

FACT SHEET: AB 468, Assemblyman Al Muratsuchi – 66th District]

Sponsor: California Guild

Co-Sponsors: Non-Toxic Communities and Beyond Pesticides

ORGANIC LANDSCAPE MANAGEMENT PRACTICES

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For more information:

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Bill Summary

- **Assembly Bill 468** aims to promote safer, natural landscape management practices in order to protect California schoolchildren from toxic exposure to synthetic pesticides such as the herbicide glyphosate. According to recent data, In 2016, the California Department of Pesticide Regulation (CDPR) reported 927 unique EPA Registration numbers for pesticide products reported at California schools. (See the following weblink: https://apps.cdpr.ca.gov/schoolipm/school_ipm_law/2016_pur_summary.pdf)
- In 2015 the California DPR reported 178 different active pesticide ingredients were used in California schools, with the probable carcinogen glyphosate and acute rat poison strychnine being the top two most used chemicals.ⁱ
- Under Assembly Bill 468, California schoolsites are required to implement organic landscape management in outdoor places including school playgrounds, turf, and athletic fields, using practices that permit only pesticides considered minimum risk by EPA, or certified organic, such as horticultural soaps and oils. Passage of this law will provide uniform understanding for parents and school employees that toxic pesticides will not be used where children are learning, with the exception of an emergency of child endangerment.

Our Ask

We ask that you please SUPPORT AB 468 (Muratsuchi).

Background

- Under the California Healthy Schools Act of 2000, schools and day care centers are encouraged (but not legally required) to use “effective least toxic management practices” and develop Integrated Pest Management (IPM) plans pursuant to that goal.
- Despite this commendable goal, California schools continue to use pesticides that are hazardous to children’s developing bodies and organ systems.
- According to a California Department of Pesticide Regulation (DPR) (2015 report)ⁱⁱ 58% of pesticide applications occurred outdoors, with roughly 75% during school days.
- Assembly Bill 468 is focused on the outdoor use of toxic pesticides around schoolsites. It does not address pesticide products that may be used indoors.

Improving Protections

- Assembly Bill 468 creates a list of pesticides eligible for outdoor use around schools that is in line with the latest science on the dangers pesticides pose to children. (See **AB 468**, page 3, SEC.2, Article 5, Section 17618 for definitions of Organic Landscape Management Practices.)
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB468

- Also see Beyond Pesticides: “Products Compatible With Organic Landscape Management,” <https://www.beyondpesticides.org/programs/lawns-and-landscapes/tools-for-change/products-compatible-with-organic-landscape-management>
- Eligible products under Assembly Bill 468 would be limited to those that are considered minimum risk by EPA, or certified organic. These are the least-toxic, yet still effective, pest management products on the market, ensuring that children are not exposed to toxic chronic poisons where they learn.
- Minimum risk pesticides are of a characteristic having such low toxicity that products containing these substances can make pesticidal claims without going through the formal EPA registration process.
- Organic products are required to undergo another level of review as part of the organic certification process by an independent board of experts at the National Organic Standards Board, further considering health and safety.
- This legislation de-emphasizes the use of pesticides in favor of organic landscape management practices, but still leaves groundskeepers with a wide range of “tools in the toolbox” to be used as part of an IPM plan.¹

Students, parents, and school employees will now have uniform understanding of what pesticides are permitted for outdoor use at any particular school in the state. Toxic pesticides would be permitted only in the event of an emergency situation defined within the legislation.

Why Update the Law? Health Effects of Pesticides to Children

- In 2012 the American Academy of Pediatrics (AAP) called for governments to reduce children’s exposure to pesticides. AAP wrote that scientific evidence “...demonstrates associations between early life exposure to pesticides and pediatric cancers, decreased cognitive function, and behavioral problems.”²
- Children take in more pesticides relative to their body weight than adults and have developing organ systems that are more vulnerable and less able to detoxify harmful chemicals.³
- Young infants and toddlers exposed to herbicides within their first year of life are 4.5 times more likely to develop asthma by the age of five, and almost 2.5 times more likely when exposed to insecticides.⁴
- Children with elevated levels of commonly used pyrethroid insecticides, often applied to manage ants and other common schoolyard pests, are more likely to have emotional and behavioral problems.⁵ Boys with detectable urinary 3-PBA, a biomarker of exposure to pyrethroids, are three times as likely to have ADHD compared with those without detectable 3-PBA.⁶
- Of the 30 most commonly used lawn pesticides (See footnote #7), 16 are possible and/or known carcinogens, 17 have the potential to disrupt the endocrine (hormonal) system, 21 are linked to reproductive effects and sexual dysfunction, 12 have been linked to birth defects, 14 are neurotoxic, 25 can cause kidney or liver damage, and 26 are sensitizers and/or irritants.⁷

Tracking State and Local Reform

- In 2007, Connecticut expanded pesticide prohibitions for schoolchildren, updating legislation that originally only required school IPM programs to be put in place. New requirements limit outdoor pesticide use to products considered minimum risk or designated as biopesticides by EPA on school playing fields and playgrounds up to

¹“2015 California School and Child Care Pesticide Use Summary Report, California Department of Pesticide Regulation, https://apps.cdpr.ca.gov/schoolipm/school_ipm_law/2015_pur_summary.pdf

² American Academy of Pediatrics. 2012. *Pediatrics*. peds.2012-2757; DOI: 10.1542/peds.2012-2757 <http://pediatrics.aappublications.org/content/early/2012/11/21/peds.2012-2757>

³ US EPA, Office of the Administrator, Environmental Health Threats to Children, EPA 175-F-96-001, September 1996. See also: <http://www.epa.gov/pesticides/food/pest.htm>.

⁴ Salam, M.T., et al. 2004. Early Life Environmental Risk Factors for Asthma: Findings from the Children’s Health Study. *Environ Health Perspectives* 112(6): 760. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1241973/>

⁵ Oulhote, Y and Bouchard, M. 2013. Urinary Metabolites of Organophosphate and Pyrethroid Pesticides and Behavioral Problems in Canadian Children. *Environmental Health Perspectives*. Vol. 121, No. 11-12 <https://ehp.niehs.nih.gov/doi/10.1289/ehp.1306667>

⁶ Schuman, M. et al. 2015. Association of pyrethroid pesticide exposure with attention-deficit/hyperactivity disorder in a nationally representative sample of U.S. children. *Environmental Health*. <https://ehjournal.biomedcentral.com/articles/10.1186/s12940-015-0030-y>

⁷ Beyond Pesticides. 2016. *Environmental Effects of 30 Commonly Used Lawn Care Pesticides*. <http://www.beyondpesticides.org/assets/media/documents/lawn/factsheets/30health.pdf>

grades eight. In 2015, the State again amended the law to include protections from pesticides for all municipal playgrounds in the State.⁸

- In 2010, the State of New York passed the Safe Playing Fields Act. This law prohibits the use of all pesticides on school playing fields and playgrounds save for those considered minimum risk by EPA. It provides for an emergency exemption approval process in the event of a public health emergency.⁹
 - Over 150 communities throughout the United States have passed policies that restrict the use of toxic pesticides, including at least 25 within the state of California. (See : <http://www.nontoxiccommunities.com/cities.html>)
 - More and more school systems are looking towards eliminating toxic pesticide use in light of recent court decisions and liability concerns regarding the herbicide glyphosate, which a jury ruled as the cause of a California school groundskeeper's cancer diagnosis.¹⁰
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⁸ Connecticut General Assembly. 2015. Bill N. 1502. Section 448 (p.563 at line 17579). <https://www.cga.ct.gov/2015/TOB/s/pdf/2015SB-01502-R00-SB.pdf>

⁹ New York State Senate. 2010. SB S4983C. <https://www.nysenate.gov/legislation/bills/2009/s4983/amendment/c>

¹⁰Patrick, Noel, November 2, 2018, "California Man Accepts \$79 Million Award in Roundup Lawsuit, Mother Nature Network (MNN) <https://www.mnn.com/family/protection-safety/stories/dying-man-monsanto-trial-roundup-cancer-risk>