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Lawsuit Seeks EPA Pesticide Data

by Jane Kay

WASHINGTON — The U.S. Environmental Protection Agency is refusing to disclose records about a new class of pesticides that could be playing a role in the disappearance of millions of honeybees in the United States, a lawsuit filed Monday charges.

The Natural Resources Defense Council wants to see the studies that the EPA required when it approved a pesticide made by Bayer CropScience five years ago.

The environmental group filed the suit as part of an effort to find out how diligently the EPA is protecting honeybees from dangerous pesticides, said Aaron Colangelo, a lawyer for the group in Washington.



The U.S. Environmental Protection Agency is refusing to disclose records about a new class of pesticides that could be playing a role in the disappearance of millions of honeybees in the United States, a lawsuit filed Monday charges.

In the last two years, beekeepers have reported unexplained losses of hives - 30 percent and upward - leading to a phenomenon called colony collapse disorder. Scientists believe that the decline in bees is linked to an onslaught of pesticides, mites, parasites and viruses, as well as a loss of habitat and food.

\$15 billion in crops

Bees pollinate about one-third of the human diet, \$15 billion worth of U.S. crops, including almonds in California, blueberries in Maine, cucumbers in North Carolina and 85 other commercial crops, according to the U.S. Department of Agriculture. Not finding a cause of the collapse could prove costly, scientists warn.

Representatives of the EPA said they hadn't seen the suit and couldn't comment.

Clothianidin is the pesticide at the center of controversy. It is used to coat corn, sugar beet and sorghum seeds and is part of a class of pesticides called neonicotinoids. The pesticide was blamed for bee deaths in France and Germany, which also is dealing with a colony collapse. Those two countries have suspended its use until further study. An EPA fact sheet from 2003 says clothianidin has the potential for toxic chronic exposure to honey bees, as well as other pollinators, through residues in nectar and pollen.

The EPA granted conditional registration for clothianidin in 2003 and at the same time required that Bayer CropScience submit studies on chronic exposure to honeybees, including a complete worker bee lifecycle study as well as an evaluation of exposure and effects to the queen, the group said. The queen, necessary for a colony, lives a few years; the workers live only six weeks, but there is no honey without them.

“The public has no idea whether those studies have been submitted to the EPA or not and, if so, what they show. Maybe they never came in. Maybe they came in, and they show a real problem for bees. Maybe they're poorly conducted studies that don't satisfy EPA's requirement,” Colangelo said.
Request for records

On July 17, after getting no response from the EPA about securing the studies, the environmental group filed a request under the Freedom of Information Act, which requires the records within 20 business days absent unusual circumstances.

When the federal agency missed the August deadline, the group filed the lawsuit, asking the U.S. District Court in Washington, D.C., to force the EPA to turn over the records.

Greg Coffey, a spokesman for Bayer CropScience in Research Triangle Park, N.C., said controlled field studies have demonstrated that clothianidin, when used correctly, will not harm bees. He added that all of EPA's requirements for conditional registration of clothianidin have been submitted to the agency.

An EPA spokesman, Dale Kemery, said the agency couldn't comment on the documents required under the conditional registration because the matter is the subject of litigation.

Unusual circumstances

Generally, the EPA has taken the position that the bee deaths occurred under unusual circumstances. In Germany, the corn lacked a seed coating that ensured that the pesticide stuck to the seed, and equipment blew the pesticide into a nearby canola field where bees fed.

The EPA is “reasonably confident” that a bee kill similar to Germany’s wouldn’t happen in the United States because use is restricted to commercial applicators who use stickier coatings, according to Kemery.

But because the stickier coatings aren’t required, Kemery said, the EPA will review its policies on seed-treatment labels.

In California, according to the 2006 Pesticide Use Report Summary, about 3 pounds of clothianidin was used, all on corn. Other members of the neonicotinoid class, registered for a longer period of time, have been used more frequently, including 127,000 pounds on broccoli, grapes, lettuce and oranges. Some pesticides were used in buildings.

“We’ve been monitoring the bee die-off situation for a couple of years, and it’s a complex puzzle that may also involve mites, viruses and other factors,” said Glenn Brank, communications director for the state Department of Pesticide Regulation.

The agency is conducting its own review of environmental data from registered neonicotinoid pesticides as well as watching enforcement reports from counties for any unusual environmental incidents involving bees, he said. None was noted, Brank said.

Scientists presenting at the American Chemical Society national meeting Monday reported that dozens of pesticides had been found in samples of adult bees, broods, pollen and wax collected from honeybee colonies suspected to have died from symptoms of colony collapse disorder, including some neonicotinoids.

Entomologist Gabriela Chavarria, director of Natural Resources Defense Council’s Science Center, said over the years bees have had to withstand devastating problems.

Bees pick up deadly farm and home chemicals when they visit flowers, or encounter chemical drift from aerial and other applications. Fifteen years ago, queen bees imported from China brought varroa mites that attacked broods of worker bees. Microscopic tracheal mites invade the hives.

And now the new pesticide, clothianidin, is another problem, Chavarria said. Scientists must find out whether the toxicity has been sufficiently studied, she said.

“We want this information now. We cannot continue to wait. Bees are disappearing. Our whole existence depends on them because we eat. The flowers need to be pollinated, and the only ones to do it are the bees.”

Colony collapse

Honeybees, which pollinate everything from almonds to apples to avocados, began abandoning their colonies in 2006, destroying about a third of their hives.

Since then, their numbers have not improved. A survey of beekeepers in the fall and winter 2007 by the Bee Research Lab and the Apiary Inspectors of America showed that beekeepers lost about 35 percent of their hives compared with 31 percent in 2006.

Scientists have not pinpointed the cause.

In 2007, Congress recognized colony collapse disorder as a threat and gave the U.S. Department of Agriculture emergency funds to study honeybee disappearances. In addition, the 2008 Farm Bill grants the USDA \$20 million each year to support bee research and related work. And earlier this year, ice cream maker Haagen-Dazs, who relies on honeybees for 40 percent of its flavors, awarded a \$250,000 research grant to UC Davis and Pennsylvania State University to research honeybees.

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12 Comments so far

1. Seaweed August 19th, 2008 12:52 pm

By golly, I think these guys (pesticide producers) are on to something. They may have inadvertently discovered a way to wipe out poverty.....wipe out the poor with pesticides. I'm sure our right wing government will subsidize them heavily. Uh-oh. Wait a minute! We can't completely wipe out the poor. Who will do all the dirty work for all these wealthy assholes if we do? Let's just wipe out half of the poor and make the rest work twice as hard for half as much pay. Bangladesh....Here we come.

2. blueskies10000 August 19th, 2008 1:15 pm

Do I understand correctly that EPA has the manufacturer of a toxin test its efficacy and dangers?

If correct, how do we survive?

3. hello_kitty August 19th, 2008 1:36 pm

When I was a kid, about twenty years ago, I used to look up in the autumn sky and see huge flocks of migrating birds that numbered in the hundreds. Now, I see fewer birds and fewer insects for birds to feed on. I see fewer honeybees and more yellow jackets and exotic invasive species. It's depressing.

4. zaz August 19th, 2008 1:43 pm

Organic bee keepers have reported that they're bees have not been affected by colony collapse. Don't screw with Mother Nature !!!

5. OleManRiver August 19th, 2008 1:56 pm

Boycott Bayer.

6. wilmoor August 19th, 2008 2:11 pm

Nothing surprising about them refusing to disclose their records. After all, isn't the head of that agency another hand-picked choice of gwb, and therefore able to crap on the rule of law, and spit on anyone asking for answers?

7. Amused August 19th, 2008 3:29 pm

The slate must be washed clean. Everything is corrupted and poisoned under the rule of Bush. There is no hope with this criminal administration. The slate has to be washed clean.

8. revengegirl August 19th, 2008 3:29 pm

My backyard is full of honey and bumble bees because I removed my lawn and driveway and let the space be taken over by mint, clover and weeds. I use only organic compost, and plant sunflowers to keep the weeds down. The bees love it here. I've only been stung once in two years. The only real expense is the water bill!

I suggest this strategy for those who love the bees.

9. andersdl August 19th, 2008 3:38 pm

Plant drought resistant plants that flower, revengegirl, and your bees

will proliferate and your water bill will be reduced. It will be a lot of work in the short run, but worth the effort in the long run.

10. FrederickJohnson August 19th, 2008 3:39 pm

As long as you keep supporting BIG GOVERNMENT, Big Agri will keep winning and the bees will keep LOSING, DUH !!

11. Stonetool August 19th, 2008 3:48 pm

Hellow_kitty wrote:

“When I was a kid, about twenty years ago, I used to look up in the autumn sky and see huge flocks of migrating birds that numbered in the hundreds. Now, I see fewer birds and fewer insects for birds to feed on. I see fewer honeybees and more yellow jackets and exotic invasive species. It’s depressing.”

My experience has been the exact opposite..... Growing up in the 60’s I saw a tremendous decline in birds.... The Raptors were in big trouble, vultures in a major decline, magpies nearly wiped out, and various birds such as the sandhill cranes suffered devastating population reductions. It has been a long slow climb, but this area has an abundance of all those birds as well as numerous song birds that were once also suffering major population reductions..... I live in eastern Montana..... Your mileage may vary. We have eagles too numerous to count, we have magpies everywhere, the sandhill cranes are rapidly increasing, I see pelicans flying over, the kingfishers I remember from childhood are on the increase..... to the point that I know their call without having to see them. Kestrels, Marsh Hawks, Great Blue Herons..... And most of all I see the recovery of the turkey vulture. Turkey Vultures and Magpies are species that signal problems in the food chain early on..... They are at the end of the food chain.... eating carrion. Their diet subjects them to the most concentrated of toxins. In the late 70’s when I came here, the numbers of these birds was small.... particularly the vultures. I used to wonder why not carrion eaters..... why no vultures and few magpies. The other day I drove down a country “gravel” road, and a turkey vulture tracked alongside me..... one red eye on me..... floating effortlessly on the wind. I look up and see them in numbers I remember from the early 60’s in Eastern Oregon desert..... circling in the thermals, their distinctive coloration obvious..... the light colored trailing edges of the wings, the distinctive ragged appearance. I look up and I see the distinctive white flashing of black tipped wings as flocks pelicans fly from the Yellowstone river to the reservoirs on the upper Missouri river.... wheeling in close formation, the sun flashing on white wings. I see the Marsh Hawk a harrier.... cruising low over the hay fields and pastures. I hear the redbtail screaming defiance to the world in it’s distinctive voice. The Sandhill crane are a symphony to me.... a cacophony to some... with their strange and raucous cries. I watch them dance their mating dance behind my home..... the crooked

necks of the Great Blue herons make them unmistakable as I see them wing their way up the Sweet Grass..... The stumpy wings and distinctive crest and long beak of the kingfisher flying or sitting on a wire or flying is always a pleasure to behold..... No the bird life is in fact very much on the mend.....here at least.

We must however be on the alert..... insects..... not just the honeybee are the lifeblood of much of what we depend on. We cannot rest..... and must ferret out the threats and eliminate them as they appear. None of us really wants to return to the bad old days of DDT, Dieldrin, Zectran, 245T, and a host of other chemical creations that had unanticipated consequences. I would hope that we learned from DDT soft egg shells.... birds that wouldn't mate, etc... and from Strychnine and 1080 that our chemical toys are not without ripple effects. We must remain on the alert. We must also NEVER forget that insects are not "bad"..... except in a very few instances, but rather they are one of the fundamental steps in the food chain for all life. That if we kill indiscriminately the consequences are often far greater than what they would otherwise be.

Howard

12. revengegirl August 19th, 2008 3:55 pm

Thanks for the advice andersdl. I didn't know what I was doing when I bought this place - I just knew the RV parking lot had to go! I think people can do alot to bring nature back into their yards.

I also think that moving Bee hives around on trucks to pollinate giant orchards has essentially forced bees into the industrial model of production and has added stress to the bee colonies and exposed them to more pesticides. I hear about 10% of bees in these hives die in the move. Perhaps bee keepers help bees too, but I think bees would rather stay near home in a local field, orchard or backyard.

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