

House Resolution

No. 23

Introduced by Assembly Member Monning

February 8, 2010

House Resolution No. 23—Relative to pesticides.

1 WHEREAS, Over 160 million pounds of pesticides are used
2 annually in California, according to the California Department of
3 Pesticide Regulation. This figure includes production agriculture
4 and professional pesticide use. It does not include significant
5 amounts of residential, institutional, and industrial pesticide use;
6 and

7 WHEREAS, Pesticides are ubiquitous in California’s water and
8 air. A recent study by the California Department of Pesticide
9 Regulation of stormwater in Sacramento County, the Bay Area,
10 Orange County, and San Diego County found certain pesticides
11 in over one-half of the streams sampled. The California Department
12 of Pesticide Regulation’s summary of testing of California wells
13 found pesticides in over 20 percent of the wells tested since 1985.
14 The California State Air Resources Board has found pesticides in
15 over one-third of the ambient air samples analyzed; and

16 WHEREAS, Federal law divides pesticide ingredients into two
17 categories, “active” and “inert”; and

18 WHEREAS, Despite their name, inert ingredients in pesticides
19 are not benign or inactive. According to the United States
20 Environmental Protection Agency, an inert ingredient “may have
21 biological activity of its own, it may be toxic to humans, and it
22 may be chemically active”; and

1 WHEREAS, Inert ingredients typically make up a significant
2 proportion of a pesticide product. Home use pesticide products are
3 commonly almost 90 percent inert ingredients and agricultural use
4 pesticide products are commonly over 50 percent inert ingredients;
5 and

6 WHEREAS, Neither California law nor federal law requires
7 that most inert ingredients be identified on pesticide product labels.
8 Pesticide manufacturers often claim that the identity of inert
9 ingredients is confidential; and

10 WHEREAS, Several thousand substances are used as inert
11 ingredients in pesticides. The human and ecological toxicity of
12 these substances varies widely. The United States Environmental
13 Protection Agency has estimated that about 50 percent of the
14 substances pose at least a moderate risk; and

15 WHEREAS, Both the United States Environmental Protection
16 Agency and the California Department of Pesticide Regulation
17 evaluate the safety of pesticides before they are marketed in
18 California. However, most of the health and safety testing on which
19 this evaluation is based does not include the inert ingredients; and

20 WHEREAS, Health professionals treating patients with
21 pesticide-related illnesses have found that it is difficult and time
22 consuming to obtain information about the inert ingredients in the
23 pesticides to which their patients have been exposed. Since 1994,
24 the American Medical Association has been on record as
25 supporting “all efforts to list both active and inert ingredients on
26 pesticide container labels and material safety data sheets”; and

27 WHEREAS, In 2007, the California Department of Food and
28 Agriculture began an eradication program for the light brown apple
29 moth that involved widespread aerial applications of pesticides in
30 densely populated areas. Many residents of treatment areas strongly
31 opposed the program and, according to the California Office of
32 Environmental Health Hazard Assessment and the California
33 Department of Pesticide Regulation, “public concern has centered
34 on the previously undisclosed inert ingredients”; and

35 WHEREAS, On October 20, 2007, the California Department
36 of Food and Agriculture made public a complete list of ingredients
37 in the product that was planned for use in the light brown apple
38 moth eradication program. The department also stated that “the
39 Governor supports the public’s right to know every ingredient in
40 the product”; and

1 WHEREAS, Lack of information about inert ingredients in
2 products proposed for use to eradicate the light brown apple moth
3 continues to be a problem. In the draft environmental impact report
4 for the light brown apple moth program completed by the
5 California Department of Food and Agriculture in July 2009, the
6 department states, “Ideally, in environments where a variety of
7 pesticides may be used, the potential for chemical interactions of
8 inert and active ingredients should be understood to minimize
9 risks. Since the identity and/or concentrations, or both the identity
10 and concentrations, of the inert ingredients in each formulation
11 are usually proprietary, and the [Federal Insecticide, Fungicide,
12 and Rodenticide Act] does not require disclosure of these
13 concentrations, it was not possible to estimate concentrations or
14 evaluate health risks of most inert ingredients in the formulations
15 considered for use”; and

16 WHEREAS, On December 22, 2009, the United States
17 Environmental Protection Agency announced in a news release
18 that the “EPA Seeks to Disclose Pesticide Inert Ingredients.” The
19 agency asked for public comment on options for disclosing inert
20 ingredients in pesticides and stated, “Revealing inert ingredients
21 will help consumers make informed decisions and will better
22 protect public health and the environment”; now, therefore, be it

23 *Resolved by the Assembly of the State of California,* That the
24 Assembly urges the Governor ~~and the Attorney General~~ to request
25 the United States Environmental Protection Agency to act
26 expeditiously to protect public health and the environment by
27 requiring the disclosure of the identity of inert ingredients on
28 pesticide product labels; and be it further

29 *Resolved,* That the Assembly urges the Governor ~~and the~~
30 ~~Attorney General~~ to request the United States Environmental
31 Protection Agency to require the identification of hazardous inert
32 ingredients as quickly as possible and begin the process of requiring
33 disclosure of all inert ingredients, absent a finding that disclosure
34 of a particular ingredient will cause competitive harm; and be it
35 further

36 *Resolved,* That the Assembly urges the Governor’s ~~and the~~
37 ~~Attorney General’s~~ continued support of the public’s right to know
38 every ingredient in pesticide products; and be it further

- 1 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 2 of this resolution to the author for appropriate distribution.

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