Message

From: Martinez, Brittany [Martinez.Brittany@epa.gov]
Sent: 5/23/2017 12:45:14 PM
To: Dorka, Lilian [Dorka.Lilian@epa.gov]; O'Lone, Mary [OLone.Mary@epa.gov]; Wilson, Adam [wilson.adam@epa.gov]; Covington, Jeryl [Covington.Jeryl@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; McGhee, Debra [mcghee.debra@epa.gov]
Subject: FW: Former DuPont Worker Claims Retaliation For Pesticide Complaints

---

From: Miller, Amy
Sent: Monday, May 22, 2017 3:48 PM
To: Martinez, Brittany <Martinez.Brittany@epa.gov>; Grow, Richard <Grow.Richard@epa.gov>; Garnett, Desean <Garnett.Desean@epa.gov>; Reyes, Deldi <Reyes.Deldi@epa.gov>
Subject: FW: Former DuPont Worker Claims Retaliation For Pesticide Complaints

See 3rd paragraph at bottom

Amy C. Miller
Chief of Staff
Office of Regional Administrator
U.S. Environmental Protection Agency, Region IX
(415) 947-4198
miller.amy@epa.gov

From: Higuchi, Dean
Sent: Monday, May 22, 2017 12:33 PM
To: Miller, Amy <Miller.Amy@epa.gov>; McWhorter, Scott <mcwhorter.scott@epa.gov>; Kahakui, Kahi <Kahakui.Kahi@epa.gov>; Yukumoto, Jan <yukumoto.jan@epa.gov>
Subject: Former DuPont Worker Claims Retaliation For Pesticide Complaints

http://www.civilbeat.org/2017/05/former-dupont-pioneer-worker-claims-retaliation-for-pesticide-complaints/

Former DuPont Worker Claims Retaliation For Pesticide Complaints
A woman files suit saying she lost her job after repeatedly reporting misuse of pesticides on the company's North Shore farm.
By Anita Hofschneider / Honolulu Civil Beat, 5/22/17

A former employee of DuPont Pioneer on Oahu is suing the company, claiming she was retaliated against for raising concerns about its use of pesticides.

According to her complaint filed Friday, Shannell Grilho started working full-time for DuPont Pioneer on the North Shore of Oahu in December 2013. That's when she was asked to start applying herbicides including Roundup, Liberty and Honcho.

"During the applications of herbicides, the PLAINTIFF (and other DUPONT PIONEER employees) was exposed to considerable amounts of air-born herbicide that covered her clothes, skin, eyes, and face, and which she ingested and inhaled because of the method of application," the complaint says.
View of fields near Pioneer Hi-Bred International Inc. for Anita's story. 13 jan 2015. photograph Cory lum/Civil Beat

The complaint says Grilho requested training and personal protective equipment but her request was denied. During safety meetings, she was told to stay 500 feet away from boom sprayers and to move away if she smelled the chemical, she said.

But Grilho's complaint alleges her supervisor reprimanded her when she tried to follow those safety instructions. Her supervisor allegedly ordered Grilho to "remain working in the shade-house when the boom sprayers came closer than 500' and when she could smell the chemicals drift into her work area."

The complaint says Grilho was told not to use two-way radios to discuss her concerns about the herbicides. Her supervisor allegedly ordered Grilho "to contact him directly by telephone so that others would not hear the conversation about PLAINTIFF's safety concerns."

The complaint says Grilho reported her boss and was transferred to different work that was more physically demanding. A new supervisor allegedly required Grilho to work "in even closer proximity to the boom sprayers.

"PLAINTIFF could smell and feel the spray from the boom sprayers as it settled on and around her," the complaint states. Grilho was allegedly forced "to work in areas that were supposed to be evacuated because hazardous chemicals had been applied to the area in the past 24-hours."
Gate adjacent to Waialua High School with road leading to Pioneer Hi-Bred International Inc. for Anita's story. 13 jan 2015. photograph Cory lum/Civil Beat

The complaint says Grilho continued to report the perceived safety violations and was told to stop doing so. Eventually she and her husband both lost their jobs with the company.

A spokeswoman for DuPont Pioneer declined to comment on the lawsuit.

The suit could fuel concerns about the seed industry's use of pesticides on genetically modified crops and their potential effects on public health and the environment.

Residents of West Kauai reached settlements last year with DuPont Pioneer for property damage caused by dust blown from the company's fields.

The U.S. Environmental Protection Agency is investigating a complaint by Earthjustice that the seed industry's application of pesticides on agricultural fields disproportionately harms Native Hawaiians.

The EPA sought to fine Syngenta Seeds $4.8 million after several Kauai employees were sickened by exposure to chlorpyrifos in January 2016. The federal agency is also investigating separate incidents involving alleged misuse of pesticides by Monsanto and Syngenta Seeds in Hawaii.

The seed industry has successfully staved off efforts to increase state pesticide regulations. Hawaii lawmakers rejected calls from environmental activists this year to mandate that the companies disclose what pesticides they apply, where and in what amounts.

Thanks!

Dean Higuchi
Press Officer/Congressional Liaison/Public Affairs
US EPA, Region 9, Hawaii Office
higuchi.dean@epa.gov
808-541-2711