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Subject: Four states,including NJ, sue EPA over pesticide residue levels in food

Courtesy of Audrey Moore, USEPA Region 2, Regional Ag Policy Specialist

Four states sue EPA over pesticide residue levels in food

Monday September 15, 2003

By JOEL STASHENKO
 Associated Press Writer

ALBANY, N.Y. (AP) The attorneys general of **Connecticut, Massachusetts, New Jersey and New York sued the federal Environmental Protection Agency Monday, contending that it is allowing unacceptably high levels of pesticide residues in some foods favored by children.**

The suit argues that the EPA is failing to adhere to the 1996 Food Quality Protection Act's mandate that since children's developing bodies are far more vulnerable than adults to harm from pesticides, the agency must account for the lower tolerances when approving pesticides for commercial use on foods.

The law mandates pesticide residue limits 10 times lower for children than for adults, a standard being ignored by the EPA in some cases, according to New York Attorney General Eliot Spitzer. "Sadly, the Environmental Protection Agency has failed to meet congressional requirements to protect children from the risks of consuming food with unhealthy pesticide residues," said Spitzer, the lead plaintiff in the case.

Connecticut Attorney General Richard Blumenthal, Massachusetts Attorney General Tom Reilly and New Jersey Attorney General Peter Harvey joined in Spitzer's suit, which was filed Monday in federal court in Manhattan. "Blumenthal called the EPA's actions ``unconscionable and unlawful." "It makes everyday foods potential poison traps," Blumenthal said.

The suit contends that EPA's approved use of the pesticides alachlor, chlorothalonil, methomyl, metribuzin and thiodicarb without proper consideration of the safety margin for children in chemical residues in the food the pesticides were used on.

The pesticides are commonly used on such popular foods among children, such as peanuts, apples, corn, potatoes, tomatoes, bananas, grapes, carrots and wheat.

Children are considered at special risk because they do not have the mature metabolism systems like adults to process toxins out of their bodies, their organs are in the developmental stage and they consume more food for their size than adults.

Exposure to pesticides in too-high concentrations is believed to cause neurological or organ damage in humans and is suspected of being linked to cancer.

No one was immediately available at EPA to comment on Monday's suit.

Dr. Philip Landrigan, director of the Center for Children's Health and the Environment at Mount Sinai School of Medicine in New York City, was chairman of a National Academy of Sciences committee that helped prod Congress into passing the Food Quality Protection Act.

"I am distressed that EPA is not following our committee's clear recommendation to presume in every case that children are uniquely vulnerable to pesticides," he said. In March, the EPA proposed altering its policy of assuming cancer risks to a fetus or an infant from pesticides are not greater than for a similarly exposed adult. It was the first time the agency has formally taken into account the differences between exposure to adults and children when assessing cancer risks.

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