EPA Reversal of Harmful Pesticide Ban Violated Federal Law, Says Appeals Court

The Environmental Protection Agency under the direction of Scott Pruitt removed a 2012 ban of a harmful pesticide, chlorpyrifos, in 2017, a move that a federal appeals court ruled violated federal law. The 9th U.S. Circuit Court of Appeals in San Francisco has given the government agency 60 days to remove chlorpyrifos from the market. The pesticide is widely used on citrus fruit, apples, corn, wheat, and other crops. It's been proven harmful to children even in small quantities. The government refused to ban the chemical earlier in March this year, but this split decision ruling demands that the EPA finalize that ban. Appeals Court Judge Jed S. Rakoff wrote in the majority's opinion,

> *The panel held that there was no justification for the EPA's decision in its 2017 order to maintain a tolerance for chlorpyrifos in the face of scientific evidence that its residue on food causes neurodevelopmental damage to children…"*

Children at Risk

Chlorpyrifos is one of the leading pesticides listed in cases of pesticide poisonings. In adults, it impairs the nervous system functions and can lead to convulsions, respiratory paralysis, and, in extreme cases, death. Children are especially at risk, as prenatal exposure can lead to health consequences like low birth weight and delayed motor development. Even tiny amounts of the pesticide can lead to

neurological conditions in small children from reduced IQ to loss of working memory and attention deficit disorders. It's been banned from residential use since 2000, and the science supports banning this chemical.

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The pesticide does have an important backer in its corner, though…the manufacturer of the product, Dow Chemical. In spite of the residential ban and the proven toxicity of the chemical, Dow sells roughly 5 million dollars of chlorpyrifos in the U.S. every year. The company maintains that the science identifying their product as a serious health hazard is flawed and inconclusive. This attitude was echoed by Scott Pruitt when he reversed the Obama administration's ban of chlorpyrifos use for food crops in March 2017.

Harmful Patterns

Through all of the turmoil that is the Trump Administration, the EPA has developed some distressing patterns of behavior. The first of these is their desire to eliminate many environmentally friendly programs or regulations, particularly those from the Obama era. These withdrawals are often to the detriment of public health, like reversing this ban, withdrawing from the Clean Air Act, and allowing dangerous pesticide use to continue with little oversight.

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The agency also has a tendency to consider the needs of businesses before they consider the environment. The EPA has gone on the record in the last year saying that glyphosate is not carcinogenic. A statement hasn't been released after the landmark judgment against Monsanto this August, but if business continues as usual, glyphosate will remain "not likely" to cause cancer.

And now the EPA is being called out by an Appeals Court for a chemical that at the very least deserves a closer, objective look. It’s sad to say, but even if this pesticide is removed from use, business will find another to replace it. The EPA will approve it, because business comes first.

Sources:

- *EPA violated law by keeping harmful pesticide on the market, court says* – PBS
- *Chlorpyrifos The toxic pesticide now harming our children and environment* – Earth Justice
- *Trump’s EPA Says Glyphosate Not Carcinogenic To People* – Organic Lifestyle Magazine