

December 10, 2020

The Honorable Andrew M. Cuomo
Governor of New York State
State Capitol Building
Albany, NY 12224

Re: Senate Bill S5343; Protecting New York's Children from Chlorpyrifos

Dear Governor Cuomo,

As the leaders of national environmental organizations with millions of members and supporters across the country, including over a million in New York, we urge you to sign Senate bill S5343 and ban all uses of the pesticide chlorpyrifos in your state.

Chlorpyrifos is known to harm children's brain development. Dozens of studies have found that children exposed to chlorpyrifos and similar pesticides in the womb suffer severe and lasting harm in life. Specific effects observed include developmental delays, attention and behavior problems, cognitive impairments, and hand tremors. Yet every year, millions of pounds of chlorpyrifos are applied. It is even sprayed on Christmas trees.

The U.S. Environmental Protection Agency (EPA) would have banned chlorpyrifos over two years ago if the Trump administration had not ignored science and the law. EPA scientists concluded that all uses of chlorpyrifos result in unsafe levels of exposure. They found that children are exposed to chlorpyrifos on food at levels 140 times higher than what the agency considers safe. EPA concluded that chlorpyrifos does not meet the legal standard for safety and proposed a ban. Yet in March 2017, just days before a court-ordered deadline to take final action, then-EPA Administrator Scott Pruitt scuttled the proposal.

Chlorpyrifos also harms wildlife. U.S. Fish and Wildlife Service scientists concluded that using chlorpyrifos "jeopardize[s] the continued existence" of 1,200 endangered species, but the Trump administration suppressed the report. It is especially toxic to pollinators such as bees.

The New York Attorney General leads a coalition of states that have sued the Trump administration to ban chlorpyrifos. Some of our organizations, alongside health, labor, and civil rights allies, are also challenging the administration's illegal decision. In Congress, Rep. Nydia Velazquez (D-NY), joined by 14 members of the New York delegation, has sponsored legislation

to ban chlorpyrifos. Sen. Kirsten Gillibrand (D-NY) has sponsored legislation to eliminate chlorpyrifos from school lunches.

It has been more than two years since the Trump administration blocked a ban, yet New York regulators have done nothing. In April, large and bipartisan majorities of the New York State Legislature approved Senate bill S5343. The legislation was carefully crafted so that a ban would be phased in over two years, giving farmers time to transition to safer alternatives. Just days later, California announced it would ban chlorpyrifos. Hawaii has enacted a ban, and Connecticut, Maryland, New Jersey, and Oregon are expected to do so next year.

Some claim that farmers have no alternatives. This argument is highly suspect given the success of hundreds of organic farms across New York. These farms already do not use chlorpyrifos. In any event, the correct response to such concerns is not to leave children in harm's way. Rather, you should allocate resources to identify additional alternatives and help farmers transition to safer practices. California, which is the largest agricultural state in the country, has allocated \$5.7 million to this purpose. This is the type of leadership New Yorkers need, too.

Senate bill S5343 provides you with an opportunity to reject the reckless and lawless behavior of the Trump administration and protect the children and endangered species of your state from chlorpyrifos. All you have to do now is sign your name. We strongly urge you to do so.

Sincerely,

Ted Illston
Senior Director, Policy and Government
Relations
American Rivers

Abigail Dillen
President
Earthjustice

Bob Wendelgass
President and CEO
Clean Water Action

Erich Pica
President
Friends of the Earth

Jamie Rappaport Clark
President and CEO
Defenders of Wildlife

Annie Leonard
Executive Director
Greenpeace

David Yarnold
President & CEO
National Audubon Society

Collin O'Mara
President and CEO
National Wildlife Federation

Mitchell Bernard
Interim President
Natural Resources Defense Council

Michael Brune
Executive Director
Sierra Club

Ken Kimmell
President
Union of Concerned Scientists