



BEYOND PESTICIDES

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Edward Brandt
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RE: Lawn and Environment Guidelines

Dear Mr. Brandt:

What follows are preliminary comments on the Lawn and Environment Guidelines and Tips submitted on behalf of Beyond Pesticides and its national membership, Washington Toxics Coalition, Environment & Human Health Inc., Grassroots Environmental Education, Quinnipiac River Watershed Partnership, Northwest Coalition for Alternatives to Pesticides, and Agricultural Resources Center.

We would like to ensure that EPA is aware that there are serious problems of fact and tone with this document that will have the overall result of misleading the public, in light of what the agency knows or should know about pesticide hazards, especially the effect of pesticides on children and other sensitive population groups, and limitations in the regulatory review of widely use lawn pesticides. If EPA is to “sign on” and thereby endorse such a document, we urge the agency to initiate a formal public review process, publish the document in the Federal Register, and seek public input in the process. It is inappropriate, we believe, for EPA to endorse guidance of this nature that involves select registrants or their representatives and others without a formal regulatory procedure to ensure full participation of those who know about environmental health effects of pesticides. Given the serious flaws in the overall development and content of the documents, please *do not* cite the organizations submitting these comments as endorsing, in whole or in part, either the process associated with the construction of the “guidelines” or “tips,” or the result.

EPA has said that the guidelines are a “set of environmental guidelines for responsible lawn care and landscaping” that have been developed by a coalition of “environmental groups, lawn care/pesticide companies, and government agencies,” of which EPA is a part. While the purpose of the coalition and the guidelines has been vaguely stated by EPA as helping to “develop a strategy for educating consumers about

the proper use of pesticides and fertilizers, and how to conserve water and protect wildlife while maintaining a healthy and attractive home landscape,” the impact of such a document could undermine other efforts intended to provide the public with full information on pesticide hazards and efforts to reduce, and where possible eliminate, hazardous pesticide use. These efforts are ongoing, often with government involvement, throughout the U.S., in order to protect public health and the environment.

This document does not embrace basic tenets of environmental protection, including: (i) right-to-know (notification of pesticide use); (ii) disclosure (alerting users and the public to information on potential hazards of pesticide use, including information on active and inert ingredients, contaminants and metabolites; and, (iii) transparency (acknowledgement of pesticide regulatory review status, including deficiencies or limitations in the process).

We have attached a line-edited copy of the draft “Environmental Guidelines for Responsible Lawn Care and Landscaping,” as well as comments below which both cite that document and provide additional explanatory comments.

THE MULTISTAKEHOLDER PROCESS: It is important to note that claiming involvement of the “environmental community” in the formation of these guidelines is premature and overstated. The process went forward for over a year without the involvement of a single group whose primary focus is environmental health or pesticides. Such an approach does a disservice to the public and undermines the collaborative process, regardless of the intentions and undermines the possibility for success for the entire project.

THE 10 TIPS

The “10 Tips” being proposed for point of sale distribution is missing critical information. The draft Tips are more problematic for what they do not say than for what they do say. Therefore, our critique focuses on the need for essential information that people should consider when determining their approach to lawn or landscape management, whether they are buying products or services.

TIP 4: Pesticides as a last resort, after a number of management steps have been taken. (for more explanation, see added comments to paragraph 1 of IPM section in guidelines).

TIP 5: Mention organic fertilizers, including compost, as an alternative for pollution prevention.

TIP 6: See Right to Know section below

TIP 10: See notification section below

CRITICAL ISSUES TO THE ENVIRONMENTAL COMMUNITY

Right To Know/Full disclosure – People have a right to know the full information on the health and safety hazards of pesticides as assessed at least by the EPA, as well as the status of EPA regulation and registration of pesticides. Lack of information about the chronic effects of the product they might use puts the public at risk. Language should be as simple as: “EPA has not yet completed the evaluation of potentially critical health and safety data of all pesticide products as required by law, including underlying data and risk assessments.” As suggested in the edits on page 19 of the attached guidance document, mention must be made that long-term health effects of the pesticides are not indicated on the product label.

Notification – People must be encouraged to notify their neighbors and family members before and after pesticides are used and keep all pets and children off the treated area for a minimum of 24 hours. People should also be aware that their state may require by law that commercial chemical applicators post signs before and/or after lawns have been chemically treated.

ENVIRONMENTAL GUIDELINES
For RESPONSIBLE LAWN CARE AND LANDSCAPING

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[Part II, Page 1]

ADD: What should I know about chemical pesticide products if I choose to use them?

EPA has a duty to educate the public about the fact that pesticides are poisons and that the underlying law governing their use establishes allowable risks. While some in the pesticide industry have referred to pesticides registered by EPA as safe or of negligible risk, EPA must disclose that pesticides in wide use have not been fully tested and reviewed, or reregistered, for a range of potential adverse health and environmental effects, from cancer and endocrine disruption to neurological to immune system effects. Once EPA has fully disclosed information that has been widely disclosed in congressional testimony, presented by the U.S. General Accounting Office, it can help people make informed decisions that enable them to avoid unnecessary hazards or uncertainties associated with practices that rely on toxic materials. In this context, EPA has a duty to share with the public approaches to management systems that can minimize or eliminate a reliance on toxic materials.

EPA has a duty to tell the public that a healthy, attractive landscape can be developed and maintained without the use of pesticides. Without mentioning this vital aspect in the very beginning, the opportunity to positively influence behavior toward reduced pesticide use is lost. With such information, the document becomes more credible and in line with EPA’s mission. On a fundamental basis, the guidelines must explicitly discuss the range of choices people have in lawn and landscape care and not only teach people how to accomplish desired results without pesticides but encourage them to strive to do so.

[Part II]

ADD: How can synthetic fertilizers harm soil microorganisms and why is that important?

ADD TITLE: What should I know about chemical products before choosing to use them?

See document for added content. It is important that people understand the full range of risks and potential consequences associated with synthetic fertilizers and pesticides. By adding these two components, the public is given full information to consider when managing their landscape. These sections still need fuller development in the document content sections.

ADD: How can I protect my children and pets when I apply pesticides? How can I reduce exposure if pesticides are used?

Again, these may be self-explanatory but they seem to be a missing feature throughout the document. Here again, the guidelines are problematic as much for what they do not say as for what they do say. In this case, the public must be aware that with pesticides come risks and hazards that are not fully known. We agree that instructing the public on pesticide safety is important, but we also believe that people should be given the whole picture on pesticides and not just “proper use” techniques. It is particularly vital that people know that not all people have the same risk factors with pesticides.

Children, pregnant women and their fetus’, the elderly, and people with respiratory or compromised immune systems are particularly susceptible to acute or chronic effects from pesticide exposure; the consequences of which are still not thoroughly understood. EPA is not sharing all the information it has regarding potentially hazardous exposure associated with pesticide use and in so doing misleads the public and users on potential pesticide hazards. For example, EPA knows that pesticides, when used in accordance with the label can and do drift off the target site, causing unintended exposure and therefore risk factors. EPA has conducted research, as have others, that show pesticides used in the garden are tracked inside homes and create additional exposure. EPA knows that pesticide residues on clothes are brought inside the home, providing another route of exposure. To not alert the public to these types of exposures, especially as it relates to children, is to mislead the public.

INTRODUCTION

[Paragraph 3]

For example healthy, environmentally-friendly lawns and landscapes can:

ADD: Reduce the risk of pesticide exposure to children, adults and pets

ADD: Eliminate the need for pesticides

[Paragraph 4]

By using this guidance, you will learn to make a variety of choices related, but not limited to:

REPLACE: “pesticides and fertilizers” with “pest management and fertilization”

It is important that the guidelines be consistent in their approach to pesticides to keep the document from reading like an advertisement for chemical products. As the

document currently stands, it is presumed that pesticides will be used and that the public only need follow the label on the pesticide product. By indicating that there are risks associated with pesticide use (such as exposure to children, adults and pets), the guidelines are informing and educating and thus allowing the public to make more informed decisions about their own lawns and landscapes. A clear distinction must be made consistently between using the word pesticides versus using the term pest management. Such a distinction keeps choices open for the public on how best to partake in responsible lawn care.

[Paragraph 6]

We recommend that you contact:

REPLACE: “*recommend that you contact the Cooperative Extension Service for objective, complete answers about regional landscape issues*” with “government programs and environmental and gardening groups to gather a variety of opinions and perspectives on local and regional landscape issues.”

If the objective is for the public to receive “objective, complete answers” then they need to contact a variety of sources particularly when it comes to pest management and not just cooperative extension agencies. Unfortunately, extension agencies often do not offer the public information on alternatives to pesticides or synthetic fertilizers for pest management.

GETTING TO KNOW YOUR SITE

[Paragraph 8]

REPLACE: “Square footage is generally a factor for calculating things such as the amount of fertilizer or pesticide that is needed” with “*Square footage is generally a factor for accurately calculating inputs that may be needed in pest management and fertilization.*”

These calculations are as important for purchasing compost or organic fertilizers as they are for synthetic fertilizer. Again, as the intention of the document is not to promote the use of pesticides but to inform on responsible options, then it is important that pesticides are not mentioned, and therefore promoted, unnecessarily.

PART I: LANDSCAPE DESIGN & INSTALLATION

How do I plant a new lawn and/or landscaping plants?

[Paragraph 3]

“*Sod has been shown to greatly reduce soil erosion in new lawn establishment and requires significantly less water than seed to establish.*”

ADD: However, sod is typically grown with pesticide and synthetic chemical-intensive practices which contribute to run-off pollution and adverse wildlife impacts in the area it is grown and carries residues at the point of installation.

PART II: LANDSCAPE MAINTENANCE

If needed, how do I choose what fertilizers and supplements to use?

[Paragraph 1]

REPLACE: “Follow Cooperative Extension Service recommendations for optimum lawn and landscape fertility management programs. These recommendations include information on factors such as site, plant species, and time of the year that influence fertilizer selection” with *Use organic fertilizers or compost as a first choice in an effort to protect soil microorganisms and earthworms, which contribute to soil health. [See the compost section below.]*

Fertilizer can mean synthetic fertilizer, organic fertilizer or even plain manure. To reduce the use of pesticides, and to be consistent with the intention of the document and Integrated Pest Management, non-chemical fertilizers should always be considered first.

How do I use the fertilizers and supplements?

ADD: See document for sections to add.

[Paragraph 6]

REPLACE: “Therefore, in such situations, there may be times when “[weed](#) and feed” or other combination products are inappropriate” with *“Therefore, “weed and feed” type products that combine weed or insect pesticides with fertilizer are not appropriate in most situations.”*

By stating that “there may be times” when it is inappropriate to use “weed and feed” implies that such combination products are appropriate most other times – which is not the case and misleads the consumer. Not only is the use of combination products usually inappropriate but they are also generally not compatible with an IPM approach because they encourage excessive pesticide use and reduce decision-making flexibility.

[Paragraph 4]

ADD TITLE: *How can synthetic fertilizers harm soil microorganisms and why is that important?*

ADD: See document for sections to add.

PESTS

What is the first step in pest management?

[Paragraph 1]

CHANGE: “Work with your local Cooperative Extension Service to get assistance in identifying the cause of the pest problems.”

Again, referring people only to an extension agent for overall pest management is problematic. It does not provide the full scope of possible information gathering in which the public can easily engage.

[Paragraphs 1-3]

ADD: See document for sections to add.

[Paragraph 4]

ADD TITLE: *What should I know about chemical products before choosing to use them?*

ADD: See document for sections to add.

While we commend the group for acknowledging that pesticides are not the end-all solution, we urge the steering committee to be mindful that the guidelines are not meant to sell pesticide products. Indeed, EPA and USDA do not typically evaluate efficacy tests on pesticide products and therefore cannot support the statement, “pesticides can provide effective treatment of serious pest problems” (paragraph 3).

How do I control pests using Integrated Pest Management (IPM)?

[Paragraph 1]

ADD/REPLACE: See document for sections to add.

REPLACE: “If chemical control products are necessary, how do I use them properly?” with “*What should I know about chemical products in order to use them properly?*”

It is debatable to say that chemical control products are NECESSARY, indeed there is always a choice to use chemical or non chemical.

[Paragraph 12]

ADD: *Be aware that the full product ingredients of pesticides are not listed on the product label. Inert ingredients, which can be more hazardous than the active ingredients, are the liquid, dust or granule in which the active ingredient is delivered to the target pest. The inert ingredient can be more chemically and biologically active and more toxic than the active ingredient.*

PROVIDE: *a chart that explains what’s in a pesticide: active ingredients, inert ingredients, contaminants (DDT in dicofol, etc), and metabolites (malaxon in malathion, etc.)*

Such information gets directly to the issue of disclosure.

[Paragraph 13]

REPLACE: “It may be appropriate in some situations to alert family members...” with “*Alert family, guests, and neighbors before you begin application of pesticides. Make sure that any areas that are treated are posted with signs warning of the dangers. Prenotification should*

occur 48 hours before treatment, so that neighbors can take in toys, garage their car or close car and house windows, or plan to leave the house.”

This is a fundamental aspect of lawn care that not only must be addressed, but that must take root as common cultural practice. As it becomes common and recommended practice there will be less of a need to create laws requiring and regulating such practices. It is always appropriate to notify anyone who may be exposed to an application.

ADD: Note that studies show that pesticides applied outdoors end up in the indoor environment, either because they drift inside or are tracked in on shoes. Take precautions.

Numerous studies by EPA, GAO and a recent study funded by the Massachusetts Department of Health have shown indoor air samples to be highly contaminated with multiple pesticide chemicals. The public should be aware that indoor air contamination can lead to long term exposure and therefore, that all precautions should be taken not to allow the chemicals to get into their home where the break down time of the product may be severely compromised.

ADD TITLE: How can I protect my children and pets if I apply pesticides?

ADD: Children’s developing organs and defensive systems, proximity to the ground, and normal hand to mouth child behavior make them more vulnerable to pesticide exposure than an average adult. Therefore special precautions should be taken around them. Likewise, pets are low to the ground, lick their fur, and may track pesticides into the home by the bottoms of their paws. The best technique to protect your family and pets from the hazards of pesticides is to avoid their use whenever possible.

Never apply [pesticides](#) when children or pets are in the yard or nearby – they could be exposed during the application or if the application drifts off the application site.

Follow label directions and precautions regarding reentry into areas treated with pesticides. Children should stay away from the application site for 24 hours or longer depending on the pesticide applied.

It is imperative that people have a logical sense as to why children (and pets) are especially vulnerable to the toxic properties – whether chronic or acute – of pesticides.

Conclusion

The process as it stands now that EPA has lent its name and support to in generating the principles is flawed and the result biased; filled with missing and therefore misleading information. If EPA believes that this process can and should result in a document or set of documents to which it is a signatory, supporter or endorser, the EPA’s (and USDA’s) involvement runs contrary to the agency’s statutory

responsibility to establish an even-handed process for input, review and advice. If the agency would like to pursue its current course with this project and utilize the input from registrants and their representatives, federal agencies, and the public, it must conform to requirements of the Federal Advisory Committee Act and ensure an open and fair-minded process. The result associated with the draft document produced to date illustrates that the current process does not meet the duties of the agency and therefore EPA must remove itself until the problems are corrected.

We appreciate the agency taking our comments under advisement and taking the necessary steps to ensure that it operates in the spirit of its mission and the law.

Sincerely,

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