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The reason for this cozy relationship between the EPA and industry, say critics, is that many top agency officials once worked for agricultural or pesticide companies. Prior to serving in the EPA's number two position, EPA Deputy Administrator Linda Fisher lobbied for Monsanto, a top agrochemical company. Adam Sharp, associate assistant administrator in the Office of Prevention, Pesticides and Toxic Substances, previously worked for the American Farm Bureau Federation, where he criticized EPA efforts to assess pesticide risks, specifically the application of an extra tenfold safety margin for children. Two-thirds of the highest-ranking officials since the OPPTS was established in 1977 now receive at least part of their paycheck from pesticide interests, according to a report by the Environmental Working Group.

"A pattern of a revolving door between industry and the government creates a cloud of uncertainty in the public mind," says Gina Solomon, a senior scientist at the Natural Resources Defense Council. "Are the regulators protecting farmworkers or are they protecting their associates and friends in the private sector?"

To compound the problem of questionable federal regulations, the EPA has farmed out enforcement to state governments, which are generally more subject to local politics than are federal agencies. For example, in Oregon the legislature recently eliminated funding for a state program that requires farmers to report to the Department of Agriculture each time they spray pesticides. This would create baseline data if poisonings or environmental problems should occur. "I don't believe liabilities exist, because they would have been caught in the incredibly complicated process of registration," says Jeff Kropf, an Oregon State Representative and fifth-generation farmer, who fought to gut the pesticide-tracking program. "We are already highly regulated. It needs to be proven that uses of certain chemicals damage human beings before we go forward with knee-jerk regulation."

Thanks to such political pressure, fewer than five states collect accurate, detailed information about which pesticides are used, where, when and in what amounts. The federal government has no clearinghouse for the information that does exist and no specific policy to direct state efforts. Such limited national oversight coupled with local political pressure means that state agencies have little incentive to enforce the law. Of the 5,405 inspections of pesticide poisoning conducted by state departments of agriculture in 2002, only 102 resulted in monetary fines.

"We're a police agency; we should be out looking for problems, but that doesn't happen. We only conduct investigations when someone files a complaint," says David Zamora, a pesticide specialist with the Washington State Department of Agriculture. Local legislators and grower advocates recently pressured Zamora's boss to fire him because, as one grower put it, he's "overzealous." Still employed, Zamora worries his job may be on the line. "We shouldn't be listening to politics [when] making these regulatory decisions, but I see it happening again and again."

EPA officials insist they are striving to protect workers. The agency has funded several long-term studies, is working to develop a better pesticide-poisoning screening process for doctors and has started to compile state investigations of pesticide exposure. "The program [regulating farmworker exposure] seems to be working," says Jack Neylan, a Washington, DC-based EPA branch chief. "This is not to say that it couldn't be improved and nobody thinks we're there yet, but it's something we will continue to look at and work on."

Still, farmworkers and their advocates say they have little faith left in the EPA. Hope for change, say some advocates, lies with reforming immigration policy to strengthen the political clout of migrant workers. In September, Senators Ted Kennedy of Massachusetts and Republican Larry Craig of Idaho proposed legislation that would give agricultural immigrants rights in federal court and better access to labor unions. It would allow those who have been working at least a year without documentation to apply for temporary legal status and, after three to six more years, permanent residency. Advocates like Davis say such a policy would enable workers to demand greater legal protection from pesticides. Workers like Rios aren't placing bets on the government. Instead, Rios says a safer environment for their children may begin with them. "I want to own a vineyard someday," he says. Then he interrupts himself with a laugh and adds, "an organic vineyard."

About Rebecca Clarren

Rebecca Clarren is a freelance writer living in Portland, Oregon. She is a 2009 Alicia Patterson Fellow. [more...](#)

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