

March 5, 2021

OPP Docket # EPA-HQ-OPP-2008-0850-0750
Environmental Protection Agency Docket Center (EPA/DC)
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001

Subject: Letter Urging Expeditious Action to Ban Chlorpyrifos

The undersigned 101 farmworker, public health, environmental, labor, and faith organizations urge the EPA to immediately revoke all food tolerances for chlorpyrifos and initiate the cancellation process to end all uses of this neurotoxic pesticide.

Chlorpyrifos, which belongs to a nerve-agent class of pesticides called organophosphates (OPs), is used on an extensive variety of crops and is acutely toxic and associated with neurodevelopmental harms in children. Yet, in its proposed interim registration review decision, the EPA is proposing to allow 11 food uses of chlorpyrifos to continue at the urging of industry.

Peer-reviewed studies and EPA's own Scientific Advisory Panel have demonstrated that chlorpyrifos damages children's brains; prenatal exposure to very low levels of chlorpyrifos — levels far lower than what EPA used to set regulatory limits — harms babies permanently. Studies show that exposure to chlorpyrifos, and other OP pesticides during pregnancy, is associated with lower birth weight, attention deficit disorders, autism spectrum disorder, reduced IQ, and loss of working memory.¹ It is also unsafe for workers even with the most protective equipment.

In 2014, EPA released a risk assessment finding unsafe drinking water contamination from chlorpyrifos and it proposed to ban chlorpyrifos from food in 2015. In 2016, EPA released a revised human health risk assessment, which confirmed that exposures to chlorpyrifos are unsafe whether in food, pesticide drift, or drinking water; toddlers were being exposed to levels 140 times what is considered safe in food and all drinking water exposures were found to be unsafe. But in 2020, EPA released a new risk assessment, which abandoned attempts to protect children from the low-level exposures that damage their brains.

Under the law, EPA must find reasonable certainty of no harm to children from pesticides. It cannot make this finding for any use of chlorpyrifos on food. The only outcome that protects our children and complies with the law is to revoke all food tolerances and end all food uses as soon as possible. The 2015 proposed tolerance revocation would have prohibited chlorpyrifos on food six months after the rule became final. EPA should adhere to that timetable.

¹ See: "Brain anomalies in children exposed prenatally to a common organophosphate pesticide," Rauh et. al., *Proceedings of the National Academy of Sciences of the United States of America*, reviewed for review February 27, 2012. Viewable: <https://www.pnas.org/content/pnas/109/20/7871.full.pdf> (last visited 1/29/21)
"Prenatal exposure to organophosphate pesticides and functional neuroimaging in adolescents living in proximity to pesticide application," Sagiv et. al., *Proceedings of the National Academy of Sciences of the United States of America*, received for review March 6, 2019. Viewable: <https://www.pnas.org/content/116/37/18347> (last visited 1/29/21)

Ending use of chlorpyrifos on food will protect the farmworkers who grow that food. However, chlorpyrifos is also used in other ways that expose workers to extremely dangerous amounts of the pesticide. For example, chlorpyrifos is used in greenhouses on ornamental plants. The greenhouse workers face unconscionable risks. And under EPA's 2020 risk assessment and proposed decision, the agency finds that the workers who mix and apply chlorpyrifos will face unsafe exposures from more than 100 tasks; workers who re-enter fields sprayed with chlorpyrifos will be at risk as well.

The EPA is proposing to allow these risks to continue because of the economic benefits of using chlorpyrifos compared to other currently available chemical pesticide alternatives. In making this proposal, EPA is ignoring non-chemical methods of pest control as well as the economic costs and hardships caused by pesticide poisonings, learning disabilities, reduced IQ in children, and environmental harm from chlorpyrifos use; this pesticide also contaminates surface water and harms threatened and endangered species, including birds, Pacific salmon, Southern Resident Killer Whales, and other mammals.

For the workers, the EPA is considering requiring more protective clothing and gear, but those measures can cause heat stress in many regions where workers toil in hot temperatures. And the agency is proposing to afford farmworkers less protection than industrial workers where personal protective equipment is the last resort, employed only if the exposures cannot be prevented.

When the Trump EPA derailed the proposed tolerance revocation, states like Hawaii, California, Oregon, and New York stepped in. In California, 99% of chlorpyrifos uses are now banned. While states can end use of chlorpyrifos, they cannot prevent residues of chlorpyrifos on their food. Only the EPA can do that. All Americans need the EPA to do its job and ensure our food is safe for children.

We, therefore, urge the EPA to immediately:

- 1. Revoke the 2019 final order² that denied the 2007 petition to ban food uses of chlorpyrifos;³**
- 2. Grant the 2007 petition;**
- 3. Finalize the 2015 proposed order revoking all chlorpyrifos food tolerances;⁴ and**
- 4. Initiate the cancellation process for all uses of chlorpyrifos.**

The proposed interim decision on chlorpyrifos fails to protect the health of workers and children from a pesticide that is widely recognized as unsafe. Only banning the pesticide can truly protect children, workers, and the environment.

Signed,

ActionAid USA
American Bird Conservancy
American Public Health Association
Association of Farmworker Opportunity Programs
Beyond Pesticides

² 84 Fed. Reg. 35555 (Jul. 24, 2019)

³ 72 Fed. Reg. 58845 (Oct. 17, 2007)

⁴ 80 Fed. Reg. 69079 (Nov. 6, 2015)

Center for an Ecology-Based Economy
Center for Biological Diversity
Center for Energy & Environmental Education
Center for Food Safety
Child Labor Coalition
Citizens Campaign for the Environment
Clean Water Action/Clean Water Fund
Community Action Works
Conservation Law Foundation
CREA: Center for Reflection, Education and Action
CRLA Foundation
Defend Our Health
Earth Action, Inc.
Earth Ethics, Inc.
Earthjustice
East Yard Communities for Environmental Justice
Endangered Species Coalition
Environment Maine
Environmental Advocates NY
Experimental Farm Network
Farmworker and Landscaper Advocacy Project
Farmworker Association of Florida
Farmworker Justice
Fayetteville PACT
Fertile Acres
First Focus on Children
Food & Water Watch
Food Empowerment Project
Four Harbors Audubon Society
FreshWater Accountability Project
Friends of the Earth
Genesee Valley Audubon Society
Georgia STAND-UP
Global Labor Justice - International Labor Rights Forum
Green America
Green Inside and Out
Human Rights Watch
Huntington Breast Cancer Action Coalition
International Corporate Accountability Roundtable (ICAR)
International Initiative to End Child Labor
Justice for Migrant Women
Labor Council for Latin American Advancement
LEAD for Pollinators., Inc.
League of Conservation Voters
League of United Latin American Citizens (LULAC)
Learning Disabilities Association of America
Learning Disabilities Association of Arkansas
Learning Disabilities Association of Connecticut

Learning Disabilities Association of Georgia
Learning Disabilities Association of Illinois
Learning Disabilities Association of Maine
Learning Disabilities Association of Minnesota
Learning Disabilities Association of New Jersey
Learning Disabilities Association of Pennsylvania
Learning Disabilities Association of South Carolina
Learning Disabilities Association of Tennessee
Learning Disabilities Association of Texas
Learning disabilities association of Utah
Learning Disabilities Association of Wisconsin
Maine Audubon
Maine Conservation Voters
Maine Organic Farmers and Gardeners Association
Maine Unitarian Universalist State Advocacy Network
maine*taine
Maryland Pesticide Education Network
Media Voices for Children
Mighty Earth
Migrant Clinicians Network
MOM's Organic Market
National Consumers League
National Nurses United
Natural Resources Defense Council
NC Farmworkers' Project
New Mexico Center on Law and Poverty
Northeast Organic Farming Association -- New York (NOFA-NY)
Northwest Center for Alternatives to Pesticides
Northwest Workers' Justice Project
NYC Audubon
Operation Splash
Oregon Physicians for Social Responsibility
Pesticide Action Network
Physicians for Social Responsibility
Physicians for Social Responsibility Maine Chapter
Pineros y Campesinos Unidos del Noroeste (PCUN)
Public Citizen
Rachel Carson Council
RESTORE: The North Woods
Santa Cruz Climate Action Network
Sierra Club
Student Action with Farmworkers
The Oakland Institute
The Xerces Society for Invertebrate Conservation
Toxic Free North Carolina
Union of Concerned Scientists
UFW Foundation
Virginia Association for Biological Farming