



Testing Pesticides On People: Is It Moral? Is It Useful?

The issue of testing pesticides using human subjects has created one of the most explosive environmental debates to arrive in Washington in years. Although the National Academy of Sciences had given a green light to such testing, the Environmental Protection Agency abruptly canceled a proposed pesticide exposure study involving children when Democratic senators threatened to block the nomination of Stephen L. Johnson as EPA administrator last April unless the research was abandoned.

The study — called CHEERS, for Children's Health Environmental Exposures Research Study — would have paid some 60 families in Duval County, Florida, who use pesticides and cleaners in their homes \$970 a month to allow researchers to monitor their health to obtain "real world" exposure information. Part of the controversy came from concerns that poor parents were, in effect, being "bribed" into intentionally dosing their children. Part of it came from the fact that funding for the study was augmented by \$2.1 million from the industry.

Last summer Congress mandated new EPA regulations, insisting on a ban on testing of

children, infants, and pregnant women. The legislators meanwhile placed a nationwide moratorium on human testing and put EPA under a strict schedule on the rulemaking. The agency is limited to a 90-day comment period and must publish a final rule by February. Until the blowup last spring, EPA had been considering data on a case-by-case basis since 2003, after the industry won a court battle against a Clinton administration prohibition against human volunteers.

EPA introduced a proposed rule in September setting standards for intentional dosing studies submitted by industry to the agency and also those conducted by industry or academic researchers for their own purposes. Unlike CHEERS and other observational studies, intentional dosing research is usually aimed at discerning the lowest level at which effects are seen. Representative Hilda L. Solis (D-California), one of the sponsors of the congressional moratorium, comments on the controversy and the proposed rule in this FORUM. Although we invited EPA to join the debate, a spokesman for the Office of Prevention, Pesticides, and Toxic Substances said the agency would not be able to participate.

THE FORUM

Public Health vs. Industry Interests

HILDA L. SOLIS

As Members of Congress, it is our job to ensure that the health of our constituents is being protected, not exploited. That is why I offered an amendment to stop the practice of testing pesticides on humans for one year to the Interior-Environment Appropriations Act for Fiscal Year 2006. I believe that humans — especially pregnant women and children — should not be testing grounds for efforts by the pesticide industry to relax regulations designed to protect public health.

The industry argues that the testing of pesticides on humans is actually meant to improve mosquito repellents and make better swimming pool disinfectants. If this was the only intent, then I challenge them to explain why EPA is currently reviewing more than 20 studies which, rather than being designed to improve the quality of human life, have an insidious purpose.

For example, in one study, college students in San Diego who were paid \$15 an hour to participate were not informed that the pesticide they were inhaling was a suspected neurotoxicant and a World War II nerve gas. In these studies, men, women, or children swallowed insecticide tablets, had pesticides sprayed in their eyes or their noses, or sat in chambers exposed to pesticides. These arguably unethical, dangerous, and sometimes unscientific studies are currently being reviewed by EPA as a means for relaxing regulatory standards on pesticide use.

Unfortunately, studies like these prove that the pesticide industry is more concerned about designing outcomes which can be used to weaken regulations put in place by the Food Quality Protection Act in 1996 than about protecting

public health and improving the quality of life. This motivation, the abysmal track record of the Bush administration in handling this situation, and the serious ethical and moral questions involved are why I continue to fight for the public interest over the interest of the pesticides industry.

I am especially concerned that the administration's proposed rule fails to meet its congressional mandate and to provide the safety that Americans desire and deserve. For example, the proposed rule, despite its claims, allows intentional testing on pregnant women and children in at least three circumstances. It states EPA will accept human studies if they are necessary for the "protection of public health" — a standard which is undefined and which encourages testing on pregnant women and children with the hope that the test will be accepted by EPA. It allows tests which expose pregnant women or children to food sprayed with pesticides up to the current limit, despite lacking evidence that the current limit is protective of children. It also allows tests which were done on pregnant women and children so long as the original intent of the study was not for consideration by EPA. These exceptions occurred despite the clear congressional mandate that all testing on pregnant women and children is prohibited.

Second, the proposed rule only applies to instances where a pesticide company intends to submit the rule to EPA for review, thereby allowing testing without safeguards to occur on humans in all other instances. Third, the proposed rule encourages non-compliance with its own standard. By requiring that studies only "substantially comply" with the rule, the proposal signals that EPA will not demand strict adherence to ethical standards. These are only three of the many problems in the proposed rule which need to be worked out in favor of public health before the U.S. government accepts that human testing of pesticides is an ethical and moral practice.

Under this process, the U.S. government is for the first time proposing a rule that authorizes the systematic testing of pesticides on human subjects. This decision should not be one which comes without serious consideration of first and foremost the morality of testing on humans and how to protect the health of all involved, especially our nation's most vulnerable populations. If the nation plans to allow the systematic testing of pesticides on human beings, then at minimum a clear and definitive policy should be established to protect public health. This policy must adhere to congressional mandate, it must prohibit, without exception, testing on pregnant women and children, protect other vulnerable populations, disallow the exporting of unethical studies to other countries, and where there are gray areas decisions be made to protect public health — not the pesticide industry. This is, unfortunately, not the direction EPA is headed in.

This nation is at a critical moral and ethical juncture, and the approval of this proposed rule should be taken with seriousness. Unfortunately, EPA is choosing to go down a road which provides a false sense of security and continues to leave the health of Americans vulnerable to the almighty dollar. As we move forward, I hope the Bush administration seriously understands its legacy. Will it be to favor pesticide companies or will it put public health and the welfare of Americans first? I hope public health and morality wins.

U.S. Representative Hilda L. Solis (D-California) is a Member of the House Committee on Energy and Commerce, where she is the Ranking Democratic Member of the Environment and Hazardous Materials Subcommittee and a member of the Energy and Air Quality Subcommittee. Solis is also Chair of the Congressional Hispanic Caucus' Task Force on Health and Co-Chair of the Congressional Caucus for Women's Issues.