

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

23 WHEREAS, Inert ingredients typically make up a significant
24 proportion of a pesticide product. Home use pesticide products are

1 commonly almost 90 percent inert ingredients and agricultural use
2 pesticide products are commonly over 50 percent inert ingredients;
3 and

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

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

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

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

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

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

39 WHEREAS, Lack of information about inert ingredients in
40 products proposed for use to eradicate the light brown apple moth

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

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

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

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

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

37 *Resolved*, That the Chief Clerk of the Assembly transmit copies
38 of this resolution to the author for appropriate distribution.

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