



POLICY & ACTION FROM CONSUMER REPORTS

March 26, 2015

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

Dear Administrator McCarthy:

Consumers Union, the public policy and advocacy division of Consumer Reports, is writing to raise concerns about the impact of pesticides on health and the environment. As you may know, last week our organization released “Pesticides in Produce,” a prominent story for the May 2015 issue of *Consumer Reports* magazine. Based on the results of more than two and a half years of research into pesticide residues by our Food Safety and Sustainability Center,¹ this article examines the level of risk posed by pesticides, the evidence of their harm to human, worker, and environmental health, and the particular risk to children.

We make clear that a diet rich in fruits and vegetables has numerous health benefits, and that eating enough produce should be consumers’ primary goal. However, the article also gives consumers new guidelines on how to make the healthiest and most environmentally sound choices – including in what circumstances we recommend always buying organic produce, and when, alternatively, there is a low-risk conventional option.

We also specifically address the widespread use of the herbicide glyphosate on U.S. farms. Glyphosate, which is often known by its original trade name Roundup and is the most commonly used agricultural pesticide in the United States, has been detected in the air and water near fields where it is applied, as well as in food. Yet, as we point out in the article, its residues are not consistently monitored by the federal government. On Friday, the World Health Organization-affiliated International Agency for Research on Cancer (IARC) announced that it had classified glyphosate as “probably carcinogenic to humans,” following an evaluation by 17 oncology experts from 11 different countries. Even before this news, consumers nationwide

¹ Since 2012, the Food Safety and Sustainability Center has fought to advance public health by addressing how food is produced. The Center’s work focuses on issues including foodborne illness and antibiotic resistance, pesticide use, heavy metals, truth and transparency in labeling, and promoting sustainable agricultural practices. The scientific report “From Crop to Table: Pesticides in Produce” was authored by Urvashi Rangan, Ph.D.; Michael Crupain, M.D., M.P.H.; Doris Sullivan, Ph.D.; Michael K. Hansen, Ph.D.; and Keith Newsom-Stewart, Ph.D.

were concerned about the effects of pesticides on their health and the environment; now, there is an even starker need to better understand pesticides' impact.

Consumer Reports supports the important work of the Environmental Protection Agency (EPA) to study agricultural pesticides, monitor their use, and set limits (also known as tolerances) on how much pesticide residue can remain on food. In part by analyzing EPA and U.S. Department of Agriculture data, our scientists evaluated the amount and frequency of residues on food, the typical serving size, the weight of the eater, and the toxicity of the pesticide to allow for a comparison of the relative risks of pesticide exposures from different food sources. While our findings on individual foods and food origins can be found in the enclosed report, our overall conclusions prompt us to make the following recommendations to EPA.

- **EPA should ban or take immediate action on the riskiest pesticides.**
We agree with the canceling of methamidophos in 2009. However, methamidophos is also the breakdown product of acephate, and combined, these two chemicals make up the largest contribution to dietary risk. Acephate, along with other major pesticide contributors to risk such as iprodione, fludioxonil, imazalil, and oxamyl should be fully banned. Other pesticides we would like discontinued include methyl bromide, chlorpyrifos and other organophosphates.
- **EPA should take immediate action on neonicotinoids.**
Many crops, especially fruits and vegetables, face an uncertain future with the severe decline of pollinators. While many factors are at play, mounting evidence implicates neonicotinoid pesticides in their decline. Thus far, EPA has delayed meaningful action in the name of more research. We believe there is enough information to take action now. Research should continue, but in the meantime, EPA should proceed immediately with cancellation or reclassification proceedings, utilizing the “imminent hazard” provision, and suspend the use of these pesticides while proceedings take place.
- **EPA should complete the delisting of arsenical pesticides.**
Pesticides containing organic forms of arsenic are still permitted for use on golf courses, rights of way, sod farms and cotton crops. The use of these pesticides contributes to the contamination of our environment with this dangerous heavy metal. EPA should deregister the use of these pesticides immediately.
- **EPA should improve the science behind tolerance limits.**
Tolerance levels should incorporate the best available science, including potential toxicological and health endpoints that are not included today. Those include stricter tests for more immunologic and neurobehavioral endpoints. Further, EPA's program for incorporating endocrine-disrupting effects into tolerances and pesticide approvals should be fully implemented as the Food Quality Protection Act (FQPA) directed in 1996. Epigenetic effects should also be incorporated when it becomes feasible.
- **EPA should rein in emergency exemptions and conditional registrations.**
EPA “allows the use of a pesticide for an unregistered use for a limited time if EPA determines that emergency conditions exist.” EPA can currently grant exemptions with

or without public comment or granting public access to supporting data. Emergency exemptions should only be granted for a finite period of time and after three years, should not be allowed to continue, especially when there are alternatives, including integrated pest management, crop diversification, and organic production practices. Conditional registration means that the use of the pesticide can be allowed while EPA waits for additional data to be submitted by the registrant. This raises concerns about using materials where there is insufficient safety information. Many pesticides were first brought on the market through this pathway, including the neonicotinoid pesticide, imidacloprid. While EPA has already started to close this loophole, there is still room for continued improvement.

- **EPA should require public access to information about all ingredients in pesticides and easy access to current registration status.**

While active ingredients in pesticides must be disclosed, this requirement does not apply to “inert” ingredients. Only full disclosure of information about all ingredients on pesticide labels will enable the public and independent researchers to begin evaluating the full range of synergistic effects. EPA should issue new rules concerning disclosure of inert ingredients and should do so immediately. In addition, EPA should provide an easy-to-search database of current pesticide registration status on its website.

Thank you for your consideration of these recommendations. As an organization, Consumer Reports stands ready to work with you to provide consumers with the information they need to make choices consistent with a healthy and environmentally sustainable lifestyle. Together, we can move the marketplace and reduce the health and environmental impacts of pesticides in produce.

Sincerely,



Ellen Bloom
Senior Director, Federal Policy and
Washington Office



William C. Wallace
Policy Analyst