
Pesticides panel drops plan for check-ins with neighbors

[By Kent Ward](#)

State regulators on Friday scrapped a proposal that would have required farmers to check in annually with neighboring landowners about whether they want to be informed about aerial application of pesticides.

Maine's Board of Pesticides Control still will push forward with a plan to create a statewide registry of people who want to be notified if pesticides are sprayed nearby. But the board took some of the burden off farmers who, under the original plan, would have been required to make the initial contact with landowners within 1,000 feet of the area to be sprayed.

"I still think it is up to the individual to seek out that information," said Charles Ravis, a board member and professor of environmental science and ecology.

The board has been working for about two years to update Maine's regulations regarding aerial spraying of pesticides in order to strengthen protections against exposure to potentially toxic chemicals.

The changes recommended Friday were in response to feedback from farmers and other groups that the logistics of notifying so many neighbors was unreasonably burdensome, especially for larger agricultural operations.

Aerial spraying has received the most attention Down East, where many blueberry growers rely on chemicals to help combat fruit flies and other pests. But the rules would apply anywhere helicopters and planes are used to disperse pesticides in areas where people might be exposed.

Several groups have been pushing for more stringent notification requirements and regulation requirements of aerial spraying, and the Legislature already has heard at least one measure advocating a ban on aerial spraying.

Daniel Simonds, a board member and forestry consultant, said he believes the board has an obligation to find the middle ground to make sure that the public knows it has the right to be notified about pesticide applications without overburdening farmers.

Both the farm industry and advocates for additional restrictions on aerial spraying have supported the creation of a registry — administered by the board — of people who want to be notified of pesticide applications.

A draft version discussed Friday would require that registrants be notified anytime pesticides are applied on the ground within 500 feet of their property and within 1,500 feet for aerial application. The board will continue to work on the draft and is expected to hear public comments on the proposal during a meeting on Jan. 23.

Heather Spalding, associate director of the Maine Organic Farmers and Gardeners Association, said her organization wholeheartedly supported the registry. But Spalding said she and other MOFGA members were "very disappointed" that the board decided to essentially re-write the notification rules after limited discussion on Friday.

"We're a long way from where we want to be," Spalding said. "From my perspective, this is two years of really hard work that has been thrown out of the window in five minutes ... Our feeling is that the onus should be on the people who are spraying these toxins."

BANGOR DAILY NEWS

Letters to the Editor

Uncontrolled pesticides

Friday, January 2, 2009

A California jury awarded \$1 million to an organic farmer whose culinary herb crops were contaminated by organophosphate pesticides drifting from a nearby farm growing Brussels sprouts.

In “Bee Culture” magazine (July 2008), a new type of pesticide is blamed for the massive honeybee losses and many see pesticides as a major if not main cause of colony collapse disorder.

In Maine, the Dec. 19 Board of Pesticides Control ruling on aerial spraying of pesticides threatens our safety. I raise organically grown produce for market and keep bees on our 20 acres. Certain operators do not want us to know what they are spraying or when. They whined and the BPC favored them on Dec. 19, saying it would be “unreasonably burdensome, especially for larger agricultural operations” to annually contact nearby landowners of their intention to do aerial spraying.

A proposed registry of people who want to be notified by the farmers when they will spray won't work. Who will enforce it? The registry will not prevent exposure to toxic drift, residues or destruction of life.

What unsuspecting victim is going to get a lethal dose of toxic spray before the BPC will stand up to the special interests of larger agricultural operations? The BPC is supposed to control pesticides, not give the perpetrators a free pass.

The next BPC hearing is in Waterville, Hampton Inn, on Jan. 23. Will the BPC cave in to special interests again?

Karen Baldauski
Lubec

Pesticides control

Wednesday, January 7, 2009

I share Karen Baldauski's concerns (“Uncontrolled pesticides,” BDN letters, Jan. 2) about the swift retreat staged by the Board of Pesticides Control on Dec. 19 in response to objections of inconvenience raised by some pesticide applicators. These particular changes would have required applicators to provide notification of aerial spraying adjacent to people's homes. I fear further watering down of the board's other modest proposals at their next meeting.

However, I think it is naive to expect much else, given that the BPC is the creation of the agriculture industry. Any and all changes that the board proposes have to be approved by the Legislature's Joint Standing Committee on Agriculture, Conservation and Forestry, and it would be hard to find a less open-minded group than that on the subject of pesticide use.

The way forward for those of us that care about this issue is for the BPC to be housed where it logically belongs — within the Department of Environmental Protection. Only then can the health and well-being of all the residents of Maine be truly and equally represented.

All it would take to start the process would be enough letters to the governor and to legislators to demand this change.

Peter Aldridge
Hatch Knoll Farm
Jonesboro

Court Cancels EPA Clean Water Act Exemption for Pesticides

CINCINNATI, Ohio, January 7, 2009 (ENS) - Environmental groups today celebrated their victory as an appeals court vacated a U.S. Environmental Protection Agency rule that has allowed pesticides to be applied to U.S. waters without a Clean Water Act permit.

On November 27, 2007, the EPA issued the final rule, which states that pesticides applied in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA, are exempt from the Clean Water Act's permitting requirements.

The Clean Water Act regulates the discharge of pollutants into the nation's waters by, among other things, requiring entities that emit pollutants to obtain a National Pollutant Discharge Elimination System, NPDES, permit.

For nearly 30 years before adoption of the rule, pesticide labels issued under the FIFRA were required to contain a notice stating that the pesticide could not be "discharged into lakes, streams, ponds, or public waters unless in accordance with an NPDES permit."

Two different groups of petitioners, one representing environmental interest groups and the other representing industry interest groups, for different reasons opposed the rule as exceeding the EPA's interpretive authority.

The EPA defends the rule by arguing that the terms of the Clean Water Act are ambiguous and that the rule is a reasonable construction of the Clean Water Act.

In their decision, a three-judge panel of the 6th Circuit Court of Appeals wrote, "We cannot agree. The Clean Water Act is not ambiguous. Therefore, we hold that the EPA's Final Rule is not a reasonable interpretation of the Act and vacate the Final Rule."



This farmer sprays his vegetables with pesticide from a boat. (Photo by the [Guo Project](#))

"The decision today is a victory for clean water, and for fish and wildlife," declared Charlie Tebbutt, Western Environmental Law Center attorney and lead counsel for the environmental organizations and organic farms that challenged the rule.

The organizations bringing the case include Baykeeper, National Center for Conservation Science and Policy, Oregon Wild, Saint John's Organic Farm, Californians for Alternatives to Toxics, California Sportfishing Protection Alliance, Waterkeeper Alliance, Environment Maine, Toxics Action Center, Peconic Baykeeper and Soundkeeper.

"This decision is another in a long line of rebukes to the Bush administration policies that overstepped their statutory authority and to the chemical manufacturers who peddle their poisons

without concern to the effect on human health and the environment," said Tebbutt. "We look forward to working with the new EPA to protect the environment rather than the chemical industry."

The industry petitioners were the Agribusiness Association of Iowa, BASF Corporation, Bayer CropScience, CropLife America, Delta Council, Eldon C. Stutsman, Inc., FMC Corporation, Illinois Fertilizer & Chemical Association, The National Cotton Council of America, Responsible Industry for a Sound Environment, Southern Crop Production Association, and Syngenta Crop Protection, Inc.

With the intention of broadening the EPA exemption, they argued that the EPA rule is "arbitrary and capricious" because it treats pesticides applied in violation of the FIFRA as pollutants, while it treats the very same pesticides used in compliance with the FIFRA as non-pollutants.

The court denied their claim and ruled that pesticide residues and biological pesticides constitute pollutants under federal law and therefore must be regulated under the Clean Water Act in order to minimize the impact to human health and the environment.

"This decision will help ensure, in communities across the country, that aquatic pests are addressed in ways that protect both water quality and the public health," said Chuck Caldart of the National Environmental Law Center, one of the attorneys representing the plaintiffs.

"We're thrilled by the court's decision - particularly in providing clarity on the aerial applications of pesticides over navigable waters for mosquito control," said Peconic Baykeeper Kevin McAllister. "Ensuring that the required discharge permits have been obtained provides for greater protection of our water resources."

"Time and again during these past eight years EPA has walked into federal courts and tried to defend absolutely indefensible rules like the one vacated today," said Waterkeeper Alliance Legal Director Scott Edwards. "And time and again they've been sent back to the drawing board to rewrite these unlawful rules. Hopefully, EPA's days of pandering to industry and other polluters and wasting taxpayers dollars in illegal rulemaking are drawing to a welcome close."

"This is a significant victory for our nation's waters. More than eight million pounds of pesticides are applied each year in the Bay Area alone," said Sejal Choksi, program director for San Francisco Baykeeper. "These toxic chemicals enter our creeks harming numerous species of fish, frog and other aquatic life and will now be regulated under the Clean Water Act."

"Pesticides have been documented as the most pervasive group of toxic pollutants in our waterways. This decision is a significant step forward in protecting and restoring our seriously degraded fisheries," said Bill Jennings, chairman and executive director of the California Sportfishing Protection Alliance.

Steve Pedery, Oregon Wild conservation director, said, "When it comes to toxic pesticides and their effects on our rivers and salmon, we need to be certain that good science is being used and those resources are protected. This ruling is a victory for clean water and fish, and a victory for Americans who care about healthy rivers and streams."



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EU draws closer to finalizing new pesticides law

Thu Dec 18, 2008 3:10pm GMT

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By Jeremy Smith

BRUSSELS (Reuters) - European Parliament negotiators have struck a political deal with EU countries about revising pesticide authorization rules that would reduce the number of crop chemicals on the market, officials said on Thursday.

The changes, to be debated by the full parliament in January and again by EU farm ministers after that, would replace a 1991 law and let groups of countries with similar geography and climate decide whether farmers may use specific products.

But politically, a broad consensus had now been reached that should smooth the way for a final deal to be rubber stamped, probably in the first few months of 2009, officials said.

"This agreement is a milestone for the environment, health and consumer protection in Europe. The EU will set a global precedent by phasing out highly toxic pesticides," German Green MEP Hiltrud Breyer, who is steering the draft pesticides law through Parliament, said in a statement. A list of EU-approved "active substances" will be drawn up, with certain highly toxic chemicals to be banned unless their effect can be shown to be negligible.

If a substance is needed to combat a serious danger to plant health, it can be approved for up to five years even if it does not meet all safety criteria. Products containing hazardous substances will be replaced within three years if safer alternatives are shown to exist.

Pesticides that are currently approved for sale will remain available until authorization expires so there should be no sudden large-scale withdrawal of products from the market.

HAZARD-BASED APPROACH

EU states will be able to authorize pesticides either at a national level or through mutual recognition, with countries to be divided into three zones - north, center and south -- so pesticides can be approved for a region rather than a country. At present, approvals apply only for individual countries.



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Crucially, individual EU countries will be allowed to ban a product, for example because of specific environmental or agricultural circumstances.

Aerial crop-spraying will mostly be banned, with strict conditions placed on pesticide use near aquatic environments and drinking water supplies.

The changes agreed so far will make EU rules primarily a hazard-based, not risk-based, approach. That has annoyed Europe's pesticides industry, which says the new law will remove products from the market that have been used safely for years.

Many EU scientists, for example -- backed by countries like Britain -- are fighting hard against this approach and say fewer available pesticides will lead to resistance problems since pests that are regularly treated with a single product type -- not a range of products -- will inevitably develop tolerance.

This would damage agricultural productivity and make farming of certain crops in Europe uncompetitive, such as wheat and barley, cotton, potatoes and a range of fruits and vegetables, since yields would be reduced.

(Editing by Sue Thomas)

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[New Study Finds That Triclosan Exposure Impacts Thyroid Hormones](#)

(Beyond Pesticides, December 11, 2008) In a recent study, researchers find that triclosan, the antibacterial agent found in many consumer products including soaps, toothpaste, cosmetics, counter tops and toys, alters thyroid function in male rats. These effects are observed at concentrations that may be used in consumer products and highlight the growing threat consumers face from this hazardous and ubiquitous chemical.

The study, entitled, “[The effects of triclosan on puberty and thyroid hormones in male wistar rats](#),” was reviewed by the National Health and Environmental Effects Research Laboratory, the U.S. Environmental Protection Agency (EPA) and approved for publication in *Toxicological Sciences*. Researchers measured blood concentrations of testosterone and several other types of hormones and weighed a variety of organs that are essential for rat development and puberty, including the pituitary gland, the testes, the prostate gland and the liver of male rat pups fed an oral dose of triclosan for 31 days. The purpose of the experiment was to determine what effects triclosan would have on concentrations of thyroid hormones and the onset of puberty.

Results show a dramatic decrease in the thyroid hormone -thyroxine in rats exposed to increasing concentrations of triclosan, as well as significant increases in liver weights. This thyroid hormone is critical for normal development and to a properly functioning metabolism. When the thyroid produces lower than normal amounts of hormones, hypothyroidism occurs and this condition can lead to obesity, goiter, infertility, neurological problems and other serious concerns. Hypothyroidism during early development can change reproductive tract development, hormone concentrations and sexual maturation, including puberty onset. It is unclear whether triclosan acts directly on the thyroid gland to interfere with hormone production. Enlarged livers, observed in the exposed rats, may indicate excessive stress on the liver to remove triclosan from the body. Stressed livers enlarge to accommodate the higher production of the enzymes needed to detoxify substances.

Triclosan is found in a variety of household products and has been detected in human blood, urine and even [breast milk](#). This study’s findings raise further concern for adverse impacts on humans. Although this study used rats, the similarities in how the thyroid systems between rats and humans function raises concerns as to whether people could share the same physiological fate. Conversely, it takes a far greater dose of a chemical to alter a rat’s biology than it would to change a human’s; so although the concentrations evaluated in this study were higher than normal human exposure, it is possible that the low doses that humans are currently exposed to are enough to cause similar problems.

Triclosan’s association with hormone disruption has been documented in [other studies](#) and has also been observed in amphibians. In a recent risk assessment conducted by the EPA for the reregistration of triclosan, the agency, after reviewing this study and others, agreed that there is “evidence that triclosan disrupts thyroid hormone homeostasis and interacts with the androgen and estrogen receptors.”

In [comments](#) submitted to EPA in July 2008 by Beyond Pesticides, Food and Water Watch, Greenpeace US, Natural Resources Defense Council, Sierra Club and dozens of public health and environmental groups from the U.S. and Canada, the agency was urged to use its authority to cancel the non-medical uses of the antibacterial chemical triclosan in order to protect human health and the environment. However, despite these comments and the mounting evidence against triclosan’s safety and efficacy, the agency approved triclosan and triclosan-registered products for reregistration in September. The Reregistration Eligibility Decision (RED) document is open for public comment until December 29, 2008. To view EPA’s documents click [here](#).

TAKE ACTION: Let EPA know that it is not doing all it could to protect public health and the environment from the serious and long-lasting impacts of the continued and unnecessary use of triclosan. Submit your comments at www.regulation.gov using docket number ID number EPA-HQ-OPP-2007-0513 no later than December 29, 2008. Follow the on-line instructions for submitting comments.

You can also send your comments via mail to the Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

Source: [Environmental Health News](#)

Pesticide mixes: when 1 + 1 does not equal 2

Dec 11, 2008

Laetz, CA, DH Baldwin, TK Collier, V Herbert, JD Stark and NL Scholz. 2008. **The synergistic toxicity of pesticide mixtures: implications for risk assessment and the conservation of endangered Pacific salmon.** Environmental Health Perspectives doi: 10.1289/ehp.0800096.

Synopsis by Abby D. Benninghoff, Ph.D.

A mix of two pesticides had greater toxic effects on exposed salmon than would be expected from one separately, adding to concerns that health risks from pesticides are underestimated.

Risk assessment tests determine how dangerous chemicals are and if they should be regulated. They are usually done one compound at a time. However, most pesticide exposures in the natural world involve multiple chemicals that interact with each other and with living things.

In this study, scientists in Washington state looked at the effects of organophosphate and carbamate pesticides on juvenile coho salmon.

The fish were treated with several different combinations of the two pesticides. The activity of a brain enzyme called acetylcholine esterase (AChE) was measured to assess the total toxic effect. Pesticides target this enzyme to cause neurological damage.

Many of the combinations caused greater toxicity than was predicted mathematically using data generated from individual chemical exposure tests. Results like these with phthalates have just led the National Resesarch Council to recommend to the EPA that it change its risk assessment methods to reflect cumulative exposure to chemicals.

Agencies that develop regulations for pesticide use generally rely on data from studies using single chemicals. The new data provide more evidence that standards that rely on results from single chemical tests may greatly underestimate the actual risk of exposure to multiple pesticide pollutants.



High Pesticide Levels Found In Fruit-based Drinks In Some Countries Outside U.S. - Analytical Chemistry Journal

11 Dec 2008

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In the first worldwide study of pesticides in fruit-based soft drinks, researchers in Spain are reporting relatively high levels of pesticides in drinks in some countries, especially the United Kingdom and Spain. Drinks sampled from the United States, however, had relatively low levels, the researchers note. Their study is scheduled for the December 15 issue of ACS' *Analytical Chemistry*, a semi-monthly journal.

In the report, Antonio Molina-Díaz, Amadeo Fernández-Alba and colleagues note that strict regulations limit pesticide levels in fresh fruits, vegetables, and drinking water. However, regulators have paid less attention to the presence of pesticides in soft drinks made from fruits. Scientists are increasingly concerned about the possible impact of pesticide-containing fruit juices on the health of children, who tend to consume large amounts of such soft drinks, they add.

The scientists used a sophisticated lab test to measure levels of a wide range of common pesticides in more than 100 fruit-based soft drink samples from 15 different countries. They tested for pesticides such as carbendazim, thiabendazole, and imazalil, and malathion, which are applied to crops after harvest and can remain on fruits and vegetables during processing. They found relatively large concentrations of pesticides, in the micrograms per liter range, in most of the samples analyzed. Samples from Spain and the U. K. had the highest levels of pesticides, while samples from the U. S. and Russia were among the lowest. "Steps should be taken toward the removal of pesticides in these beverages by changing the way they are manufactured," the researchers conclude.

"Determination of Pesticide Residues in Fruit-Based Soft Drinks"

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January 14, 2009**EDITORIAL**

Getting the Bed Bugs Out

Complaints about bed bugs in New York City are rising steadily. As any health official can attest, the only good thing about these nighttime pests is that they don't seem to cause disease. That doesn't count panic attacks and the outsize frustration for residents who try to get help from a maze of local and state bureaucracies.

There are a lot of agencies that do a little about bed bugs, but nobody that can help with the whole shebang. The city health department has some information. The housing people can come take a look. The state controls the pesticides, although not well enough to advise homeowners what works and who exterminates carefully.

Gale Brewer, a member of City Council, has been trying for years to get help for any family under attack. After sleepless nights and days spent covered in calamine lotion, these exhausted people need a one-stop link or telephone line to guide them, she rightly argues.

Until that happens, Ms. Brewer is on a campaign to warn people against bringing home used furniture and clothes. This, of course, goes against a very old New York City tradition — redecorating the apartment with somebody else's recycled furniture. Too often, however, that free daybed on the sidewalk brings along a small army that will cost thousands of dollars to defeat.

In Boston, officials began giving out fluorescent orange stickers — with a picture of the dreaded bed bug — to warn against taking home overstuffed trash. Other cities have established bed bug task forces to help fight invasions in homes, hotels and hospitals.

Unfortunately, Mayor Michael Bloomberg, who has done much on other quality-of-life issues, has not made bed bugs a big deal. We hope Ms. Brewer, other Council members and state lawmakers — and the mayor — will press for better training and more rigorous certification of exterminators, more public education about these pests, tougher standards for used furniture and a task force to figure out how to stay ahead of an army that seems to be growing every year.

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-----Original Message-----

From: NANCY ODEN [mailto:cleaneearth@verizon.net]
Sent: Monday, January 19, 2009 11:54 AM
To: Jennings, Henry
Subject: Please print out and give to Board

Henry - This is another warning about the dangers of pesticides. There is scant evidence that the Maine Pesticide Control Board, individually or as a group, cares even a whit about the health of people, animals, fish, or our forests, but they at least should be informed as to what they're allowing to happen. Also, please be certain to include the names of the prominent people (below article) who are supporting this ban.

Please put this print-out into their folders at the next meeting, and put it as an item on the Agenda. I don't know if I'll be able to attend - winter and other exigencies - but I most emphatically want them aware of what they're doing to all of us.

Thank you..... - Nancy Oden, Jonesboro

Press Release, January 19, 2009
Coalition against Bayer Dangers

Take Glufosinate off the Market immediately!
Bayer's herbicide among 22 most dangerous substances / Coalition also demands ban on glufosinate-resistant plants

The Coalition against Bayer Dangers demands an immediate ban on the herbicide glufosinate and a suspension of all approvals of glufosinate-resistant crops. European Parliament members voted last week to ban pesticides classified as carcinogenic, mutagenic or toxic to reproduction. Permits for 22 substances, among them glufosinate, will not be renewed.

Philipp Mimkes from the Coalition against Bayer Dangers: "Pesticides such as glufosinate that have been proven hazardous for operators, consumers and the environment must be removed from the market straight away. The EU ban on glufosinate must also have consequences for the approval of GM crops: no more permissions for glufosinate-resistant plants must be granted in the European Union!"

Bayer CropScience, based in Germany, sells glufosinate under the trademarks Basta and Liberty. The substance is one of the best-selling herbicides in the world, with sales in 2007 of ? 241 million. Bayer is currently expanding glufosinate production capacity in Germany.

A European Food Safety Authority (EFSA) evaluation states that glufosinate poses a high risk to mammals. The substance is classified as reprotoxic, with laboratory experiments causing premature birth, intra-uterine death and abortions in rats. Japanese studies show that the substance can also hamper the development and activity of the human brain. The new EU regulation declares a ban on all CRM (carcinogenic, reprotoxic and mutagenic) pesticides from categories I and II. Glufosinate is classified as falling in reprotoxic category II. Already in 2006 Swedish authorities demanded an EU-wide ban.

In the U.S. and Latin America the ingredient is widely used as a "super herbicide" for genetically modified crops, mainly on rapeseed, maize, soy bean, cotton, rice and sugar beet. Bayer requested EU approval for several glufosinate-resistant plants, among them a

genetically altered rice (LL Rice 62). In 2006 a similar rice (LL Rice 601) that was never approved was found in food supplies across the world and led to the largest GM contamination scandal so far.

The Coalition against Bayer Dangers also demands that BAYER publishes all studies on pesticides and chemicals. Jan Pehrke from the Coalition said:

"Industry must not be allowed to hide unwelcome information. Full public access to health and environmental data about substances that are released into the environment and used on our food is necessary."

For more information:

Coalition against BAYER Dangers

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