



May 10, 2021

An open letter to leading non-organic produce grower organizations:

We write today to urge your respective organizations to stand with consumers, parents and all Americans who want to eat healthy foods that do not put them at risk of dietary exposure to chlorpyrifos, and ask you to publicly support the federal court's decision requiring the EPA to take immediate steps to protect children from this highly neurotoxic pesticide.

The presence of chlorpyrifos residues on conventionally grown produce poses serious risks to public health, and especially children's health. The most recent pesticide residue tests on conventional produce items conducted in 2019 by the Department of Agriculture found the insecticide on asparagus, hot peppers, basil, cilantro, radishes and frozen strawberries.

On April 29, the 9th Circuit Court of Appeals [ordered](#) the Environmental Protection Agency to take immediate steps to protect children from further exposure to the neurotoxic organophosphate insecticide chlorpyrifos.

Judge Jed S. Rakoff, who wrote the court's opinion, scolded the EPA for repeatedly ignoring the growing body of scientific research showing that, even at low levels, chlorpyrifos can pose a risk to young children, including babies in utero when pregnant women eat food with residues of chlorpyrifos.

Rakoff also admonished the agency for using delay tactics that further prolong any substantive action and will leave millions of children in the U.S. exposed to potentially harmful levels of chlorpyrifos. He wrote:

The Environmental Protection Agency ("EPA" or the "Agency") has recognized that when pregnant mothers are exposed to chlorpyrifos residue, this likely harms infants in utero. Nevertheless, in derogation of the statutory mandate to ban pesticides that have not been proven safe, the EPA has failed to act, requesting extension after extension. The Agency's present position is effectively more of the same.

Rather than ban the pesticide or reduce the tolerances to levels that the EPA could find were reasonably certain to cause no harm, the EPA sought to evade through delay tactics its plain statutory duty.... During that time, the EPA's egregious delay exposed a generation of American children to unsafe levels of chlorpyrifos.

Rakoff concluded with an order on behalf of the 9th Circuit: "The EPA's obligation is clear: it must modify or revoke chlorpyrifos tolerances and modify or cancel chlorpyrifos registrations."



The carbamate insecticide aldicarb was recently approved for use on citrus crops in Florida. Much like chlorpyrifos, aldicarb is a neurotoxin, and dietary exposure presents a serious risk to pregnant women and children. EWG has called on the EPA to revoke the use of aldicarb on citrus grown in Florida, and we call on those organizations that grow, ship and market the state's citrus fruit to support ours and others' efforts to end the use of this highly toxic pesticide.

As you are aware, last month Florida Agriculture Commissioner Nikki Fried denied state approval of aldicarb for use on citrus crops, describing the chemical as "one of the world's most toxic pesticides, banned in 125 countries," adding "aldicarb poses an unacceptable risk to Floridians and our environment."

Earlier this year, EWG and other public interest and environmental health groups, [sent comments to the EPA](#) urging the agency to deny any proposed new uses and cancel all current uses of Aldicarb.

The risks that chlorpyrifos and aldicarb exposure poses to the brain and behavioral development in young children should and must far outweigh any financial benefits these insecticides have for your conventional produce operations.

Sincerely,

Kenneth A. Cook  
President  
Environmental Working Group

CC:

Kate Tynan, Northwest Horticultural Council  
Ian LeMay, California Fresh Fruit Association  
Rick Tomlinson, California Strawberry Commission  
Jeff Cardinale, California Table Grape Commission  
Kasey Cronquist, U.S. Highbush Blueberry Council  
Tracy Grondine, U.S. Apple Association  
Alyssa Houtby, California Citrus Mutual  
Cory Lunde, Western Growers Association  
Kyla Oberman, California Giant  
Tom Stenzel, United Fresh Produce Association  
Kathy Stephenson, Pear Bureau Northwest  
Cathy Burns, Produce Marketing Association