



THE GENERAL COURT OF MASSACHUSETTS
STATE HOUSE, BOSTON 02133-1053

May 10, 2023

Representative Daniel Cahill, Chair
Joint Committee on Environment and Natural Resources
State House, Room 527A
Boston, MA 02133

Senator Rebecca Rausch, Chair
Joint Committee on Environment and Natural Resources
State House, Room 218
Boston, MA 02133

Dear Chair Cahill and Chair Rausch,

We write to you in support of our sponsored bill, H.811, *An Act relative to improving pesticide protections for Massachusetts schoolchildren*. This legislation would narrow the list of acceptable pesticides for use on outdoor grounds of any school, childcare center, or school age childcare program in the Commonwealth. Only pesticides considered minimum risk by the U.S. Environmental Protection Agency (EPA) and those permitted for organic use will be allowed, except in the case of a health emergency when school officials could apply for a waiver.

H.811 is modelled after successful laws in [Connecticut](#) and [New York](#). In essence, this bill requires that pesticides be proven safe before being permitted, rather than proven unsafe before being banned from use. The Commonwealth's current statute governing this issue uses EPA lists that classify pesticides based on the strength of evidence that a substance may be harmful (i.e. carcinogenic or toxic), not the potential for risk to the general public. For example, permitted pesticides such as Glyphosate may impart a substantially greater health risk to more people than a substance like Isophorone which is currently banned, yet there is a greater certainty about the risk associated with the latter. As a result, potentially enormously damaging pesticides are permitted for use on the lawns where our children play during recess.

The Commonwealth ought to be more risk averse given the heightened risk that children face from pesticide exposure. Children take in more pesticides relative to their body weight than adults and have developing organ systems that are more vulnerable and less able to [detoxify harmful chemicals](#). For example, children with elevated levels of commonly used pyrethroid insecticides, often used on ants and other schoolyard pests, are [more likely to have emotional and behavioral problems](#). Boys with detectable urinary 3-PBA, a biomarker of exposure to pyrethroids, are [three times as likely](#) to have ADHD than those without detectable 3-PBA.

In 2012, [the American Academy of Pediatrics \(AAP\)](#) called for governments to reduce children's exposure to pesticides, writing that scientific evidence "demonstrates associations

between early life exposure to pesticides and pediatric cancers, decreased cognitive function, and behavioral problems.” This risk is exacerbated by the fact that of [the 30 most commonly used lawn pesticides](#), 16 are possible and/or known carcinogens, 17 have the potential to disrupt the endocrine (hormonal) system, 21 are linked to reproductive effects and sexual dysfunction, 12 have been linked to birth defects, 14 are neurotoxic, 25 can cause kidney or liver damage, and 26 are sensitizers and/or irritants. Shielding our communities and children from these damaging pesticides ought to be a public health priority.

Another benefit to strengthening the Commonwealth’s pesticide protections is greater regulatory consistency. The status quo regulations largely leave choices about which pesticides to use to local facilities and municipalities. This means that kids in one town may face much higher exposure to a substance like glyphosate than their friends in a neighboring town. Such differences mean that parents often lack information or knowledge about the substances used on their school yards or childcare centers.

The criteria proposed in H.811 are undoubtedly more strict than current regulations, but they do not pose an overbearing regulatory burden on groundskeepers at schools or childcare centers. Many districts and municipalities already exclude harmful pesticides from their integrated pest management (IPM) plans. [Over 150 communities](#) throughout the United States have passed policies that restrict the use of toxic pesticides, including nine within the state of Massachusetts. Grounds can often be managed without reliance on conventional pesticides through proper maintenance. And to the extent that abandoning toxic pesticides encourages weed growth, this seems an acceptable trade off to protect public health.

Whereas the current rules permit children in the Commonwealth to be exposed to substances such as glyphosate and 2,4-D, this bill would better protect their health. In essence, if the EPA does not know enough about a potentially dangerous pesticide to determine with some certainty whether it is harmful or not – why allow our children to be exposed?

In the 192nd legislative session, this bill was reported favorably by the ENRA Committee. Edited language from this bill was also included in the Senate’s version of Representative Jim Hawkins’ bill, An Act relative to pesticides, passed on the last day of session, January 3rd. The House concurred in the Senate amendment, but both branches failed to enact the bill before the end of the day. This session. Representative Hawkins has refiled the bill as H.825, with the language on school and childcare grounds included. We hope to see a favorable report on both bills from ENR once more.

Sincerely,



Carmine L. Gentile
State Representative
13th Middlesex District



Mary Keefe
State Representative
15th Worcester District