



BEYOND PESTICIDES

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February 9, 2007

John F. McGuire
American Red Cross National Headquarters
2025 E Street, NW
Washington, DC 20006

Re. Clorox Cause Marketing & EPA Pesticide Labeling Regulations

Dear Mr. McGuire:

I am writing to you both professionally, as a representative of the non-profit group Beyond Pesticides, and personally, as a former and hopefully future, Red Cross DSHR volunteer. Many others and myself are disappointed that Red Cross has been involved in a blatant violation of federal pesticide law. Our hope is to help Red Cross understand our concerns, and the gravity of this situation.

Last week Beyond Pesticides, Pesticide Action Network North America, Center for Environmental Health, American Bird Conservancy, Pesticide Education Project, Strategic Counsel on Corporate Accountability, Environmental Health Fund, The Endocrine Disruption Exchange, and Northwest Coalition for Alternatives to Pesticides petitioned the Environmental Protection Agency (EPA) to immediately rescind its approval of pesticide labeling changes regarding cause-related marketing between the Clorox Company and the American Red Cross (see attached). Since this petition was mailed to EPA administrator Stephen Johnson, the Natural Resources Defense Council, Maryland Pesticide Network and Washington Toxics Coalition have also asked to sign on to the petition. Additionally, it has been brought to my attention that several other organizations are planning on taking other actions. 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, as you know, represents an American institution founded on positive humanitarian principles. 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 American Red Cross press office has expressed that your organization stands behind the partnership with Clorox and that all labels will display Better Business Bureau

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

non-endorsement language. This effort to convey non-endorsement is appreciated, but does little to affect a consumer's perception. As Red Cross has said: "bleach is a tool used in disaster response and recovery, so a visible partnership with Clorox is an organic extension of our work."² Clorox reinforces the message that Red Cross uses donated Clorox products for disaster relief with the materials made available on its Red Cross webpage.³ Endorsement or not, 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. If the Red Cross symbol is on the label, it implies safety and encourages people to think that the product is perfectly safe, when in fact it has specific label restrictions.

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:

9. Symbols implying safety or nontoxicity, such as a **Red Cross** or a medical seal of approval (caduceus).⁴

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).

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.

The primary concern here is about the precedent this decision sets. EPA's own notes show the agency is anticipating future similar situations. We deeply value humanitarian work and are disappointed that Clorox and your organization are paving the way for the adulteration of pesticide labels, which are a tool that EPA relies upon heavily for risk mitigation of toxic chemicals. Due to the grave results of pesticide misuse, it is not socially responsible to stand by and let a dangerous precedent be set, nonetheless a precedent that directly violates an EPA policy designed to protect the environment and public health. Therefore, we ask that you reconsider the implications of allowing the Red Cross symbol to be used on pesticide labels.

² Red Cross. Email correspondence. February 5, 2007.

³ Clorox Company. Clorox and the American Red Cross. Accessed February 2, 2007. <http://www.clorox.com/redcross/>

⁴ US EPA. Label Review Manual Chapter 16: Graphics & Symbols on Labels. Accessed January 31, 2007. <http://www.epa.gov/oppfead1/labeling/lrm/chap-16.htm>

Thank you for your time and consideration. If you would like to discuss this matter further, please contact Laura Hepting (lhepting@beyondpesticides.org) or Jay Feldman (jfeldman@beyondpesticides.org) via email or at 202-543-5450.

Sincerely,

Laura Hepting
Special Projects Coordinator