



## Chlorpyrifos Proposed Rulemaking Public Hearing Oral Public Comments Received August 19, 2020

**My name is Alex** and I am a resident of Salem. I am a Ph.D. candidate researching issues related to agriculture, ecology and farm labor. First, I want to thank the rulemaking committee for the work that has gone into the creation of these rules and appreciate that they have taken it in the right direction, but I do not think the proposed rules go far enough. Let me start with discussing the dangers of this neuro-toxin. Rose's opening summary suggested that the toxicity of this chemical is debated but having fairly thoroughly reviewed the literature on the topic in my research, I cannot agree with that assessment. "Shelton et al. found that chlorpyrifos can cause abnormal primitive reflexes in newborns; mental and motor delays among pre-schoolers; decreases in working and visual memory, processing speeds, verbal comprehension, perceptual reasoning and IQ in elementary school-aged children. Neonatal exposure has elevated symptoms and diagnoses of attention deficit hyperactivity disorder and autism spectrum disorder." Countless studies both epidemiological and animal models have produced very similar results. The rule would propose protective equipment for applicators which is good, however the EPA findings have said that even with maximum personal protective equipment and engineering controls, everyone who handles the chemical is at serious risk. The proposed rules call for exclusion periods of 4 days as a baseline but the EPA reports that residues on fields remains dangerous for an average of 18 days after spraying. The proposed rules call for buffers of between 60 and 300 feet depending on application methods, but epidemiology studies have found that pregnant women up to 1.5 Km from areas treated with Chlorpyrifos give birth to children with significantly elevated risks of developmental and neurological problems that are directly related to Chlorpyrifos. Lots of people live within 1.5 km of a farm. Even people living in cities and areas like South Salem, lots of people fall within that category. So in other words, the proposed rules are certainly better than the status quo and the weaker regulations we have now, but they just do not live up to the fairly ample body of scientific evidence we have which points to far stricter guidelines being needed. And just a note about farmworkers specifically, it is not just the folks that work on farms that are at risk—a study of orchard workers in Oregon by Butler Doson et.al. found Chlorpyrifos in the carpet of orchard workers homes even very far from their workplaces, so if one person works on a farm, they are going to track it home and their whole family is at risk. Until this pesticide is banned, farmworker families in particular are in danger and their children including unborn children. As numerous EPA studies have shown, everyone who eats food or drinks water is also exposed at unhealthy levels so I really think that it is good that we are taking steps to reduce Chlorpyrifos use and exposure, but the science is very clear that there is not a safe and healthy way to use this. Other jurisdictions that also grow the same specialty crops that Oregon grows, that grow it in the same or greater quantities, have already taken steps to ban this chemical and there is really no reason why we can't do the same thing and protect our families, protect our workers and protect our children. Finally, to respond to something that has come up during this meeting, the lack of definition of what constitutes an emergency, lack of definition of how an emergency would be declared, and especially the geographical and temporal scope of an emergency declaration is a serious concern and leaves the door open to a massive loop hole which could potentially allow the chemical to be used almost at its current levels without serious thought put into what these rules around emergency rules would consist of. Thank you and I yield the balance of my time.

**My name is Sarah,** I live in Salem. I am a member of the Racial Justice Organizing Committee. ODA, as a community member from Salem, I urge you to listen to the voices of farmworkers and others who have suffered greatly from exposure to the toxic pesticide Chlorpyrifos. Stories of mothers miscarrying their babies and of children and adults getting ill are heartbreaking and unjust as these deaths and illnesses could be easily avoided. I strongly support and stand in solidarity with Beyond Toxics in urging the Oregon Department of Agriculture to protect the health of people and wildlife by phasing out all uses of Chlorpyrifos by 2023. It is very important to me that the state of Oregon do all it can to protect the health of all people and to provide the strongest protection. Every day in Oregon children and farmworkers are needlessly breathing, eating and drinking this harmful pesticide. Every day without stronger regulations, Chlorpyrifos is damaging young bodies and minds. Everyday pregnant women are being exposed. Such pre-natal exposure is associated with low birth weight, reduced IQ, loss of working memories, attention disorders, and delayed motor development as well as the threats of miscarriage. Chlorpyrifos also harms the environment we live in--a serious concern to me. It is highly toxic to birds, fish and other aquatic life and must be kept out of local streams. Above ground sprays of the pesticide should be phased out as Chlorpyrifos is very toxic to bees and other beneficial insects. Hawaii, California, New York and Maryland have taken action to ban or severely restrict the pesticide. Oregon should follow their lead. Our state should not put our communities and environment at risk. Please take bold steps to protect all those who call Oregon home by phasing out all uses of Chlorpyrifos in Oregon. Thank you

**My name is Elizabeth** and my career is in social work for the last 5 years. I am also the daughter of immigrant parents and family who work in the agriculture industry here in Oregon. I strongly support this campaign to phase out the use of Chlorpyrifos by 2023 in Oregon. It is a dire necessity in our community. As a social worker who works with the farmworker community, I constantly hear the stories about the chemicals and pesticides they have to use in their work and the traumatizing experiences they have. Many who work in the agriculture industry have mentioned similar experiences of headaches, dizziness, asthma and other side effects which has gotten them sick and ultimately are not been able to return back to work. I have one client in particular who mentioned that she got sick from spraying the pesticide and now she has not been able return to work. Because of that, it is now given to men to take these jobs because they are more willing to take this work. She is considered a liability and she did not just get sick from the pesticide exposure, but she is also now struggling financially to find another job to provide for her family. And that is just at the surface level. There are many others in the same position. It can take them years to find out how much damage it has done to their bodies and their families. This is heartbreaking and we really need to change this. I hope you strongly consider the testimony as to why we need to phase out the use of Chlorpyrifos in Oregon. Thank you

**My name is Maricela** and I'm a daughter of agricultural workers who've worked in the Willamette Valley since the 80's. Growing up, my parents worked very hard to carry our family forward. It's a good job, but physically debilitating and they're exposed to difficult conditions. Like my parents, thousands of other workers are exposed to conditions in the field to provide for their families. They're exposed to dangerous chemicals like chlorpyrifos and other pesticides. It's important that ODA realize the health of the workers and proposes better regulations and practices to ensure that the working environment is just and healthy. She supports the rule to prohibit the use of this pesticide to protect the health of field workers like her father and the lives of thousands of other agricultural workers.

**My name is Angelica** and I've worked in a nursery for 18 years. \*inaudible\* but, her family has 15 years in nurseries in State of Oregon. As agricultural workers, the use of pesticides in the workplace concerns us. I believe that the majority of workers don't know what kind of pesticides they're using. In regard to work sometimes they don't use the right materials to warn workers that an area was sprayed/fumigated. Sometimes there is only tape to prohibit entrance into an area. We also know that irrigation water contains pesticides and other types of chemicals. Sometimes we have to go take care of plants in certain areas, and we don't know what types of risks there are. Some of our colleagues have exhibited skin issues after working with plants that have been watered with irrigation water. The nursery uses chemicals such as Initiate 720, Bravo, Detain, Alban?, and Dursban. It is known that they contain ingredients like chlorpyrifos that can cause cancer. I have a big family and we support the chlorpyrifos regulations, because as lower class workers we're more exposed to the damage this chemical can cause to our bodies and that it can get into our food. Thank You Very Much.

**Hello my name is Daysi Heredia**, I am the owner of a small transportation business. He transports fruits and vegetables, and organics. Many times they don't tell us what we're transporting. They don't give us any information on how to transport the produce so that we don't contaminate the organic produce. There is no preparation for "inaudible", or papers that describe what kind of pesticides or chemicals are present when they transport produce to California, and here comes produce for human consumption and we have products that are very delicate to receiving any pesticide residues. We bring plants that are practically fumigated with pesticides and we don't know about it. They never let us see what pesticides they used. It's really a shame that we may be transporting contaminated products. It's really a shame what's happening. There's another point of view there are contractors that have a group of people that work in the field, and you would need to give information to them to educate them so that they can say to the workers: "here are certain pesticides" so that they're better able to protect the workers, because they're going place to place and they don't know what they're working in. They have to protect them. It's a shame that this is happening. That is my testimony, thank you. Did not indicate whether or not in favor, but seems to support and want additional regulations.

**My name is David Chatfield** and I serve on the Board of Directors of Oregon Physicians for Social Responsibility. I have worked on pesticide problems in California for many years, for the last 15 years primarily with farmworkers, children and communities on the fence line whose families, homes and water were contaminated with pesticides including Chlorpyrifos. Kids were sprayed by aerial application of pesticides while waiting for school buses, accidental sprays around schools, and on their homes. Many of these folks became sick. Farmworkers and rural communities battle for buffer zones around their homes and fields where they work and near their kids schools. The Chlorpyrifos ban in California has greatly aided with several victories on buffers that those communities have won. This is clearly a pressing health issue for these workers, children and fence line communities. After some years of work, California outright banned Chlorpyrifos use. They established a state level working group to look at sustainable alternatives. These rules proposed in Oregon are headed generally in the right direction. It is now Oregon's turn to phase out this dangerous organophosphate. A great deal of hard evidence indicates that Chlorpyrifos is a known carcinogen and neurotoxin, particularly harming children and farmworkers. Chlorpyrifos is used in huge quantities and it is an important ethical step to phase it out to zero. In particular, all uses of the pesticide must be phased out including granular broadcast and granular use of any kind, no exceptions. The broadest

possible definition of sensitive sites should be implemented without delay. Buffer zones should be immediately 500 feet for air blast sprays and aerial applications near schools, fields, residential areas and waterways. Longer re-entry wait times for workers are a good start in the proposed rules; they should be longer. Waterways, particularly any used for or connected to drinking water must be protected by strong buffer zones. All aerial sprays should be restricted immediately. In the long run, Chlorpyrifos is bad for all agriculture. It has significant toxicity for beneficial insects and earthworms that are essential elements of healthy soils. As this process continues, I urge ODA to look at the work being done by the state of California on alternative approaches to use of Chlorpyrifos. An access link to this information is in my written testimony which I will send in soon. Thank you very much for the opportunity to comment during the rulemaking period. A big thank you to the group that has worked on this to get this far. Thanks very much.

**My name is Ana Martinez.** I'm 46 years old. I've worked in the field for a large part of my life. She has family that works in the field. We know of this type of pesticide, it's difficult to say \*inaudible\* I've had family with headaches and dizziness and things like that. You want to imagine what's going to happen, how to teach about these types of pesticides, like when you get back to the house, you have to take off and wash your clothes outside on the patio because you can't allow these pesticides inside. I think it's important to take measures against its use for health. We're an immigrant family of agricultural workers. I don't like that my grandchildren... This pesticide is bad for your health and body. For the love of my grandchildren and family I ask for your favor: prohibit this type of pesticide. She supports it. Thank you

**Tomás Bartolo** providing testimony on behalf of Maria Luisa Patino who couldn't be here today. Dear Oregon Department of Agriculture, I work in a grass seed operation many years in Oregon. As a field worker, I'm always exposed to pesticides, and we're not given adequate personal protective equipment when dangerous pesticides like chlorpyrifos are being sprayed. We know that the pesticides are being used to control pests. When they go to spray pesticides, they move from one place to another, and the wind brings pesticides to where people are working. We have experienced symptoms such as headaches, nausea, and other symptoms. We need strong regulations that protect workers. I support the prohibition of chlorpyrifos-containing pesticides in Oregon.