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Supreme Court ready to shore up Big Food; Forbes calls atrazine a 'Top 10 Chemical You Should Worry About'; more...

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Pesticide Action Network Updates Service (PANUPS)

A Weekly News Update on Pesticides, Health and Alternatives
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January 29, 2010

- Supreme Court appears ready to shore up Big Food
- *Forbes*: Atrazine a 'Top 10 Chemical You Should Worry About'
- Nationwide GE food protests in India
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Supreme Court appears ready to shore up Big Food



The U.S. Supreme Court may be positioning itself as a bold actor in national politics. Last week's expansive and controversial ruling, *Citizens United v. Federal Election Commission* (PDF), overturned two precedents from 2003 and 1990 that upheld state and federal limits on corporate spending to oppose or support candidates. In an unusually high-profile confrontation between the court and the executive branch, President Obama characterized the ruling in last night's State of the Union address as "open[ing] the flood gates for special interests." Democratic congressional members have responded to the Court's ruling with a flood of campaign finance bills. Rep. Donna Edwards (D-MD) has proposed a constitutional amendment stripping corporations' personhood for first amendment purposes. It seems unlikely, however, that the amendment will make it through Congress in time for the 2010 election cycle.

"Big Pharma, Oil and Coal will have a heyday with this -- particularly with the 2010 election cycle coming up," commented Pesticide Action Network's Managing Director, Steve Scholl-Buckwald, "What hasn't yet been reported is the particularly alarming window the Supreme Court appears to be opening for Big Food. The pesticide industry alone took home \$38.6 billion in 2007; Biotech reported \$78 billion in revenues the same year. These already-powerful industries are growing and consolidating at a rapid clip and will surely mobilize millions of dollars in time to protect their position as among the most consolidated industry sectors in the world." Scholl-Buckwald noted that the Court has agreed, at Monsanto's pleading, to hear an appeal of the landmark ban on genetically engineered alfalfa. It will be the first GE case taken on by the Supreme Court.

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Forbes: Atrazine a 'Top 10 Chemical You Should Worry About'



Forbes January 21 article, *Industrial Chemicals Lurking In Your Bloodstream*, lists atrazine as among the top ten industrial chemicals "you should worry about." Out of the 86,000 possible chemicals in EPA's inventory, atrazine made the list because, like high profile bisphenol A (BPA), atrazine is an endocrine disruptor. Endocrine disrupting chemicals (EDCs), says *Forbes*, "...are thought to interfere with the body's ability to regulate estrogen or other hormones. When those processes go awry, it can lead to neurological and reproductive defects. Endocrinologists are concerned that these chemicals may be able to cause subtle health problems at doses far lower than the high doses toxicologists typically use to assess safety today." *Forbes* highlights R. Thomas Zoeller, a University of Massachusetts endocrinologist, who says the widespread presence of industrial chemicals in the human population is alarming. "I sincerely hope that what we know from animal research doesn't translate to humans, but I don't have much optimism," he says. Worse yet, he adds, "You're not giving people a choice about

contamination." Such is the case with atrazine, found in drinking water throughout the United States.

Syngenta, the multinational pesticide corporation that produces atrazine, has been aggressively defending the safety of its profitable chemical, despite mounting evidence of harm (PDF) from scientists - and disturbing links to reproductive damage, birth defects, prostate cancer and breast cancer, in particular. According to *Forbes*, "A widely cited study published in the *Proceedings of the National Academy of Sciences* in 2002 found that atrazine exposure at doses 30 times lower than allowed by the EPA caused tadpoles to develop both male and female sex characteristics, turning them into hermaphrodites. It also lowered testosterone levels in adult male frogs below the level found in females." Professor Zoeller notes the paradigm challenge posed by EDCs to traditional toxicological models. "In the past, researchers have studied endocrine disruptors the same way they studied other potentially toxic chemicals: by giving animals ultra high doses and watching for toxic effects. But paradoxically, his research has shown that endocrine disruptors may cause the most harm at relatively low doses. Low doses of the chemical may mimic or disrupt the effects of natural hormones that have potent effects in small amounts. High doses, on the other hand, tend to desensitize the endocrine system, he says." U.S. EPA is re-evaluating the human health effects of atrazine and is expected to publish its results late this year.

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Meanwhile, industry front groups like the [Triazine Network](#) have begun circling the wagons this week in an attempt to protect atrazine from what they ironically term "agenda-driven attacks" on the chemical.

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Nationwide GE food protests in India



Democracy runs rampant across India and an eggplant is to blame. Farmers and activists have been organizing in an attempt to draw a line in the sand - they do not want any more genetically engineered (GE) crops, especially not the kind that end up on plates. A January 30 [nationwide fast](#) has been called to demonstrate this point. Meanwhile, India's central government is holding a series of public meetings across the country in response to such protests over approval last October for commercial cultivation of genetically engineered brinjal (eggplant). According to [IPS News](#), the first public meeting, held earlier this month, ended in a shouting match between India's environment minister Jairam Ramesh, activists, farmers and scientists. Brinjal is the first GE food crop to be approved in India, which grows 14.4% of the world's vegetables. The brinjal seeds in question carry a gene from a naturally occurring soil bacterium, *Bacillus Thuringensis* (Bt), which is toxic to insects. The engineered seeds are a joint venture between Monsanto and the Indian seed company Mahyco. Bt cotton, the only other GE crop

grown in India, was approved in 2001 after intense pressure from the U.S. To date, Bt cotton [failed to deliver](#) on its promise of higher yields and has proven ill-suited to Indian growing conditions. The resulting crop failures and farmer debt have driven mass suicides of Indian cotton farmers. And despite promises to the contrary, [GE crops tend to increase rather than decrease pesticide use](#) (PDF). Critics are accordingly concerned that GE brinjal will bring with it even higher levels of pesticide use. During the same period that Bt cotton has proliferated in India, the country's pesticide market has increased: from US\$20 million in 2004 to \$71 million in 2007.

[Soil Not Oil](#) author, scientist and activist Dr. Vandana Shiva noted the peculiarity of Monsanto/Mahyco's logic in these and other proceedings: "When the company wants to avoid risk assessment and liability, the argument is that the [genetically engineered] plant is 'substantially equivalent to the non-engineered parent organism'. But when it comes to claiming novelty to gain intellectual property rights and patents, the argument turns to 'substantially inequivalent' to the parent organism." Other concerns include the potential for cross-pollination and contamination of non-GE brinjal, a plant considered native to India. Such contamination has occurred to native maize in Mexico. Further, if GE brinjal is introduced into the Indian food system, an estimated 1.15 billion people may be exposed to possible human [health dangers](#). In the Indian state of Kerala, GE organisms are banned entirely, citing "the possibility of systematic monopolization of seed and other resources by a handful of large corporate bodies, to the extent that even future public research is jeopardized and farmers' a priori rights are completely violated."

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Corporate secrecy loophole closed



Last Thursday, the U.S. EPA [announced](#) a significant update to the Toxic Substances Control Act (TSCA), the federal legal framework for regulating toxic chemicals other than pesticides. Previously, under section 8(e) of TSCA, a company had to notify the EPA immediately if a chemical they manufactured, processed or distributed was found to pose substantial risk of injury to human health or the environment. Except that any information that would damage the company's profit – such as the name of the chemical – could be withheld under a claim of Confidential Business Information (CBI). This meant that most reports under section 8(e), including more than half of the studies done in the first eight months of 2009, note the potential harms of a chemical as public information but don't identify which chemical it is.

The new policy, which applies to the approximately 63,000 chemicals that are on the TSCA Chemical Inventory, states that companies may no longer cite CBI as a reason to keep the chemical's identity off of public record. An estimated 17,000 chemicals are currently on the undisclosed list. The [Safer Chemicals, Healthy Families](#) coalition [reports](#) that only 200 of the 86,000 chemicals registered in the U.S. have been required to undergo safety testing by the EPA under TSCA, and 60,000 of them – including bisphenol A, which has been linked to cardiovascular disease, type 2 diabetes and liver-enzyme abnormalities – were grandfathered in without any safety testing at all. EPA said that repealing the CBI clause is only the first of several steps to reform TSCA and increase the transparency of chemical information, and that the move "represents another step to use the agency's authority under the existing TSCA to the fullest extent possible, recognizing EPA's strong belief that the 1976 law is both outdated and in need of reform."

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