



## Center for Food Safety Policy Recommendations for White House Honey Bees/Pollinators Meeting, April 30, 2014

The meeting invitation states, among other requests: “... *we would appreciate hearing your ideas for: 1) Activities, policies, or other initiatives Federal agencies could enact with existing resources to address pollinator health.*”

Particularly given the limitation to “existing resources,” substantial on-the-ground improvements for pollinators are unlikely to flow from “safe” recommendations of more habitat programs or research. However, there are “policies” that the Administration could immediately reform that require no additional resources and could make a rapid difference to improve the future for pollinators. These focus on the neonicotinoid insecticides’ harms to pollinators and the broader environment.

- 1) **EPA should suspend the use of neonicotinoids on bee-attractive crops and ornamental uses.** This was accomplished by a democratic vote of the European Union based on a scientific assessment of the risks and data gaps prepared by the European Food Safety Agency in 2012. Since then, the published science on excessive risks to pollinators and the environment from the neonicotinoids has become even more convincing, indicating they, in combination with synergistic threats, are leading us to a *Second Silent Spring*, in which vast swaths of natural systems are being sterilized. As EPA showed in the immediate suspension of the herbicide *Imprelis* in 2011, the agency has the power to order immediate suspensions when non-target effects are severe.<sup>1</sup>
- 2) **EPA should promptly amend its little-known regulation that “waived” the requirement for pesticide manufacturers to show their products are “efficacious” prior to obtaining pesticide registrations, in 50 CFR § 158.400(e)(1).** Now vast percentages of the corn and soy seeds planted are treated with neonicotinoids despite the well-documented fact that this “prophylactic” treatment is unnecessary in 80% to 90% of circumstances in the field. Many experts have stated the current practices violate the fundamental tenets of Integrated Pest Management (IPM), such as the use of action thresholds of pest populations, monitoring and resistance management. The conflict with

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<sup>1</sup> EPA Region III, In re E.I. du Pont de Nemours & Co., Stop Sale, Use, or Removal Order, Docket No. FIFRA-03-2011-0277SS (Aug. 11, 2011)

IPM also was highlighted in the multi-stakeholder Corn Dust Research Consortium January, 2014, Final report.<sup>2</sup> There is mounting evidence of no economic efficacy in many systems, as well as documented environmental persistence and overuse.<sup>3</sup> Scientists across continents and in many disciplines have found direct and indirect harms, including to honey bees and other beneficial insects, water quality, bird life, wildlife generally and ecosystem sustainability. There also is a fundamental incompatibility of these seed treatments with neighboring organic agriculture farms, which are harmed by the persistent pesticidal dust as well as by the declines of pollinators and beneficial insects.

- 3) **USDA can make the risks of prophylactic insecticidal seed treatments clear to farmers.** USDA undertakes a massive amount of education and information to farmers in almost every county of the nation. USDA can promptly change its information to indicate that prophylactic systemic insecticides are unnecessarily risky, are inconsistent with IPM and threaten organic agriculture. USDA also needs to employ its broad regulatory and non-regulatory powers to ensure that non-treated seeds are available and used. This is occurring in Canada already.
- 4) **USDA and EPA should halt the current industry-dominated process to revise the current labels for “bags and tags” for seed treatment products and also fix the inadequate labels for foliar use products.** A secretive treated-seed label revision process, led by Bayer CropLife, is underway and it has no other stakeholders engaged besides the seed treatment industry. EPA’s “Pollinator Protection Box” and the “Bee Icon” required for neonicotinoid labels by letter of EPA’s Steven Bradbury, dated Aug. 15, 2013, applies only to foliar products; the seed treatment products are not covered. USDA and EPA should insist on better pollinator protections on seed treatment product labels. Beekeepers offered six detailed label recommendations to EPA officials to reduce toxic dust from planting corn seeds.<sup>4</sup> To date, all six of the offered language changes appear to have been rejected (per recent Freedom of Information Act responses). Weak, generic, non-protective language is being proposed instead. That language revision process must be halted now and reformed so it is not dominated by the regulated industry, as it clearly is. Further, the new EPA Pollinator Protection warnings and label directions for the foliar use products adopted per Dr. Bradbury’s mandate are inadequate in several respects and need to be strengthened, as beekeeper organizations like the Pollinator Stewardship Council have already requested of EPA.
- 5) **EPA must comply with the Endangered Species Act Section 7 consultation requirements before registering pesticides.** It is well known and is frankly admitted by EPA that it does not comply with Section 7 of the Endangered Species Act when it

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<sup>2</sup> Corn Dust Research Consortium. 2014. *Preliminary Report: Initial Findings for 2013, Provisional Recommendations, Timetable*. Pollinator Partnership report. Online at: [www.pollinator.org/PDFs/CDRCfinalreport2013.pdf](http://www.pollinator.org/PDFs/CDRCfinalreport2013.pdf)

<sup>3</sup> Stevens, S., and P. Jenkins. 2014. *Heavy Costs: Weighing the Value of Neonicotinoid Insecticides in Agriculture*, Center for Food Safety report. Online at: [www.centerforfoodsafety.org/reports/2999/heavy-costs-weighing-the-value-of-neonicotinoid-insecticides-in-agriculture](http://www.centerforfoodsafety.org/reports/2999/heavy-costs-weighing-the-value-of-neonicotinoid-insecticides-in-agriculture)

<sup>4</sup> Letter dated Feb. 15, 2013, to Tom Moriarty, EPA, from Steve Ellis on behalf of the National Honey Bee Advisory Board (NHBAB), on seed treatment dust reduction recommendations

registers new pesticides. EPA stated this in its recent Response to Public Comments when it registered the new insecticide Cyantraniliprole, for which EPA is now being sued in Federal Court.<sup>5</sup> Critical ESA-listed species could be protected, and the waste of excessive administrative, legal and other resources could be avoided, if EPA would publicly commit to always consulting with the U.S. Fish and Wildlife Service and National Marine Fisheries Service before its nationwide insecticide registration decisions. Given the large numbers of listed insects, as well as foreseeable direct and indirect effects to other listed species, it is clear that there are effects of these insecticides that mandate ESA Section 7 consultation.

For further information contact:

Peter T. Jenkins, Attorney/consultant  
Center for Food Safety  
660 Pennsylvania Ave. SE, Suite 302  
Washington, DC 20003  
Tel: 202.547.9359  
Email: [pjenkins@centerforfoodsafety.org](mailto:pjenkins@centerforfoodsafety.org)

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<sup>5</sup> EPA. 2014. Response to Public Comments on EPA's "Proposed Registration of the New Active Ingredient Cyantraniliprole: An Insecticide for Use on Multiple Commodities, Ornamentals, Turfgrass, and in Commercial or Residential Buildings at 40-41. Docket #: EPA-HQ-OPP-2011-0668-0058