

Maine Board of Pesticides Control

**Miscellaneous Pesticides Articles
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December 14

Maine Gardener: Debate over pesticides' effect on bees coming to Legislature

A beekeeping lawmaker plans to propose a two-year moratorium of the use of neonicotinoids, which some studies have found to be harmful.

By Tom Atwell

Legislators will consider a bill in the coming session to place a moratorium on neonicotinoid pesticides, which some studies have shown to be harmful to honeybees.



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A bee collects pollen from a globe thistle.

Staff file photo by Gregory Rec

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“The Legislative Council approved it for consideration in the short session,” said Rep. Brian Jones, D-Freedom, the bill’s sponsor. “They perceive that it may be an emergency, and I was kind of pleased by that.”

Honeybees, as well as other bees such as bumblebees, are necessary in agriculture because they pollinate crops, which is necessary for the production of most fruits and vegetables.

Neonicotinoids are a broad class of systemic pesticides, meaning that the chemicals are absorbed into the tissue of plants to kill insects harmful to them. But some studies have shown that

neonicotinoids also kill or cause paralysis in many types of bees, and other studies have found that neonicotinoids cause bees to become disoriented, so they can't find their hives.

The studies also have shown that neonicotinoids show up in wax and nectar found in beehives.

However, some studies have shown that neonicotinoids are not harmful to bees at all.

Jones, a licensed beekeeper with six hives, said he is going to propose a two-year moratorium on the use of the pesticides while further research is done.

"The reason I started to explore this is that the European Union created a two-year moratorium last July, because a couple of studies" showed that the pesticides damaged bees, Jones said, and were a possible contributing factor in colony collapse disorder.

Frank Drummond, a University of Maine professor with specialties in blueberry pollination and integrated pest management, said the jury is still out on whether neonicotinoids harm bees.

"Because of that very controversial and contradictory data, a moratorium would not be a bad thing, especially since for a lot of the agricultural industry there are alternatives," Drummond said.

He said he would recommend that money be included to pay for the study of the pesticides' effects on pollinators.

Drummond added that neonicotinoids are a broad range of herbicides, and that some have been shown to be more harmful than others.

Lois Berg Stack, an ornamental horticulture specialist and professor at the University of Maine Extension, said use of the pesticides is very common.

"They are used for a wide variety of pests, both by commercial growers and by the homeowner," Stack said.

She said the pesticides can be used on seeds by people who sprout them to create small plants, and on plants as they're grown to marketable size by commercial growers, and then by those who retail the plants. Each of those steps could be done in various locations and in different states.

"The whole job of record-keeping, where the crops are started and then grown and at the retailer will be a real challenge," she said.

And the neonicotinoids last a long time.

"They are very persistent chemicals in the plant and very persistent chemicals in the soil," she said, "and it would be expensive to test every crop to find out if it had neonicotinoids in it."

All of that means enforcing a moratorium could be difficult.

Drummond said commercial farmers in Maine do not use many neonicotinoids because of the types of crops grown here. He believes the most common use is in home gardens.

Ever since the lily leaf beetle arrived in Maine, I have been advising readers to use Bayer Advanced Rose and Flower treatment on lilies if they can't keep up with the beetles by hand-picking. The main active ingredient in that product is imidacloprid, one of the pesticides that would be banned under the moratorium.

Stack said that Friends of the Earth has released a 33-page report called “Gardeners Beware,” which is available at <http://tinyurl.com/mfpggma>. The report discusses the science of the effect of neonicotinoids on bees and other pollinators, and recommends that home gardeners buy organic plants grown without neonicotinoids, and that they stop using them in their own gardens.

Tom Atwell has been writing the Maine Gardener column since 2004. He is a freelance writer gardening in Cape Elizabeth and can be contacted at 767-2297 or at:

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Connecticut Failing To Monitor Pesticide Use

Nobody's Tallying Up The Amount Of Pesticide Being Used Across The State

By GREG HLADKY, ghladky@ctnow.com

12:30 PM EST, December 17, 2013

Sitting in dusty file cabinets at Connecticut's environmental agency are tens of thousands of reports by licensed landscapers, lawn-care professionals and farmers about how much pesticide they are putting down each year. advertisement

No one is reading them. No one has ever read them or totaled the numbers since the reporting law was first passed in the 1980s. Which means no one has any idea how much pesticide is actually being used in this state on lawns, school grounds, in parks and on agricultural land.

"No one's adding the figures up," says Dr. Jerome Silbert, executive director of the Watershed Partnership. "There's no way to know what the trends are."

It's a rather peculiar situation when you consider that pesticide is such a hot-button issue in Connecticut, one likely to see another round of legislative warfare in 2014.

Another curious thing about this impotent statute (state officials say they've never had the staff or money to actually look at the reports) is that no one apparently wants to or even thinks it's possible to repeal the law.

"It's useless," admits state Sen. Ed Meyer, a Guilford Democrat who is co-chair of the legislature's Environment Committee. "The reason why it's not been repealed is that those of us who support the environment are every year hoping to put the funds in to properly staff this agency."

"I don't think it will ever be repealed," agrees Erica Fearn. "Pesticides are such a hot topic."

Fearn is executive director of the Connecticut Environmental Council.

The CEC isn't, as you might expect from its name, a bunch of tree-hugging, anti-pesticide left-wingers. It's actually an association of more than 160 professional lawn-care types, landscapers, groundskeepers, municipal park officials and farm groups that are in favor of what they argue is the proper and safe use of pesticides.

You'd think a business-oriented organization like that would be gung-ho for repealing a law that does nothing for anyone except create more paperwork. But that doesn't seem to be the case here.

Fearn says the pesticide-reporting law is like a lot of other state environmental rules and regulations that aren't really being enforced because the state Department of Energy and Environmental Protection (DEEP) doesn't have adequate staff. She insists keeping those records is a good thing, even if no one uses them.

"I think it's a good law," says Mike Wallace, a CEC board member and manager of Simsbury's municipal golf

course. "The fact that they don't have anybody there to [read the reports] isn't our fault... If the citizens of Connecticut don't fund their environmental agency, well then, shame on the citizens of Connecticut."

Meyer puts it in even harsher terms: "State government could be indicted, in my opinion, for failing to properly fund its environmental agency."

The lack of hard information about pesticides in this state (that reporting law doesn't even address the use of lawn chemicals by do-it-yourself homeowners) has in no way inhibited the often heated arguments surrounding the issue.

The CEC has repeatedly sought repeal of a state law that in 2010 banned any pesticides on school grounds used by kids in kindergarten through 8th grade. Meyer says that law was passed because there was an "abundant amount of evidence that pesticides are toxic to children of that age."

Landscapers and groundskeepers insist they need those federally approved pesticides to kill grubs and other stuff they say is ruining lawns and playing fields. Anti-pesticide types call those claims a bunch of, well, cow manure would be the nice translation.

"In Connecticut, there are three things certain in this life," says Martin Mador, a spokesman for this state's Sierra Club chapter: "Death, taxes, and that the pesticide applicators will be trying to remove that K-8 ban."

The CEC and its allies tried and failed to win repeal in the 2013 General Assembly. Mador and a collection of other (traditional tree-hugging) environmentalists tried and failed to extend the ban to public high schools and all public parks.

Meyer says lawmakers on both sides of the pesticide fence agreed to pull back and get some independent advice on how toxic these disputed pesticides are for humans of school age. The state has hired a Harvard toxicologist for \$75,000 to report back next month to both the DEEP and the General Assembly.

Another environmental concern likely to come up in the 2014 legislature is the possible effect of pesticides on crop "pollinators" like honey bees and butterflies, says Meyer.

The European Union this year put a two-year moratorium on the use of a type of nicotine-based pesticide that some studies have linked to "bee colony collapse." That mystery condition has killed off vast numbers of bees in hives across the U.S. and Europe. Experts fear that a continued loss could prevent pollination that's critical to food crops of all types.

The U.S. Environmental Protection Agency hasn't made the same ruling on those "neonicotinoid pesticides" and the big chemical companies that make them have ferociously condemned as unscientific efforts to stop their use.

Despite the lack of hard data about pesticides in Connecticut, Silbert says national figures indicate that "certain types of pesticide use is increasing."

Monsanto's popular weed-killer "Roundup" is "being used in increasing amounts because weeds are becoming more resistant," according to Silbert.

Environmental groups cite statistics showing that as much as 80 million pounds of pesticide a year are being used on American lawns. The EPA has approved something like 200 different types of pesticides for use on lawns and playing fields.

Silbert says a spot survey in 2006 by the Quinnipiac University Polling Institute found about half of Cheshire homeowners said they used pesticide on their lawns.

The reason so many homeowners and landscaping professionals love pesticide is simple, says Silbert: "It does work... [Pesticides] are quick, they kill the weeds."

Whether or not they are really that harmful to people is a matter of huge dispute.

"The K-8 Ban bans the use of EPA-approved pesticides," says Fearn. Federal experts have conducted multitudes of tests and these chemicals "are considered very safe to use," she points out.

The trouble is, more and more people distrust those federal experts and fear they've been influenced or conned by the giant pesticide companies.

A Connecticut legislative report issued earlier this month concluded "there are substantial uncertainties regarding the health and environmental effects of some widely used pesticides."

One example is a very common lawn weed-killer known as "2,4-D" (short for 2,4-Dichlorophenoxyacetic acid), which has been the target of harsh restrictions in several Canadian provinces, Sweden, Denmark and Norway because of cancer fears. The EPA and Canada's Pest Management Regulatory Agency disagree, and so do a lot of folks who get paid to keep lawns and playing fields pretty, smooth and weed-free.

Wallace says athletic directors around Connecticut "have been clamoring for fields that are not infested with grubs" ever since the K-8 ban went into effect. He says playing fields are rapidly deteriorating and that kids shouldn't be forced to play on weedy, grubby and potentially dangerous fields.

Most licensed professionals, according to Fearn, use pesticides as a last resort and use "the least harmful control available."

Of course, kids a century ago played on non-pesticide-treated fields all the time. "They put up with what are now considered sub-standard conditions," says Wallace.

He argues ballplayers shouldn't have to worry about slipping on patches of clover or other weeds and possibly injuring themselves.

Silbert snorts at those kinds of claims. He says pesticide industry types "don't want to let people know there are non-toxic ways to take care of lawns."

One of the simplest, Silbert says, is to just re-seed lawns and playing fields regularly, and to make sure the soil is healthy. "When you hear people saying non-toxic care doesn't work, it's almost always because they're not putting seed down," he says.

Brad Robinson is DEEP's pesticide control program supervisor. He's the guy in charge of all those unread annual reports (from 2,810 licensed applicators and 507 pesticide-using farmers) sitting in files at his agency's headquarters on Elm Street in Hartford.

Robinson says the last time state regulators made an attempt to figure out how much pesticide was being used in Connecticut and for what purpose was more than two decades ago.

At that time, the best guess was that about 45 percent was for agricultural use, another 45 percent for non-agricultural use, and the remaining 10 percent was being spread by private homeowners. Aside from the fact those numbers now have to be horribly out of date, Robinson isn't sure they were correct even back then.

"I don't have a huge amount of confidence in those estimates," says Robinson. "We simply don't know who is buying [pesticides] and how much."

And when you don't even know the size of a potential threat, it makes dealing with it all that much tougher to figure out a solution.

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FDA examining antibacterial soaps, body washes

By Sandra Young , CNN

updated 4:40 AM EST, Tue December 17, 2013

CNN.com

(CNN) -- Manufacturers of antibacterial hand soap and body wash will be required to prove their products are more effective than plain soap and water in preventing illness and the spread of infection, under a proposed rule announced Monday by the Food and Drug Administration.

Those manufacturers also will be required to prove their products are safe for long-term use, the agency said.

"Millions of Americans use antibacterial hand soap and body wash products," the agency said in a statement. "Although consumers generally view these products as effective tools to help prevent the spread of germs, there is currently no evidence that they are any more effective at preventing illness than washing with plain soap and water.

"Further, some data suggest that long-term exposure to certain active ingredients used in antibacterial products -- for example, triclosan (liquid soaps) and triclocarban (bar soaps) -- could pose health risks, such as bacterial resistance or hormonal effects."

About 2,000 individual products contain these products, health officials said.

"Our goal is, if a company is making a claim that something is antibacterial and in this case promoting the concept that consumers who use these products can prevent the spread of germs, then there ought to be data behind that," said Dr. Sandra Kweder, deputy director of the Office of New Drugs in FDA's Center for Drug Evaluation and Research.

"We think that companies ought to have data before they make these claims."

Studies in rats have shown a decrease in thyroid hormones with long-term exposure, she said. Collecting data from humans is "very difficult" because the studies look at a long time period.

[Get dangerous germs out of your home](#)

Before the proposed rule is finalized, companies will need to provide data to support their claims, or -- if they do not -- the products will need to be reformulated or relabeled to remain on the market.

"This is a good first step toward getting unsafe triclosan off the market," said Mae Wu, an attorney for the Natural Resources Defense Council. "FDA is finally taking concerns about triclosan seriously. Washing your hands with soap containing triclosan doesn't make them cleaner than using regular soap and water and can carry potential health risks.

The FDA first proposed removing triclosan from certain products in 1978, the council said, "but because the agency took no final action, triclosan has been found in more and more soaps."

In 2010, the council said it sued FDA to force it to issue a final rule. The new proposed rule stems from a settlement in that suit, according to the NRDC.

The rule is available for public comment for 180 days, with a concurrent one-year period for companies to submit new data and information, followed by a 60-day period for rebuttal comments, according to the FDA.

The target deadline is June 2014 for the public comment period, then companies will have until December 2014 to submit data and studies. The FDA wants to finalize the rule and determine whether these products are "generally recognized as safe and effective" by September 2016.

"Antibacterial soaps and body washes are used widely and frequently by consumers in everyday home, work, school and public settings, where the risk of infection is relatively low," said Dr. Janet Woodcock, director of the FDA's Center for Drug Evaluation and Research.

"Due to consumers' extensive exposure to the ingredients in antibacterial soaps, we believe there should be a clearly demonstrated benefit from using antibacterial soap to balance any potential risk."

The action is part of FDA's ongoing review of antibacterial active ingredients, the agency said.

Hand sanitizers, wipes and antibacterial products used in health care settings are not affected.

Most hand sanitizers have 60% alcohol or ethanol and are generally recognized as safe when water isn't available, Kweder said. However, health officials still believe washing hands with soap and water is the best method.

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Improper pesticide application to blame for massive bumblebee die off

*Written by Tracy Loew Statesman Journal
Dec. 22*

statesmanjournal.com

Improper pesticide application was the cause of a massive bumblebee die off this summer, an Oregon Department of Agriculture investigation has concluded.

ODA has issued six civil penalties totaling \$2,886 in connection with four separate incidents in Wilsonville, Hillsboro, West Linn and downtown Portland.

The investigation centered on the use of pesticide products containing two active ingredients, dinotefuran and imidacloprid.

Three civil penalties being issued are connected to the largest of the bumblebee incidents, which took place in Wilsonville in June.

In that incident, an estimated 50,000 bumblebees died following the application of dinotefuran on European linden trees.

The other three civil penalties are connected to a smaller bumblebee incident on a landscaped business property in downtown Portland following the application of a pesticide product containing imidacloprid, also on linden trees.

For its role in the Wilsonville incident, Collier Arbor Care of Clackamas, a licensed commercial pesticide operator, has been issued a civil penalty in the amount of \$555 for performing a pesticide application in a faulty, careless, or negligent manner.

The pesticide applicators in the incident, Mark McMullen of Beaverton and Sean Rinault of Woodburn, were each issued civil penalties also in the amount of \$555.

ODA's investigation determined that the linden trees were clearly in bloom at the time of the pesticide applications. The product label states that the pesticide is known to be hazardous to bees when applied onto flowering trees in bloom and should not be used under those conditions.

Collier Arbor Care has also been issued a civil penalty in the amount of \$407 for applying a pesticide product inconsistent with its labeling in connection to the downtown Portland incident.

ODA's investigation determined that the application rate of the pesticide product was in violation of the label instructions.

The pesticide applicators in the incident, Rinault and Ray Duval of Estacada, were each issued civil penalties also in the amount of \$407.

Connecticut Inches Closer To Enacting Historic GMO-Labeling Law

Posted By [Katie Rucke](#) On December 16, 2013 @ 5:00 am In [Environment](#), [Front Page](#): [Environment](#), [National](#) | [No Comments](#)



GMO corn in Yellow Springs, Ohio. (Photo/Lindsay Eyink via Wikimedia Commons)

Connecticut is one step closer to enacting the nation's first ever legislation that would require companies to label foods with genetically modified organisms, as the state's Democratic Gov. Dannel Malloy [signed off](#) on the only voter-approved GMO-labeling legislation last week.

While exciting and historic for GMO advocates, the bill signing was purely ceremonial, as the [legislation](#) that voters passed in June requires at least four other states — including at least one that borders Connecticut — to pass similar GMO-labeling legislation before it can be enacted. Meaning, New York, Massachusetts or Rhode Island, along with at least three other states, must also pass GMO-labeling legislation, as there needs to be about [20 million residents](#) affected, before Connecticut's GMO-labeling law can be put into effect.

Connecticut lawmakers reportedly built this clause into the legislation to [protect](#) local businesses "from being put at a competitive disadvantage."

During the signing ceremony, Malloy called for Americans to "demand GMO labeling" legislation.

Senate President Donald E. Williams Jr., D-Brooklyn, [added](#) "Families have the right to know whether the food they purchase has been genetically modified."

Exactly when Connecticut's law will be enacted remains unknown, as big agriculture businesses such as Monsanto, BASF, Bayer, Dow, DuPont and Syngenta — the "[Big Six](#)" companies that control the world's seed, pesticide and biotechnology industry — continue to spend millions persuading voters that labeling genetically engineered products is not necessary.

Specifically, big agriculture argues a labeling requirement will only increase food costs and hurt the livelihood of farmers, and have together defeated proposed legislation in several states including California, Washington state and Maine.

Although when the labeling requirements will become law remains unknown at this point, Malloy says he is proud lawmakers on both sides of the political aisle came together on this issue to pass the first GMO labeling requirement in the nation.

"The end result is a law that shows our commitment to consumers' right to know while catalyzing other states to take similar action," he [said](#), before adding that this piece of legislation is the first in a movement big agriculture won't be able to stop.

Tara Cook-Littman, director of GMO Free Connecticut, agreed and thanked advocates for all of their work, not just in the state but across the country.

According to [Russia Today](#), legislation to either label or prohibit GMO foods has been introduced in at almost half of all U.S. states, but only Connecticut's bill has passed. Consumers Union senior scientist Michael Hansen [said](#) this is surprising since "Surveys have always found 80 to 95 percent of people wanting labeling."

He went on to add that "People are paying attention to food, and because of that they're more interested in GMO issues and buying food that's more local and food without pesticides and other added ingredients."

According to a report from the Non-GMO project, it's estimated that about [75 percent](#) of grocery store products in the U.S. contain at least one genetically modified ingredient, usually corn, soy, canola or sugar. And with more and more [reports](#) finding that consumption of GMO corn and soy products can lead to liver, kidney and bone marrow damage, it's likely increasingly more Americans will come to favor legislation that allows them to know what exactly is in their food.

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Out for Blood

Growing numbers of bed bugs, mosquitoes and ticks are spreading misery and frustrating lawmakers.

BY MARY WINTER

Like vampires, bed bugs feed on human blood, do their best work at night and are very hard to kill. Also like vampires—at least those on TV and movie screens—bed bugs have made a mysterious comeback in the past decade.

The United States “is now experiencing an alarming resurgence in the population of bed bugs,” the Centers for Disease Control and Prevention and the Environmental Protection Agency announced in May. Unfortunately, they’re not the only bugs that have Americans scratching their heads and asking why now? Black-legged ticks are blamed for a surge of Lyme disease, and mosquitoes carrying the West Nile virus plague certain regions, even though their numbers nationally remain stable.

Experts can’t say with certainty what’s causing the increase, but blood-sucking vermin definitely are on state lawmakers’ minds. In the last four years, NCSL data show states have seen more than 100 bills on bed bugs and 92 mosquito-related bills. Nine states have enacted roughly 18 laws pertaining to Lyme disease, according to the Lyme Disease Association.

Night Feeders

Powerful—yet dangerous—pesticides such as DDT all but put an end to bed bugs in the 1950s, but since the late 1990s, they’ve been multiplying and are found in every state, sending complaints pouring into public health agencies, according to the CDC and EPA. About as big around as an apple seed, but as thin as a credit card, bed bugs hide in mattress seams, bed frames, headboards, cracks in furniture and behind wallpaper. They come out at night to feed on human and animal blood, typically leaving red, itchy welts where they bite. Bed bugs aren’t known to carry diseases, but they can cause infections and are costly to governments and businesses. Worst of all is the human suffering they cause, says Representative Dale Mallory (D) of Ohio.

“The stories are endless. People burn their houses down to get rid of bed bugs. People sleep in bathtubs. Kids are sent home from school with their coats in plastic bags,” he says. Mallory lives in Cincinnati, the most bed bug-infested city in the coun-



The bed bug is “one of the smartest bugs. It hides and waits for you, then smells your breath, like someone just lit up the barbecue grill.”

—REPRESENTATIVE DALE MALLORY (D), OHIO

try, according to Terminix pest control company, which ranks cities according to the number of service calls it receives from each.

Soon after Mallory was elected in 2007, a tour of senior housing shocked him. “It was nightmarish,” Mallory says. “There were bed bugs falling from the ceiling. It traumatized me. And the more I looked, the more I saw... It’s one of the smartest bugs. It hides and waits for you, then smells your breath, like someone just lit up the barbecue grill.”

Bed bugs, which have no natural predators, invade apartment buildings, movie theaters, dormitories, nursing homes, hotels, airports—anyplace there’s a high concentration of transient people. They hitchhike in luggage and clothing and can just as easily show up in a five-star hotel as a homeless shelter. Eradicating an infestation “usually requires multiple visits by a licensed pest control operator and diligence on the part of those experiencing the infestation,” according to the CDC and EPA. The price can



Representative
Dale Mallory (D)
Ohio

Mary Winter is State Legislature’s assistant editor and senior writer.



Bed Bug Busters

Bed bugs are reddish-brown and can be as big as apple seeds. Notify your landlord or a pest control company as soon as you find bed bugs in your home. You could make the problem worse if you try to destroy them yourself, by spreading the bugs to other rooms in your home.

- ◆ Use a flashlight to check for small, reddish spots, they could be bed bugs hiding under and along the seams of the mattress, box spring and bed frame.
- ◆ Search other furniture near the bed, like night stands and chairs.
- ◆ When you sleep in a hotel, keep your luggage away from the wall, on a luggage rack or in a dry bathtub. Don't put it on the bed.
- ◆ Check for bugs wherever you are stay.
- ◆ If you see signs of bed bugs, call the hotel desk or tell your host right away.
- ◆ When you return home from a trip, keep your travel clothes separate from other laundry, and wash them in warm water right away.
- ◆ Vacuum to rid your luggage of bed bugs and empty the vacuum contents into a tightly sealed plastic bag. Throw the bag away in an outside garbage bin.

Source: U.S. Department of Health and Human Services.

be well over \$1,000, and people who can't afford that often try ineffective over-the-counter insect foggers or "bug bombs," or they try to drive the bugs out with intense heat, which can be dangerous without proper equipment, says Mallory.

What's needed, Mallory says, is research on more effective ways to kill bed bugs and legislation that allows more resources to be used to eradicate them. Mallory sponsored a successful House resolution asking Congress to urge the EPA to approve the emergency use of the pesticide Propoxur—banned for indoor use—to attack the bugs, but the bill died in Congress. He also formed a bed bug task force but claims local leaders are too embarrassed by a bed bug problem to deal with it. "Lots of people have decided to stick their heads in the sand." The lack of progress frustrates Mallory. "If you're Cincinnati, how do you continue to do nothing when you're No. 1 in the nation for bed bugs?"

Bug Laws

Ohio's anti-bed bug law prohibits hotels from using bedding infested with bed bugs or other vermin. At least 22 similar laws are on the books in other states. In New York, landlords must tell any prospective renters if an apartment has had bed bugs within the last year. Nevada requires infested hotel rooms be "thoroughly fumigated, disinfected and renovated until such vermin

or bed bugs or other similar things are entirely exterminated."

Oregon lawmakers took a different approach. State law shields the names of infested hotels and businesses. No government agency tracks bed bugs in Oregon, so private exterminators have been the best source of information, says Oregon Representative Bill Kennemer (R). Hotels fear they'll lose business if word gets out they have bed bugs. So lawmakers came up with "a workable and quality solution." Exterminators turn over infestation information to health agencies, but all names and exact locations are redacted from the public record. With tourism Oregon's third-biggest industry, keeping the lodging sector healthy is critical to the economy, Kennemer emphasizes.



*Representative
Bill Kennemer (R)
Oregon*

West Nile Outbreaks

In late July, Colorado Statehouse regulars were surprised to learn that a former colleague was hospitalized in critical condition, suffering severe headaches, weakness and fever—all because of a mosquito bite. Former Representative Ken Summers (R) developed encephalitis, or swelling of the brain, from a mosquito carrying the West Nile virus, which required him to be

on a ventilator to help him breathe. Doctors expect he will need months of therapy.

Summers' case was far worse than most. Up to 80 percent of people bitten by mosquitos carrying the virus don't develop any symptoms. The rest will suffer milder, flu-like symptoms. According to the CDC, most people with this type of West Nile disease recover completely, although fatigue can last weeks or months. A small percentage who are infected will develop what Summers has—serious neurologic illness, such as encephalitis or meningitis, which can cause coma, paralysis and death.

Since 1999, more than 37,000 Americans have contracted West Nile, and about 1,549 have died from it. Last year was especially bad—West Nile struck some 5,674 Americans, killing 286.

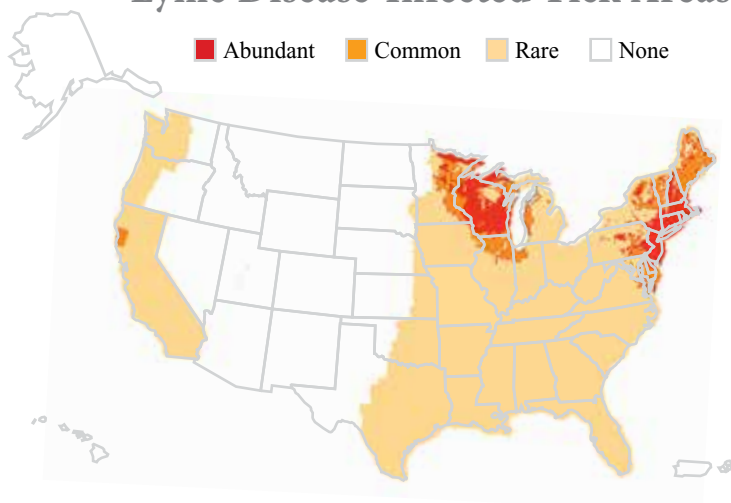
Outbreaks are hard to predict, although the right combination of weather, including high moisture and temperature, is known to encourage mosquito breeding. The good news is that pesticide spraying reduces the spread of the disease. "Numerous studies have shown that the risk of West Nile far outweighs the risk of pesticide exposure," says Janet McAllister, entomologist in CDC's Arboviral Diseases Branch. Still, safety concerns persist and environmental groups that object to pesticide spraying have taken up their concerns with lawmakers.

More typical is Maine's law, which directs state agriculture and forestry departments to protect the public from mosquito-borne diseases by using "integrated pest management techniques and other science-based technology that minimize the risk of pesticide use to humans and the environment."

Lyme on the Rise

Another vermin is causing an uptick in Lyme disease. The blacklegged or deer tick infects 300,000 Americans with the disease every year, the CDC estimates, and that number is increasing.

Lyme Disease-Infected Tick Areas



Source: American Lyme Disease Foundation



When ticks feed on people, they can infect them with a bacteria acquired from deer that causes Lyme disease. Up to 30 percent of deer—the ticks' main food source—carry the bacteria in their blood.

These ticks can be as small as pinheads, with bites that are painless, so people often don't detect them. But three to 30 days after being bitten, victims often develop flu-like symptoms and a skin rash. Most recover quickly if they receive antibiotics within 72 hours. Without the drugs, the infection can spread to the heart, joints and nervous system, causing long-term pain, cognitive impairment and numbness. Even when victims receive antibiotics, however, an unknown percentage continue to suffer symptoms.

In 2011, 96 percent of all cases of Lyme disease occurred in 13 states in the Northeast and Midwest. C. Ben Beard, chief of the Bacterial Diseases Branch, Division of Vector-Borne Diseases for the CDC, believes the increase in Lyme disease is due to "a number of factors," including changes in weather, loss of biodiversity due to land development and expanding deer populations.

In Massachusetts, where Lyme disease has been called an epidemic, a 2011 legislative report urged the state to look at more aggressive ways to fight the tick, including reducing deer and rodent populations, eliminating tick habitat, using chemical and biological controls, and increasing public awareness about checking routinely for ticks and wearing the proper clothing outdoors.

Representative Pam Brown (D) of New Hampshire calls Lyme disease a "huge problem" in her state and has first-hand knowledge of its devastation. Brown was bitten by a tick in 2002 and says she has never recovered. At 57, the one-time quality assurance engineer for a software firm has lost two jobs because of cognitive decline and fatigue. "My ability to work at that level is kaput. Instead of earning six figures, I have been on disability for years."



Brown takes Western and Chinese medicine, but says she still has difficulty concentrating and can't rely on her memory. "It takes me three hours to do a job that should take one." She says it took six years to get a diagnosis of Lyme

Representative Pam Brown (D) New Hampshire




disease—she was first told she had mononucleosis—and says many doctors don't believe chronic or long-term Lyme disease exists. In part to advocate for more awareness about Lyme disease, Brown ran for a House seat in a special election earlier this year and won. She would like to see legislation requiring New Hampshire doctors to receive Lyme disease education.

Because diagnosis remains inexact, Virginia this year passed a law requiring health care providers to notify affected patients that laboratory testing can produce false negatives. Other bills address treatment. A new Maine law mandates that the state's Lyme disease website include information about all kinds of treatments for Lyme, including long-term use of antibiotics. Many doctors opposed the bill, saying long-term antibiotic use may be riskier than the disease.

But in Connecticut, Massachusetts, New Hampshire and Rhode Island, doctors who treat Lyme patients with long-term antibiotics are protected from disciplinary action. In Connecticut and Rhode Island, insurance companies must cover treatment, and New York is considering similar legislation.

States and nonprofit groups are also stepping up efforts to educate people on how to avoid tick bites in the first place, which many experts agree is the single best defense against the disease.

Keeping the public safe has long been one of state governments' most important roles—a role most legislators will tell you never gets any easier. 

SL ONLINE

For more information on how to deal with disease carrying bugs, go to www.ncsl.org/magazine.

UPDATED: Honeybee groups sue EPA over insecticide registration

12/10/2013 04:00:00 PM

Vicky Boyd



Courtesy Agricultural Research Service

Beekeeping groups have filed a challenge against the Environmental Protection Agency over its approval of the pesticide sulfoxaflor, which is highly toxic to honeybees.

Sulfoxaflor, marketed by Dow Chemical under the brand names Closer and Transform, belongs to the Insecticide Resistance Action Committee's Group 4. This is the same group to which neonicotinoids belong.

g But sulfoxaflor belongs to the 4C subclass—different than the subclass 4A, which includes neonicotinoids.

The groups have said the pesticide poses a threat to not just honeybees but other pollinators, and that the EPA violated the Federal Insecticide, Fungicide and Rodenticide Act in registering the insecticide, according to a news release.

In an email, Garry Hamlin, Dow media relations manager, said, "Sulfoxaflor is less toxic to bees and less persistent in the environment than many of the insecticides that farmers are using now. EPA registered sulfoxaflor with the understanding that it would displace older products posing greater risk to bees."

The groups also claim that the tests conducted by Dow as part of the registration didn't accurately measure the chemical's effects on pollinators.

The groups include the Pollinator Stewardship Council (formerly the National Pollinator Defense Fund), national Honey Bee Advisory Board, American Honey Producers Association, the American Beekeeping Federation, and beekeepers Bret Adee, Jeff Anderson and Thomas R. Smith. They are being represented by Earthjustice.

The suit was filed in the Court of Appeals for the Ninth Circuit in San Francisco.

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