphosate—farmworkers and family farmers—or are exposed involuntarily to [drift and contaminated waterways](#), and then to those who eat food that is grown in chemical-intensive agriculture.

There are lessons to be learned for policy makers, land managers, farmers, and decision makers. The federal laws that we have in place, the *Federal Insecticide, Fungicide and Rodenticide Act* and the *Federal Food, Drug and Cosmetic Act* (including the *Food Quality Protection Act*), have failed to regulate chemicals like glyphosate, chlorpyrifos, and pentachlorophenol and will continue to

fail to adequately regulate [1,200 active and hundreds of “inert”](#) (secret nondisclosed) ingredients in over 16,800 pesticide products in the interest of public health and environmental protection. The current system and reform proposals that tinker with the broken system allow the continued use of pesticides that are too dangerous and proven to be unnecessary to meet pest management, productivity, profitability, and quality of life goals. So why are they being used? Because the laws protect chemical companies, not the public. The laws protect the vested economic interests that wrote the laws, amend the laws, and fight to protect the laws, not the public who are adversely affected and suffer cancer, neurological diseases, Parkinson’s, Alzheimer’s, diabetes, asthma, and autism—and certainly not those in the people of color community who suffer disproportionately from many of these illnesses. (See [Pesticide-Induced Diseases Database](#).) Similarly, the laws do not protect the ecosystems and biodiversity, which are critical to human existence. As a result, the laws do not protect [pollinators](#), [keystone species](#) in the aquatic food web, or threatened and [endangered species](#). That has been documented with glyphosate, as it has with toxic pesticides generally. Instead of taking preventive or precautionary action, regulators sit and watch as we move closer and closer to crises that undermine the very existence of life.

Are we happy that the residential uses of glyphosate will be removed from the market? Yes, of course. But, more than anything it is Exhibit A for the failure of policy to protect what is sacred—life—and yesterday’s announcement should be a signal, an example, and a call to rise up against a system of poisoning and contamination that must stop. We can start by moving our communities to organic land management. Now!

potential risk to humans. Such assessments can lead the agency to place limits on a chemical’s use or to ban it entirely. The four have reported that civil service managers at EPA, during the term of the Trump administration and continuing to today, have engaged in corrupt and unethical practices, such as regularly accessing risk assessments completed by staff scientists in order to, variously:

- remove language that identifies potential adverse effects, including developmental toxicity, neurotoxicity, mutagenicity, and/or carcinogenicity;
- revise conclusions in risk assessment reports significantly to indicate no toxicity concerns despite data to the contrary;
- reassign risk assessment work to less-experienced employees so as to remove content whose inclusion would protect human health and/or to secure sign-offs on faulty or inadequate assessments.

The whistleblowers report extreme pressure to sign off on inadequate evaluations, and say that staff are rewarded for doing so. When, as these four did, agency scientists have refused to do that, the assessments have been taken away from them and given to less experienced employees who would. In addition, staff who have “blown the whistle” by reporting incidences of what the [Whistleblower Protection Act](#) (WPA) specifically spells out—“violations of rules or regulations; abuses of authority; gross mismanagement; or substantial and specific danger to public health or safety”—have suffered reprisals, including functional reassignment or demotion.





## Biden EPA Reapproves Paraquat with Weaker Protections than Trump Administration Proposed

**AUGUST 10, 2021** | President Biden's Environmental Protection Agency (EPA), under Administrator Michael Regan, is set to reapprove the highly hazardous herbicide paraquat with fewer protections than those proposed by the Trump administration. Despite strong links to [Parkinson's disease](#), and a ban on the herbicide in the European Union, China, Brazil, and many other countries, [EPA's press release](#) inexplicably states, "No direct one-to-one alternatives to paraquat are available." The move is part of a string of actions that have pesticide reform advocates increasingly concerned that the Biden administration is not living up to its [initial promises](#) to improve health and environmental protections. [Paraquat](#) is the most toxic herbicide still on the market. As EPA readily admits, one small sip of paraquat can be fatal. Apart from its acute toxicity, chronic exposure to the herbicide is strongly linked to the development of Parkinson's disease. But its association with Parkinson's is merely the most well-known health concern—the chemical is a likely carcinogen, harms the reproductive system, and damages organs like the kidney and liver. It is hazardous to birds and bees, and prone to leaching into groundwater, where it disrupts the health of aquatic ecosystems. The Trump administration's decision to reapprove paraquat last year was characterized by

Beyond Pesticides as "a broken EPA" with an "extremist pro-pesticide agenda." Like with glyphosate (Roundup), paraquat's major manufacturer—Syngenta/ChemChina—is now in court over links between its herbicide and chronic disease.

## "Biopesticides," with Broad Definition, Challenged as Unsustainable

**AUGUST 13, 2021** | Across the pond in the UK, two years of trials with spring and winter wheat varieties have shown, according to the [Farmer Scientist Network \(FSN\)](#), which conducted the study as [Crop Health North](#), that so-called "biopesticides," alone or in combination with conventional pesticides, can be useful in generating yield and grain quality comparable to those obtained through use of conventional "crop chemistry" (aka, synthetic chemical pesticides). According to Beyond Pesticides Executive Director Jay Feldman, biopesticides are a "mixed bag," generally poorly understood, and defined differently by various entities and stakeholders. He notes that the term can be misleading and mixes contradictory approaches, adding that, "It's troublesome when we continue to look for product replacements or substitutions for agricultural practices that are clearly ineffective, and in the process avoid the changes necessary to transition to [organic practices](#)," which represent the real, long-term solution to the problems efforts such as these trials



seek to remedy. The U.S. Environmental Protection Agency (EPA) says, "Biopesticides are certain types of pesticides derived from such natural materials as animals, plants, bacteria, and certain minerals. . . . Biopesticides include naturally occurring substances that control pests (biochemical pesticides), microorganisms that control pests (microbial pesticides), and pesticidal substances produced by plants containing added genetic material (plant-incorporated protectants) or PIPs." Some categories of biopesticides may well be compatible with organic agricultural practices, while others would not be because they fail to meet the requirements of the National Organic Program, which operates within the U.S. Department of Agriculture (USDA). The USDA website explains that, "Organic producers rely on natural substances and physical, mechanical, or biologically based farming methods." Beyond Pesticides and other organic advocates recognize that some bioprotectant products may be ecologically sound and nontoxic; indeed, some fungi appear to hold great promise. But the fundamental quest ought not be one of seeking an endless stream of "substitute" products or controls as resistance to conventional pest controls continues to develop. Rather, the central and critical need is making the transition from conventional chemical farming to organic, regenerative agriculture—which involves shifts in both understanding and practices. [Farmer Scientist Network. Yorkshire Agricultural Society. Harrogate, UK. 2021.]

## Commentary: Are Children, Agricultural Workers, and the Food Supply Safe with EPA's Chlorpyrifos Decision?

**AUGUST 19, 2021** | Does a science-based, public health-oriented, occupational safety focused, children-concerned, ecologically protective society allow the use of toxic pesticides that are unnecessary to achieve land management, quality of life, and food productivity goals? Should [victims of poisoning](#) have to plead with regulators to protect them? Should organizations have to fight chemical-by-chemical to achieve basic levels of protection from individual neurotoxic, cancer causing, endocrine-disrupting pesticides? Of course not. But, the U.S. Environmental Protection Agency's (EPA) announcement that it is stopping food uses of the insecticide [chlorpyrifos](#) after being registered 65 years ago provides us with an important opportunity for reflection, not just celebration. The collective effort to remove this one chemical is a tremendous feat in eliminating one exposure to a hazardous material for [children](#). That is the point. The action we're celebrating required an amazingly resource-intensive effort at a time in history when we are running against the clock in an urgent race to transition our society and global community away from the use of petroleum-based, toxic pesticides—to move to meaningful practices that sustain, nurture, and regenerate life.

In this context, let's put chlorpyrifos in perspective. EPA was forced into its decision by a court order that was precipitated by an agency decision to [reverse course](#) after proposing to stop food uses of chlorpyrifos in 2017. Despite a mountain of scientific data challenging chlorpyrifos's safety, it was embraced by industrial agriculture, the golf industry, and others, and deemed too valuable to the bottom line of its manufacturer, Corteva (formerly Dow AgroSciences). Pesticide manufacturers are also motivated to steer EPA away

from adverse health and environmental effects findings on their products in order to avoid potential litigation by those harmed. The [U.S. Court of Appeals](#) for the 9th Circuit in San Francisco in its ruling in May, 2021, in which it mandated EPA action, said, "The EPA has had nearly 14 years to publish a legally sufficient response to the 2007 Petition [filed by environmental and farmworker groups]." The court continued, "During that time, the EPA's egregious delay exposed a generation of American children to unsafe levels of chlorpyrifos."

But before all the recent activity, in 1999, EPA had negotiated a compromise with Dow that stopped most residential uses of chlorpyrifos. Why? For the same reason that EPA finally acted on food. This neurotoxic chemical is harmful to children. That was 22 years ago and followed a campaign by Beyond Pesticides and others to remove Dursban/chlorpyrifos from the market because of indoor ambient air contamination of homes and buildings and lawn and landscape exposure. It should be noted that Dursban was viewed with promise by regulators as the alternative to the organochlorine insecticide chlordane, which Beyond Pesticides sued to remove from the termite use market—a remaining use after the agricultural, lawn, and garden uses were finally taken off the market in 1983, with decades of review by numerous agencies. Its cancer-causing properties and ecological effects could no longer be defended. The cancellation of termite use followed in 1988 after millions of homes were potentially contaminated, with high risk factors for cancer.

With all this as context for the chemical treadmill, next up after chlorpyrifos may be the insecticide bifenthrin. It too is a neurotoxic, cancer-causing, endocrine-disrupting pesticide. And if that is not enough, there are others waiting in the wings. The picture is clear. Even in a victory, like EPA's chlorpyrifos decision, the action is typically filled with exceptions that respond to vested interests seeking to ignore or deflect the science. With chlorpyrifos,



EPA, since announcing its [decision in 1999](#) to ban "residential" uses of chlorpyrifos, continues to allow the following uses: (i) Residential use of containerized baits; (ii) Indoor areas where children will not be exposed, including only ship holds, railroad boxcars, industrial plants, manufacturing plants, or food processing plants; (iii) Outdoor areas where children will not be exposed, including only: golf courses, road medians, industrial plant sites; (iv) Non-structural wood treatments including: fenceposts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts, and processed wood products; (v) Public health uses: fire ant mounds (drench and granular treatment); (vi) Nurseries and greenhouses; and (vii) Mosquito control. These uses are unaffected by EPA's announcement yesterday.

Corteva's statement prior to the EPA announcement was predictable, as the company and the chemical industry generally pushes pesticide dependency: "Chlorpyrifos is a critical pest management tool used by growers around the world to manage many pests.... We will continue to support the growers who need this important product." Similarly, the pesticide industry's partner, the Golf Course Superintendents Association, stated, "Chlorpyrifos is a vital tool for controlling damaging pests on golf courses." These are self-serving statements because the industry's products create ongoing product dependency by focusing on killing organisms and life in the soil, rather than preventing pest problems with cultural practices and soil

## INTERNATIONAL



## In Cahoots with Pesticide Industry, Former U.S. Officials Try To Stop Mexico from Banning Glyphosate, But Fail

**FEBRUARY 17, 2021** | New details are emerging around the pressure campaign Mexican President Andrés Manuel López Obrador and his administration withstood as the country moved toward banning Bayer/Monsanto's glyphosate (Roundup) herbicide. According to documents obtained by a *Freedom of Information Act* request and published in *The Guardian*, the U.S. Trade Representative, U.S. Environmental Protection Agency (EPA), and U.S. Department of Agriculture (USDA) worked in coordination with Bayer/Monsanto and the agrichemical industry umbrella group CropLife America to stop the Mexican government from embracing a precautionary approach to pesticide regulation. While the Trump administration and its collaborators were successful in a similar campaign against [Thailand](#), there are no indications that Mexico will rescind its final decision to ban [glyphosate](#), made at the end of last year. Health and environmental advocates want the Biden administration to not only halt the regular use of the United States' immense global power on embarrassing flacking for the agrichemical industry, but reverse course, and embrace a truly precautionary approach. CropLife and the rest of the agrichemical industry are terrified of that outcome. In a [letter](#) to the U.S. Trade Representative, copying the heads of USDA and EPA, CropLife President Chris Novak wrote of Mexico's decision, "These actions would establish a beachhead for the Precautionary Principle in the Western

Hemisphere..." [Gillam, Carey. "Revealed: Monsanto owner and US officials pressured Mexico to drop glyphosate ban." *The Guardian*. February 16, 2021.]

## Bayer Loses Bid To Overturn Neonicotinoid Ban in Europe

**MAY 11, 2021** | Last week, multinational agrichemical company [Bayer Cropsience](#) lost its bid to overturn a 2018 ban on bee-toxic neonicotinoids throughout the European Union. The ruling from the European Court of Justice [rejected all grounds](#) on which the company filed its appeal, noting, "It must be held that the arguments put forward by Bayer CropScience cannot, in any event, succeed." In denying the appeal, the court ruled Bayer responsible for paying its own legal fees, as well as the fees of environmental organizations that intervened to defend the ban. Environmental groups are applauding the ruling, as it reinforces several important aspects of the EU's pesticide policy that favor greater public health and environmental protections. In an interview with [EURACTIV](#), policy officer Martin Dermine at Pesticide Action Network Europe notes that the decision provides more leeway for pesticide regulators to consider new scientific evidence on pesticide hazards. "More than that," he told EURACTIV, "the Court confirms the definition of the precautionary principle: in case of doubts on the toxicity of a pesticide, the European Commission is entitled to ban it." While Europe unwinds the use of bee-toxic pesticides and has further pledged to halve its use of pesticides by 2030 in order to protect pollinators and biodiversity, the U.S. Environmental Protection Agency (EPA) has done less than the bare minimum to protect pollinators



from neonicotinoids and other hazardous pesticides. As the EU was issuing its first moratorium, EPA was denying a petition by beekeepers to recognize that honey bees face an “imminent hazard” from the continued use of neonicotinoids. As the EU was expanding its moratorium, EPA was being cited by internal watchdogs for its failure to provide basic oversight of voluntary state pollinator protection plans the agency claimed would be adequate to protect bees without regulatory intervention.



## Canada Quietly Bans Chlorpyrifos, while EPA's 60-Day Deadline for Action Rapidly Approaches

**MAY 19, 2021** | Last week, Health Canada quietly announced its [intent to cancel](#) all remaining registrations of the brain-damaging insecticide chlorpyrifos. The decision by Canada's federal pesticide regulators comes shortly after a [U.S. federal court](#) gave the U.S. Environmental Protection Agency (EPA) a 60-day deadline to make a final decision on whether to amend or cancel the chemical's registration. With Europe and now Canada eliminating use of this hazardous insecticide, advocates are urging that the Biden administration, under EPA Administrator Michael Regan, finally put an end to the decades of harm caused after chlorpyrifos was first registered in 1965. Up until recently, Canada and the U.S. had relatively similar provisions regulating chlorpyrifos use. Officials in both countries eliminated homeowner use and tightened up on agricultural uses in the 2000s and early 2010s, requiring additional personal protective equipment and drift mitigation measures. However, Health Canada began to look at significant restrictions on chlorpyrifos in 2019, when it [proposed eliminating a range of uses](#) that threaten environmental

health. Under its draft decision, regulators planned to eliminate all uses except for mosquito control, structural pest control, outdoor ornamentals, and greenhouse ornamentals. Certain agricultural uses were provided an extended phase-out period with additional risk mitigation measures.

## Switzerland To Hold Landmark Vote on Nationwide Ban of All Synthetic Pesticides June 13

**JUNE 11, 2021** | On Sunday, June 13, [Switzerland will hold a national vote](#) on two landmark initiatives related to pesticide use (as well as several referenda). The vote on one initiative, dubbed by advocates “For a Switzerland Free of Synthetic Pesticides” (FSFSP), will determine whether or not the country will ban synthetic pesticides. If it does, it will become the first European nation to do so. The other initiative, which aims to eliminate direct subsidies of farmers who use synthetic pesticides or antibiotics for livestock, is focused on improving the quality of Switzerland's drinking water and food supply. Beyond Pesticides covered the [grassroots origin](#) of the Swiss “no synthetic pesticides” initiative in 2018 and sees potential passage of both it and the water quality initiative as a watershed moment in the protection of health and the environment. These measures would go a long way to protecting and improving the health of humans and ecosystems, and the food supply, as well as protecting biodiversity in Switzerland. It could also—as advocates hope—encourage other European countries to follow suit. While there is significant support among farmers, the majority oppose the initiative. The clean water initiative, in addition to proscribing the use of pesticides and of antibiotics for livestock, would prevent farmers from using imported animal feed (which could easily contain pesticide residues). In addition, it would limit the numbers of cows, pigs, and chickens being raised in the country in order to reduce all the problems associated with their manure, including contaminated drinking water. Pascal Scheiwiller, an endorser of the clean water initiative—which estimates that a million Swiss residents drink contaminated water—commented, “People have been sold a romantic image of farming in Switzerland, which is far removed from reality.”

**Update:** The initiative failed.

supplements that work in concert with nature and create resiliency.

Local governments are intervening to stop toxic pesticide use on their public lands and, in cases where they are not preempted by state law, on private property. The nationwide momentum is leading the nation from the grassroots in proving that toxic pesticides and fertilizers are not necessary in land management.

The history of chlorpyrifos is a shining example of the failure of pesticide law and policy, which has set a course for the nation that is inherently destructive of life. The good news is that we have the tools to course correct at a time when pesticides, like chlorpyrifos, not only have direct adverse health effects but are contributing to the climate crisis, biodiversity collapse, and disproportionate levels of illness in people of color communities.

## Inspector General Rips EPA for Failure To Test Pesticides for Endocrine Disruption

**AUGUST 20, 2021** | The Office of the Inspector General (OIG) for the U.S. Environmental Protection Agency (EPA) has issued a [damning report](#) on the agency's progress in protecting the population from potentially damaging endocrine-disruption impacts of exposures to synthetic chemical pesticides (and other chemicals of concern). The [report's summary](#) statement says, "Without the required testing and an

effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals." This OIG report identifies and details the failings that Beyond Pesticides covered in an April 2021 Daily News Blog article, and many more—the net of which is that "we have yet to see EPA use endocrine-disruption findings in pesticide registration decisions." The OIG report chronicles a litany of failures. It finds that EPA's [Office of Chemical Safety and Pollution Prevention \(OCSPP\)](#), which is responsible for testing all pesticide chemicals for endocrine-disrupting activity in humans, has failed to do so. Specifically, it has not implemented a section of the [Federal Food, Drug, and Cosmetic Act \(FFDCA\)](#), as amended by the 1996 [Food Quality Protection Act](#)—the legislation that requires such testing. In addition, the report states that OCSPP's Office of Pesticide Programs (OPP) has not implemented a 2015 recommendation that 17 pesticides undergo additional testing for endocrine disruption (ED) in wildlife so that an ecological risk assessment could be effectively conducted.

## EPA Urged To Stop Use of Misbranded "Minimum Risk" Pesticides

**SEPTEMBER 22, 2021** | Health and environmental organizations are urging the U.S. Environmental Protection Agency (EPA) and state pesticide regulators to immediately stop the use and sale of dangerous and misbranded [Eco-MIGHT](#) and [W.O.W.](#) (Whack Out Weeds!) products, falsely labeled as [FIFRA 25(b)] minimum risk. Recent laboratory testing by the state of California found the presence of hazardous pesticides, including [glyphosate](#), [bifenthrin](#), [permethrin](#), [cypermethrin](#), and [carbaryl](#) in these products. "From organic farmers to municipal landscapers and home gardeners, consumers employing minimum risk



products are working intentionally to avoid the dangers associated with toxic pesticide exposure," said Jay Feldman, executive director of Beyond Pesticides. "It is critical that EPA and state regulators coordinate to ensure the integrity of the minimum risk program." Coordination is critical, yet reports indicate that EPA is falling down on the job. The issue first came to light in late July, when the [California Department of Food and Agriculture's \(CDFA\) State Organic Program](#) issued a Stop Use Notice to farmers alerting them to adulterated Eco-MIGHT and W.O.W products. The products make a range of claims, marketed as "organic," "natural," "glyphosate-free," and "non-toxic and safe." As CDFA Secretary Karen Ross noted, "It is imperative that we alert California organic growers that these EcoMIGHT products contain substances that are prohibited in organic production, in order to preserve the integrity of the California organic label and to protect our growers," said CDFA Secretary Karen Ross. At the same time as CFDA's Stop Use Notice, the California Department of Pesticide Regulation (the state's primary enforcement agent for pesticides) sent a [warning letter](#) to EcoMIGHT LLC, the parent company that produces both of the products in question, alerting them that they may be in violation of state law. EPA sent a similar [advisory letter](#) to the company indicating that it may be in violation of the [Federal Insecticide Fungicide and Rodenticide Act \(FIFRA\)](#) by misbranding, selling an unregistered pesticide (given the presence of ingredients disallowed in 25(b) minimum risk products), and false



and misleading label statements. While those actions do show a degree of coordination to protect California growers and consumers, these warnings are not reaching other state regulatory agencies.

## EPA Decisions Lacking Scientific Integrity Still in Place under Biden Administration, Say Whistleblowers

**OCTOBER 1, 2021** | With this article, Beyond Pesticides rounds out its coverage of recent revelations about compromised [science integrity](#) at the U.S. Environmental Protection Agency (EPA). As Sharon Lerner reports in her September 18, 2021 (and third in a series) article in [The Intercept](#), new documents and whistleblower interviews reveal additional



means by which EPA officials have gone out of their way to avoid assessing potential health risks of hundreds of new chemicals. Ms. Lerner writes that “senior staff have made chemicals appear safer—sometimes dodging restrictions on their use—by minimizing the estimates of how much is released into the environment.” Beyond Pesticides regularly monitors and reports on scientific integrity at EPA, including two recent articles that reference Ms. Lerner’s [The Intercept](#) reporting; see [“EPA Agenda Undermined by Its Embrace of Industry Influence,”](#) and [“Whistleblowers Say EPA Managers Engaged in Corrupt and Unethical Practices, Removed Findings, and Revised Conclusions.”](#) In February

2021, a small group of agency scientists reviewed EPA’s “safety” thresholds for every one of the 368 new chemicals submitted to the agency in 2020. They found that more than half of the chemicals could pose health risks—including chemicals whose exposure potentials had already been deemed “expect[ed] to be negligible,” and thus, for which specific risk calculations had not been done. Once more, the scientists brought this issue to New Chemical Division (NCD) managers, explained their analysis, and requested that the use of these thresholds be terminated. The response from division managers? Crickets. As [The Intercept](#) writes, “Seven months later, the thresholds remain in use and the risk posed by chemicals deemed to have low exposure levels is still not being calculated and included in chemical assessments.”

## Ag Secretary Vilsack Pushes Petroleum Farming Inputs, Fights EU’s Climate-Friendly Organic “Farm to Fork” Initiative

**OCTOBER 8, 2021** | Taking a page from the playbook of Trump administration Secretary of Agriculture Sonny Perdue, the current secretary, [Tom Vilsack](#), used a September G20 summit in Italy to target the European Union’s “Farm to Fork” (F2F) strategy, a part of its European Green Deal. Mr. Perdue had said that F2F is “more... ‘political science’ than demonstrated agricultural science;” Secretary Vilsack called it “a path very different from the one the U.S. is pursuing.” The [F2F initiative](#) aims to transition the EU to a sustainable food system such that it also achieves significant mitigation of climate change. But Mr. Vilsack chose to counter the F2F efforts by promoting an “alternative strategy”—under the moniker “Coalition for Productivity Growth”—through which “other nations pledge not to follow the European path on farm policy.” He has described this alternative, U.S.-led strategy as “a market-oriented, incentive-based, voluntary system [that] is



effective” at slashing agricultural carbon emissions. Climate, pesticide, organics, and other environmental and health advocates, including Beyond Pesticides, are troubled by these actions. *Mother Jones* poses the central question in the headline of its September 30 article: “Why is Secretary Vilsack So Afraid of a Plan to Cut Pesticides and Meat?” The central F2F tenets that the secretary seems to find unnerving are those that would slash use of synthetic pesticides and fertilizers, and move one-quarter of European farmland to organic production by 2030. *Mother Jones* writes, “The Farm to Fork program, part of the European Commission’s response to the continent’s own accelerating [climate chaos](#) and steady rise in illnesses related to highly processed food, [aims](#) to ‘make food systems fair, healthy and environmentally friendly.’ At its heart lies the goal of slashing farmers’ reliance on water-polluting, energy-intensive agrochemicals: It requires a 20 percent drop in fertilizer use by 2030, and a 50 percent cut in pesticides. The plan... also mandates a 50 percent reduction [in] food waste; calls on farmers to halve their use of antibiotics for livestock, a key driver in the global crisis of antibiotic resistance in human medicine; and aims to nudge Europeans to adopt a ‘diet with less red and processed meat and with more fruits and vegetables.’” [Philpott, Tom. “Why Is Ag Secretary Vilsack So Afraid of a Plan to Cut Pesticides and Meat?,” *Mother Jones*. September 30, 2021.]



## ACTIONS OF THE WEEK

**Tell President-elect Biden and Congress to clean up the corruption of science at EPA and set a moratorium on future pesticide registrations—until the agency can assure the public that the chemical manufacturers' science supporting pesticide registrations is not corrupt.**

**JANUARY 11, 2021** | Treatment of chemical companies as clients rather than regulated entities is not new at the U.S. Environmental Protection Agency (EPA), but corruption reached new highs during the Trump administration. With a new administration, it is time to end the rule of corporate deception at EPA. This goes beyond the use of the *Congressional Review Act* to reverse individual rules (adopted in the last six months) that defy scientific findings and compliance with environmental and public health standards. We can no longer rely on bad science and unscrupulous chemical manufacturers that put profits above concerns for the health of people and the environment. EPA must audit pesticide registrants for integrity to scientific process and set a moratorium on future pesticide registration until the agency can assure the public that their science is not corrupt, as it has been in the past.

**EPA: Reverse Approval of Highly Toxic Insecticide Aldicarb on Oranges**

**JANUARY 25, 2021** | First registered in 1970 and voluntarily cancelled in 2010, aldicarb (Temik™) was being manufactured in Bhopal, India in 1984 when a [leak of a precursor](#)—methyl isocyanate (MIC)—spread over the city, ultimately killing more than 25,000 people and leaving more than 120,000 people who still suffer from severe health problems as a result of their exposure. In 1989, Union Carbide Corporation—the manufacturer of aldicarb at the time—paid \$470 million (equivalent to \$860 million in 2019) to settle litigation stemming from the disaster. Aldicarb, now made by Bayer, has been allowed by the outgoing Trump EPA for use on oranges.

**Tell Agencies New Executive Order Requires Bold Regulatory Action**

**FEBRUARY 8 22, 2021** | Immediately following his inauguration, President Biden issued an Executive Order (EO) directing the heads of all executive departments and agencies to produce recommendations for improving and



modernizing regulatory review, with a goal of promoting public health and safety, economic growth, social welfare, racial justice, environmental stewardship, human dignity, equity, and the interests of future generations. This Executive Order, if effective, will reverse the historical trend of status quo regulatory reviews that typically support vested economic interests of polluters (e.g., petroleum-based pesticide and fertilizer manufacturers), required by the White House Office of Management and Budget (OMB). Instead, the President's EO, [Modernizing Regulatory Review](#), sets the stage for the adoption of agency policy across government to seriously and with urgency confront the climate crisis, biodiversity collapse, and disproportionate harm to people of color communities (environmental racism). Key agencies that can have a systemic effect in meeting these existential challenges are the Environmental Protection Agency (EPA), Department of Interior (DOI), Department of Agriculture (USDA), and Department of Labor/Occupational Safety and Health Administration (DOL/OSHA). But, the EO will remain words on a page unless we all across the country exercise our voice and advocate for the changes necessary to end our reliance on hazardous chemicals and immediately embrace the viability of nonpolluting alternatives, like organic agriculture and land management. No one expects the polluting corporations to shrink in the face of a shift to a green economy—which makes our voice and oversight all that more important.

## EPA Must Consider Cutting-Edge Science

**JUNE 14, 2021** | More than 50 pesticide active ingredients have been identified as endocrine disruptors that mimic the action of a naturally-produced hormone, such as estrogen or testosterone, thereby setting off similar chemical reactions in the body; block hormone receptors in cells, thereby preventing the action of normal hormones; or affect the synthesis, transport, metabolism, and excretion of hormones, thus altering the concentrations of natural hormones. Endocrine disruptors have been linked to attention deficit hyperactivity disorder (ADHD), Parkinson's and Alzheimer's diseases, diabetes, cardiovascular disease, obesity, early puberty, infertility and other reproductive disorders, childhood and adult cancers, and other metabolic disorders. Similar effects are found in other species. In spite of legal requirements and the flood of research, EPA issues Proposed Interim Decisions (PIDs) on pesticide registrations making no human health or environmental safety findings associated with the potential for endocrine disruption, or identifying additional data needs to satisfy Endocrine Disruptor Screening Program requirements in the PIDs. EPA cannot make findings of no unreasonable adverse effects without findings concerning endocrine disruption. EPA continues to register pesticides posing unreasonable health effects.

## Biden EPA Must Hold Pesticide Manufacturers Accountable for Poisoning

**AUGUST 9, 2021** | The failure of EPA to meet its statutory responsibility to protect people and wildlife from the dire consequences of exposure to endocrine-disrupting chemicals must end. The Office of the Inspector General (OIG) for the U.S. Environmental Protection Agency (EPA) has issued a damning report on the agency's progress in protecting the population from potentially damaging endocrine-disruption impacts of exposures to synthetic chemical pesticides (and other chemicals of concern) that shows the situation to be even worse than previously reported. The OIG's summary statement says, "Without the required testing and an effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals." As a result, according to the OIG, "We have yet to see EPA use endocrine-disruption findings in pesticide registration decisions."

## Tell EPA Misleading Biopesticide Classification Must Be Redefined

**AUGUST 23, 2021** | "Biopesticides"—widely regarded as an alternative to chemical pesticides and hence given a special status in regulation—need a better definition. "Biopesticide" is generally poorly understood, and defined differently by various entities and stakeholders. The term can be misleading and mixes contradictory approaches. It is troublesome when we continue to look for product replacements or substitutions for agricultural practices that are clearly ineffective, and in the process avoid the changes necessary to transition to organic practices, which represent the real, long-term solution to concerns among chemical-intensive farmers that they are losing pesticides in their arsenal, either to organism resistance or regulatory restrictions. **Tell EPA it's time to redefine "biopesticide." It is deceptive and misleading. The definition should not include genetically modified organisms or synthetic analogs of naturally occurring biochemicals.**

## Tell EPA and Congress To Protect the Integrity of Minimum Risk Pesticides

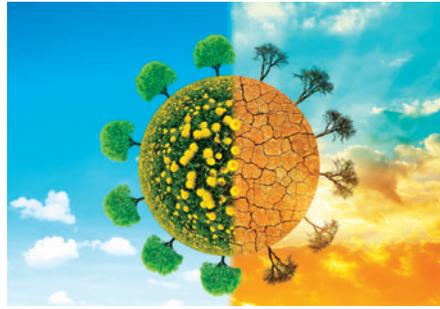
**OCTOBER 3, 2021** | Recent findings of high levels of toxic pesticides in products permitted to be used as "minimum risk pesticides" point to the need for greater oversight of these products and more severe penalties for violations. Pesticides classified as minimum risk are allowed under Section 25(b) of the *Federal Insecticide, Fungicide, and Rodenticide Act* (FIFRA) [40 CFR 152.25(f)] to be used without going through EPA's pesticide registration process. These products are limited to a specific list of ingredients, and all ingredients, including "inert" ingredients, are required to be listed on the label.

Minimum risk pesticides are used by organic growers, municipalities, and others who are not permitted to use, or choose to avoid, toxic chemicals.



## EPA To Create Advisory Councils To Restore Scientific Integrity in Pesticide/Chemicals Division

**OCTOBER 20, 2021** | The U.S. Environmental Protection Agency (EPA) [announced plans](#) in October to establish a new position and two advisory councils in order to enhance scientific integrity within the agency's Office of Chemical Safety and Pollution Prevention (OCSPP). The move is being widely seen as a response to [recent reporting](#) over how EPA has allowed the chemical industry to distort and unduly influence its process for reviewing and approving toxic pesticides and other chemicals. "Scientific integrity is the backbone of the work we do to ensure the safety of chemicals used in our everyday lives," said assistant administrator for the Office of Chemical Safety and Pollution Prevention Michal Freedhoff, PhD. "Strong, sound science underpins confidence in our decision-making among the public that we serve. Today's announcements are the latest in a series of steps OCSPP is taking to reaffirm our commitment to scientific integrity and restore the public trust." EPA will create a new internal advisory group called the OCSPP Science Policy Council "to provide advisory support and recommendations on science policy and scientific integrity issues that arise within its Office of Pollution Prevention and Toxics and Office of Pesticide Programs." The chair of this advisory group will be a new position, a science policy advisor, who will report to the EPA assistant administrator. In addition to providing "guidance on emerging science policy and scientific integrity matters," the new science policy advisor will also be named the deputy scientific integrity official for OCSPP. EPA imagines the OCSPP Science Policy Council as providing an "advisory perspective" on scientific integrity, looking at issues of "broad interest within OCSPP for informal review" while also fostering informal opportunities for scientific collaboration.



## Groups Tell EPA's Pesticide Program It's a Failure, Call for Immediate Reforms

**OCTOBER 26, 2021** | The Office of Pesticides Programs within the U.S. Environmental Protection Agency has become so captured by industry that it has lost sight of its health and environmental mission, according to a scathing critique issued today by 37 environmental, public health, and sustainable agriculture groups, including beekeeper councils. Led by Public Employees for Environmental Responsibility (PEER) and Beyond Pesticides, the groups are urging the Biden administration to adopt reforms within EPA's Office of Pesticide Programs (OPP) to ensure pesticide approval and use decisions are science-based. OPP has registered more than 18,000 separate pesticide products—far more than any other country—and more than two billion pounds of pesticides are sold annually in the U.S. They are used yearly over roughly 250 million acres of farmland, across millions of acres of urban and suburban lands, and inside millions of homes, schools, and other buildings. Industry has been forced to pay out billions of dollars for damage claims over OPP-approved products. The groups also point to the decline of pollinators—the key to U.S. food security—due to the indiscriminate application of highly potent pesticides. The health of nontarget wildlife, as well as our soil and waters, is under chemical siege. Even pets are at risk from irresponsibly approved flea and tick control products.

## Review Shows that Monsanto/Bayer Claims of Glyphosate Safety Not Supported by Credible Science

**DECEMBER 21, 2021** | A research team at the [Institute of Cancer Research](#) at the Medical University of Vienna in Austria found in a review of industry-conducted glyphosate safety studies submitted to EU (European Union) regulators that most of the research fails to meet current international standards for scientific validity, according to [The Guardian](#). The researchers find that of the 11 reviewed studies, which were submitted to regulators by Bayer AG (now owner of the Monsanto "Roundup" brand of [glyphosate](#) herbicide) and several other chemical companies, only two are scientifically "reliable"; six others are deemed "partly reliable," and the remaining three, "not reliable." Regulators, whether in the UK, the U.S., or anywhere else, ought not be relying solely and without adequate auditing on industry-generated and -funded safety research in making safety determinations that underlie regulations impacting the well-being of millions of people (and other organisms), never mind the environment writ large. The report is timely: the European Food Safety Authority (EFSA) and European Chemicals Agency (ECHA) are currently considering whether or not to renew EU approval of glyphosate when the existing license expires in December 2022. In 2017, glyphosate was granted, by a narrow vote margin, a five-year renewal following the European Parliament's vote against renewal. [Nersesyan, Armen and Knasmueller, Siegfried. Evaluation of the scientific quality of studies concerning genotoxic properties of glyphosate. Institute of Cancer Research, Department of Medicine I, Medical University of Vienna, Austria. March 2021.]