August 1, 2014

Brian Leahy  
Director  
California Department of Pesticide Regulation  
1001 I Street  
Sacramento, CA 95814

Dear Director Leahy,

As follow-up to our January 27 letter, the undersigned 60+ groups are writing to express strong concern about the lack of meaningful action, or commitments, to reduce chlorpyrifos exposures in California. The Department of Pesticide Regulation’s (“DPR’s”) unwarranted, and decade-long, delay in the re-evaluation of chlorpyrifos, despite scientific evidence of harm to California’s children and farmworkers, is unacceptable. In order to fulfill its mandate to ensure the safety of pesticides used in California, DPR cannot continue to ignore the science and must reduce chlorpyrifos exposures for California’s most vulnerable.

**DPR’s Extensive Delay Has Resulted in Ongoing Exposures and Risks for California’s Children**

Among other significant health impacts, previous studies have shown chlorpyrifos is a suspected endocrine disruptor with profound impacts on neuro-endocrine systems and that prenatal exposure has negative impacts on neurodevelopment, such as perceptual reasoning, working memory and intellectual development in 7-year-old children. The urgency for DPR to complete its own risk assessment and re-evaluation has become even more evident as new studies shed additional light on the hazards chlorpyrifos poses, especially to children:

- In June, U.C. Davis released its “Childhood Autism Risks from Genetics and Environment (CHARGE)” study, documenting that children whose mothers lived within one mile of fields treated with organophosphate pesticides, including chlorpyrifos, during their pregnancies were 60 percent more likely to have autism than children whose mothers did not live close to treated fields. The children of women who lived near fields treated with chlorpyrifos in their second trimester were 3.3 times more likely to have autism.

- In April, the California Department of Public Health issued its report “Agricultural Pesticide Use Near Public Schools in California,” which found chlorpyrifos to be the eighth most common highly hazardous pesticide used within ¼ mile of public schools in the 15 California counties studied. This analysis found that, in one year, 7,769 pounds of chlorpyrifos were applied within a quarter-mile of 438 schools, putting tens of thousands of students at risk.
On top of dietary exposure, both studies indicate the significant additional risk faced by children living in agricultural areas and the environmental injustice of continuing to use this pesticide in agriculture. DPR’s own recent air-monitoring data shows the frequent detection of chlorpyrifos in the air in agricultural areas of California. It was the pesticide with the highest number of detections (32%) in 2011 Air Monitoring Network data. DPR’s water monitoring data from 2011 showed that chlorpyrifos was detected in 441 (17.7%) of 2,495 water samples collected, with 248 samples exceeding the target concentration used of 0.04 ug/L.

Relying on the U.S. EPA’s Risk Assessment Will Lead to Unacceptable Delay and Inadequate Protections for California’s Most Vulnerable Populations

According to law, DPR should have completed its 2004 chlorpyrifos re-evaluation within two years. Ten years later, the department has allowed the re-evaluation process to languish and still has no timeline for completion. Considering the recently-released scientific studies documenting harm to California children and pregnant women from chlorpyrifos exposure under currently allowable conditions, continued delay is unacceptable. We call on DPR to continue to show its leadership in protecting children and complete the re-evaluation of chlorpyrifos in 2015.

DPR’s decision to scrap a California-focused assessment in favor of relying on US EPA’s risk assessment has contributed to delay and could result in inadequate protections for children. We share concerns raised by DPR and the Office of Environmental Health Hazards Assessments (OEHHA) that U.S. EPA’s Preliminary Risk Assessment did not adequately account for the increased vulnerability of the developing brain to chlorpyrifos. We concur with DPR and OEHHA recommendations that early-life vulnerability to chlorpyrifos must be accounted for in the risk assessment, and that risk assessments based on cholinesterase inhibition without the 10X FQPA “safety” factor are inadequate. In order to ensure protections for California’s children, DPR must complete a California-focused assessment, which reflects the unique nature of California agriculture, taking into consideration the state’s extensive ag-residential interface and particularly labor-intensive crops.

Existing law Compels DPR to Complete Risk Assessment

Given the strong weight of evidence demonstrating the high possibilities of reduced IQ, permanent neurodevelopmental impacts, reduced birth weight and compromised mental capacity in children due to exposure to chlorpyrifos, as well as DPR’s own data detecting chlorpyrifos in California’s air and water, the California Birth Defects Prevention Act (Food and Ag Code) becomes applicable. Under this law if a pesticide product containing the active ingredient presents significant adverse health effects, including reproductive effects, birth defects, or infertility abnormalities, the department must take cancellation or suspension action against the product pursuant to Section 12825 or 12826 of the Act. We urge that this law be fully considered and actions taken in accordance with its requirements.

In light of the frequency of chlorpyrifos found in California’s air and water, its persistence in dust and as a residue on food, and its disproportionate impact on children of color in low-income agricultural communities, we call on DPR to fulfill its legal obligations to protect all of California’s children. DPR must lay out a clear roadmap for strong and meaningful actions to reduce, and ultimately eliminate, exposures to this dangerous pesticide in California. This must include:

- Immediately completing its own risk assessment.
• Committing to a timeline for completing the re-evaluation such that it is finalized by the end of 2015.
• Designating chlorpyrifos a restricted use pesticide while recommending that County Agricultural Commissioners adopt the following permit conditions:
  o A ban on aerial and air blast applications of chlorpyrifos.
  o Creation of sufficiently large buffer zones of at least one mile, if not more, (based on the health effects the CHARGE study found just shy of one mile), to ensure they’re health protective for the most vulnerable populations, including children and pregnant women.
• Working with the University of California Integrated Pest Management Program to support growers’ transition to effective agroecological pest management alternatives to chlorpyrifos, including non-chemical alternatives for crops such as citrus, broccoli, alfalfa, almonds and cotton, where such alternatives are not yet identified.
• Ultimately, canceling all remaining uses of chlorpyrifos.

We respectfully request a timely response to this letter.

Sincerely,

Tracey Brieger and Sarah Aird
Co-Directors
**Californians for Pesticide Reform**

Pamela Miller
Executive Director
**Alaska Community Action on Toxics**

Laurie Gregg, MD
ACOG District IX Chair
**The American Congress of Obstetricians and Gynecologists, District IX**

Tom Frantz
President
**Association of Irritated Residents**

Samantha McCarthy
Coordinator
**Better Urban Green Strategies**

Lisa Arkin
Executive Director
**Beyond Toxics**

Nourbese Flint
Program Manager
**Black Women for Wellness**

Jeanne Rizzo, R. N.
President & CEO
**Breast Cancer Fund**

Nan Wishner
Board Member
**California Environmental Health Initiative**

Anne Katten
Work Health and Safety Specialist
**California Rural Legal Assistance Foundation**

Ronald White
Director of Regulatory Policy
**Center for Effective Government**

Caroline Cox
Research Director
**Center for Environmental Health**

Caroline Farrell
Executive Director
**Center on Race, Poverty & the Environment**
Cesar Campos  
CCEJN Coordinator  
**Central California Environmental Justice Network**

Hazel Davalos  
CAUSE Santa Maria Organizer  
**Central Coast Alliance United for a Sustainable Economy**

Kathleen Curtis, LPN  
Executive Director  
**Clean and Healthy New York**

Andria Ventura  
Toxics Program Manager  
**Clean Water Action**

Renee Nelson  
President  
**Clean Water & Air Matter**

Bill Magavern  
Policy Director  
**Coalition for Clean Air**

Luis Olmedo  
Executive Director  
**Comité Cívico del Valle, Inc.**

Laurel Firestone & Susana De Anda  
Co-Executive Directors  
**Community Water Center**

Dolores Huerta  
President  
**Dolores Huerta Foundation**

Rebecca Meuninck  
Environmental Health Campaign Director  
**Ecology Center**

Irma Medellin  
Director  
**El Quinto Sol de América**

Judy Braiman  
President  
**Empire State Consumer Project, Inc.**

Colin Bailey  
Executive Director  
**Environmental Justice Coalition for Water**

Bill Allayaud  
California Director of Government Affairs  
**Environmental Working Group**

Natalynne DeLapp  
Executive Director  
**Epic-Environmental Protection Information Center**

Jeannie Economos  
Pesticide Safety and Environmental Health Project Coordinator  
**Farmworker Association of Florida**

Virginia Ruiz  
Director of Occupational & Environmental Health  
**Farmworker Justice**

Adam Scow  
California Campaigns Director  
**Food and Water Watch**

Sarah Sharpe  
Environmental Health Director  
**Fresno Metro Ministry**

Lisa Archer  
Director, Food and Technology Program  
**Friends of the Earth U.S.**

Guadalupe Rosales  
Founder  
**Fuerza Hispana**

Pamm Larry  
Steering Committee Co-Chair  
**GMO Action Alliance**

Luana Conley  
Green Party County Council Member  
**Green Party of Monterey County**
Alexandra Zissu  
Editorial Director  
**Healthy Child, Healthy World**

Claire Barnett, MBA  
Founder and Executive Director  
**Healthy Schools Network**

Kimberly Baker  
Executive Director  
**Klamath Forest Alliance**

Pamm Larry  
Northern California Director  
**LabelGMOs.org**

Mario Talavera  
President  
**Latinos United for Clean Air**

Belita Cowan  
President  
**Lymphoma Foundation of America**

Debbie Friedman  
Co-Chair  
**MOMS Advocating Sustainability**

Cesar Lara  
Executive Director  
**Monterey Bay Central Labor Council**

Miriam Rotkin-Ellman, MPH & Veena Singla, Ph.D.  
Senior Scientist & Staff Scientist  
**Natural Resources Defense Council**

Dave Henson  
Executive Director  
**Occidental Arts and Ecology Center**

Susan Junfish  
Director  
**Parents for a Safer Environment**

Maricela Mares-Alatorre  
**People for Clean Air & Water of Kettleman City**

Paul Towers  
Organizing & Media Director  
**Pesticide Action Network North America**

Mike Somers  
Director  
**Pesticide Watch Education Fund**

Martha Dina Argüello  
Executive Director  
**Physicians for Social Responsibility - Los Angeles**

Robert M. Gould, MD  
President  
**Physicians for Social Responsibility – San Francisco**

Cheryl Rollings  
President/CEO  
**Planned Parenthood of Santa Barbara, Ventura & San Luis Obispo Counties**

Eduardo Guevara  
Executive Director  
**Promotores Comunitarios del Desierto**

Gary Karnes  
Member  
**Safe Strawberry Monterey County Working Group**

Ted Schettler, MD, MPH  
Science Director  
**Science and Environmental Health Network**

Charity Kenyon  
Chair, Policy Committee  
**Slow Food California**

Jim Cochran  
Owner  
**Swanton Berry Farm**

Lynn Carroll, Ph.D.  
Senior Scientist  
**TEDX, The Endocrine Disruption Exchange**
cc:
Matt Rodriquez, Secretary for Environmental Protection, Cal/EPA,
Matthew.Rodriquez@calepa.ca.gov
Marylou Verder-Carlos, Assistant Director, Pesticide Programs Division, CDPR,
MVerderCarlos@cdpr.ca.gov
Ann Prichard, Chief, Pesticide Registration Branch, Pesticide Programs Division, CDPR,
Ann.Prichard@cdpr.ca.gov

iii op cit, Zhang, X et al, 2012.