Message

From: Keller, Kaitlin [keller.kaitlin@epa.gov]
Sent: 3/28/2019 8:06:53 PM
To: Dunn, Alexandra [dunn.alexandra@epa.gov]
CC: Beck, Nancy [Beck.Nancy@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Baptist, Erik [Baptist.Erik@epa.gov]
Subject: RE: Udall, Senators Introduce Bill to Ban Toxic Pesticide Chlorpyrifos

In 2017 and 2018, yes.

From: Dunn, Alexandra
Sent: Thursday, March 28, 2019 4:04 PM
To: Keller, Kaitlin <keller.kaitlin@epa.gov>
Cc: Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>
Subject: Re: Udall, Senators Introduce Bill to Ban Toxic Pesticide Chlorpyrifos

Each year?

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety & Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC

Sent from my iPhone

On Mar 28, 2019, at 1:59 PM, Keller, Kaitlin <keller.kaitlin@epa.gov> wrote:

> Yes, in the House as well.
>
> ---
>
> **From:** Dunn, Alexandra
> **Sent:** Thursday, March 28, 2019 3:58 PM
> **To:** Keller, Kaitlin <keller.kaitlin@epa.gov>
> **Cc:** Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>
> **Subject:** Re: Udall, Senators Introduce Bill to Ban Toxic Pesticide Chlorpyrifos
>
> Have there been similar bills?
>
> Alexandra Dapolito Dunn, Esq.
> Assistant Administrator
> Office of Chemical Safety & Pollution Prevention
> U.S. Environmental Protection Agency
> Washington, DC
>
> Sent from my iPhone
>
> On Mar 28, 2019, at 12:09 PM, Keller, Kaitlin <keller.kaitlin@epa.gov> wrote:
>
>> FYI

From: Kaiser, Sven-Erik
Sent: Thursday, March 28, 2019 2:05 PM
To: Keller, Kaitlin <keller.kaitlin@epa.gov>; Hanley, Mary <Hanley.Mary@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>
Subject: Fwd: Udall, Senators Introduce Bill to Ban Toxic Pesticide Chlorpyrifos

FYI

From: Tom Udall Press Office <NEWS_PressOffice@tomudall.senate.gov>
Sent: Thursday, March 28, 2019 1:52 PM
To: Tom Udall Press Office <NEWS_PressOffice@tomudall.senate.gov>
Subject: Udall, Senators Introduce Bill to Ban Toxic Pesticide Chlorpyrifos

<image001.png>

NEWS FROM THE UNITED STATES SENATE

FOR IMMEDIATE RELEASE: March 28, 2019

Udall, Senators Introduce Bill to Ban Toxic Pesticide Chlorpyrifos

Senators unveil critical legislation to protect the health and safety of children, farmworkers, and families across the country from dangerous nerve agent found on fruits and vegetables, and in drinking water

Bill marks the second anniversary of former EPA Administrator Scott Pruitt's decision to deny a petition to ban chlorpyrifos

EPA under Pruitt and Wheeler has refused to act despite overwhelming scientific evidence that chlorpyrifos is dangerous to public health while Interior under Bernhardt reportedly blocked report finding chlorpyrifos so toxic it presents an existential threat to over 1,200 endangered species

WASHINGTON – Today, **U.S. Senator Tom Udall (D-N.M.)**, along with **U.S. Senators Richard Blumenthal (D-Conn.), Sheldon Whitehouse (D-R.I.), Dianne Feinstein (D-Calif.), Ed Markey (D-Mass.), Chris Van Hollen (D-Md.), Kamala D. Harris (D-Calif.), Patrick Leahy (D-Vt.), Jeff Merkley (D-Ore.), Kirsten Gillibrand (D-N.Y.), Bernie Sanders (I-Vt.), Ben Cardin (D-Md.), and Cory A. Booker (D-N.J.),** introduced legislation to ban the toxic pesticide chlorpyrifos, a dangerous neurotoxin linked to brain damage in children, and known to cause serious harm to human health and wildlife. The *Protect Children, Farmers and Farmworkers from Nerve Agent Pesticides Act of 2019* would amend both the Federal Insecticide, Fungicide, and Rodenticide Act by prohibiting the registration of pesticides containing chlorpyrifos and the Federal Food, Drug, and Cosmetics Act by prohibiting all uses of chlorpyrifos on our food in order to effectively outlaw chlorpyrifos. Udall first introduced legislation to ban chlorpyrifos in 2017.

The full text of the legislation is available HERE.

In 2017, former Environmental Protection Agency (EPA) Administrator Scott Pruitt rejected calls to ban chlorpyrifos even though EPA's own scientists determined that there are no safe levels of use for it on food. Claiming that the science wasn't settled, Pruitt put off the decision until 2022. His move came just weeks after meeting with Dow Chemical, the manufacturer of chlorpyrifos and a chlorpyrifos alternative. Meanwhile, families across the country are at risk of exposure to this toxic nerve agent through contaminated food and unsafe drinking water -- particularly children, farmers, and farmworkers living in rural Latino communities, who face disproportionate risk of exposure.

"The science on chlorpyrifos is clear and unambiguous: this is a dangerous nerve agent and toxic pesticide that damages the developing brains of children and causes serious health problems in those who have been exposed to it, whether it's on the job, on fruits and vegetables, or in drinking water," **said Udall.** "Enough delays. The Trump EPA's unrelenting campaign to keep this dangerous pesticide on the shelves – in spite of all the evidence telling us how dangerous it is to human health – tells you everything you need to know about who this administration sides with. It is past time for this dangerous and brain-damaging chemical to come off our food, off the shelves, and off the market. But for too long, this administration has put industry profits before people -- doing the bidding of chemical corporations at the expense of protecting public health and letting this toxic chemical poison our communities. The EPA continues to insist on protecting the profits of Dow Chemical over the health of children, farmworkers, and families. We can't sit around and wait for the EPA to stop dragging its feet while vulnerable families and precious wildlife are poisoned -- Congress must act. That's why I'm proud to reintroduce this legislation and to expand this ban to all uses of this toxic chemical once and for all."

"Chlorpyrifos poisons people – particularly children – and damages their nerves. For me as a parent, let alone a public official, that says enough. We have an obligation in the Congress to do the right thing to protect people from this neurotoxin. Chlorpyrifos is a substance that has no necessity, it has no justification. It should be banned. There is a compelling issue of conscience here. This nation has an obligation

to do better than allow this neurotoxin to continue poisoning children, workers, and other victims," **said Blumenthal.**

"This pesticide can do major harm, especially to young people and farm workers. It has no place on the market. That's why I'm proud to join a leader on chemical safety in Senator Udall to introduce this important legislation – and take action when Donald Trump's corporate-controlled EPA won't," **said Whitehouse.**

"Farmworkers endure some of the harshest working conditions. Reducing exposure to dangerous pesticides like chlorpyrifos that are linked to brain damage is critical to safeguarding the health of farmworkers and their families," **said Feinstein.**

"The EPA should have banned chlorpyrifos a long time ago, but it has bowed to industry pressure and now Congress must act. This pesticide is sickening our children, our workers and our farmers. The public has waited too long for its health to be put ahead of corporate profits," **said Markey**.

"Chlorpyrifos has no place on our farms or our kitchen tables. This harmful chemical has been proven to cause serious brain damage and developmental disorders in children who are exposed either through proximity to farm work or by consuming contaminated fruits and vegetables, and it's clear we need to get it off the market. The EPA's negligence under President Trump is extremely disturbing – Congress must fight back. I urge my colleagues to take up this legislation immediately," **said Van Hollen.**

Since 2017, evidence of chlorpyrifos' danger has continued to build as experts discovered that prenatal exposure, even at low levels, puts children at risk for serious cognitive and behavioral deficits, and neurodevelopmental disorders. Meanwhile, the issue has played out in the courts as well. In August 2018, based on overwhelming findings that chlorpyrifos is unsafe for public health, and particularly harmful to children and farmworkers, the United States Court of Appeals for the Ninth Circuit ordered the EPA to move forward with a ban on chlorpyrifos, stating that "the time has come to put a stop to this patent evasion" of the law. However, instead of complying with the court order, the EPA chose to appeal the ruling.

Additionally, a recent report from the New York Times revealed that the Department of the Interior (DOI) intervened to block the release of a U.S. Fish and Wildlife Service report that found that two pesticides, malathion and chlorpyrifos, were "so toxic that they 'jeopardize the continued existence' of more than 1,200 endangered birds, fish and other animals and plants." Led by former lobbyist and then-Deputy Secretary of the Interior David Bernhardt – now President Trump's nominee to become Interior Secretary – the DOI reportedly made concerted efforts to undermine these findings and "set in motion a new process intended to apply a much narrower standard to determine the risks from the pesticides" despite the fact that the use of chlorpyrifos presents an existential threat to thousands of treasured species of animals and plants.

The bill has earned support from a broad coalition of organizations representing parents, pediatricians, children's health and safety advocates, farmworkers, Latino communities, and the environment, including the American Academy of Pediatrics, Earthjustice, Center for Biological Diversity, Defenders of Wildlife, Family Farm

Defenders, Farmworker Justice, Food Chain Workers Alliance, Food Policy Action, Food & Water Watch, Friends of the Earth, GreenLatinos, Greenpeace, League of United Latin American Citizens (LULAC), League of Conservation Voters, National Family Farm Coalition, National Hispanic Medical Association, Natural Resources Defense Council, Pesticide Action Network, Public Citizen, United Farm Workers, and more. **A full list of organizations supporting the legislation is available HERE.**

"This bill comes at a crucial time when scientific integrity and the protection of the public is compromised by industry collusion with the administration," **said Andrea Delgado, Legislative Director of the Healthy Communities program at Earthjustice.** "The most exposed and vulnerable among us are our children, farmworkers and families in rural communities, and they deserve action now. We commend Senator Udall and his colleagues for putting the health of the people over the wealth of the chemical industry."

The full text of the legislation is available HERE.

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Contact: Ned Adriance (Udall), 202.224.7836