

An Open Letter to the California State Legislature on August 21 2009
A response to the annual report to the California State Legislature on the Light Brown Apple Moth (LBAM) eradication program by the California Department of Food and Agriculture (CDFA)

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The California Department of Food and Agriculture (CDFA) recently released its annual report to the California State Legislature on its Light Brown Apple Moth (LBAM) eradication program. This report continues the agency's pattern of relaying inaccurate information about LBAM and the CDFA LBAM eradication program to the Legislature and to California farmers and public. This pattern of misrepresentation has been repeated in the draft EIR (Environmental Impact Report) for the LBAM eradication program. The draft EIR provides the basis for advancing the program and drawing public funds, and was paid for by CDFA.

This letter corrects only some of the most basic inaccuracies contained in the 2008 CDFA annual report to the legislature on the LBAM eradication program.

The most egregious misrepresentation is contained in the first words of the agency's report:

"Analysis of health complaints from aerial pheromone applications by the Office of Environmental Health Hazard Assessment, Department of Pesticide Regulation and Department of Public Health, with a finding of no correlation to the aerial pheromone applications."

These words contradict the conclusions of OEHHA, which in actuality stated; "...the Agencies concluded in the report that they cannot conclusively determine whether or not (emphasis added) there is a direct link between the reported symptoms and aerial spraying." (OEHHA Press Release; April 10, 2008)... "We cannot exclude the possibility that one or more ingredients in the LBAM product could cause an allergic response in sensitive individuals". For CDFA to present OEHHA's findings as having "no correlation" only tells the Legislature and the public half the truth. According to OEHHA, it is equally likely the aerial pesticide used was responsible for the respiratory problems reported.

CDFA's statement also fails to address the more than 400 adverse health effects reported from the aerial spraying of LBAM-associated pesticides over Monterey and Santa Cruz Counties in 2007, including the near-fatality of a 11-month old boy who suffered a respiratory attack after the aerial spray. Furthermore, more than 650 seabirds died, pets were sickened, and countless bees disappeared. None of the human or animal adverse health effects were formally investigated by anyone.

The CDFA 2008 annual report to the legislature also misrepresents the impact of LBAM on California.

The report states that because LBAM is new to the Continental United States it has no natural predators. However in 2008, CDFA itself convened a scientific symposium on LBAM. There, Dr. Nick Mills, professor of insect ecology, Department of Environmental Sciences, UC-Berkeley, provided evidence showing that not only does California have multiple parasitoids that directly feed on LBAM but that there are more parasitoids that attack LBAM than there are those that attack California native moths closely-related to LBAM. At that time, Dr. Mills reported on three California parasitoids.

What's more, at an LBAM Stakeholders Meeting convened by University of California Cooperative Extension in Watsonville in 2009, Dr. Mills reported that the number of known California parasitoids found to parasitize LBAM is now up to 13; more than any other tortricid in California. Moreover, parasitoids are only one of the predators that feed on LBAM. According to research in Australia and New Zealand, there are more than 70 different classes of LBAM predators: these include spiders, ants, wasps, bats, birds, mites, flies, and beetles as well as a host of viruses.

The good news for California agriculture is that the state hosts a majority of these LBAM predators.

That tens of thousands of LBAM have been detected in San Francisco's Golden Gate Park in the past three years --- all without causing any damage --- is a testimony to this high level of natural parasitization and predation.

Since the inception of the CDFA LBAM eradication program, independent scientists in the U.S. and New Zealand have questioned the scientific basis for it. CDFA has been highly criticized for keeping alive a program that many believe is not necessary, cannot succeed, and which is solely designed to keep funds flowing to CDFA.

The California Legislature is urged to:

- Question the findings of the draft EIR;
- Request that CDFA provide evidence that its assertions about LBAM's destruction of our California food supply and native flora are true;
- Request from the University of California system a truly independent and comprehensive review of the scientific petition requesting the reclassification of LBAM from Class A (major pest) to Class C (of minor concern), as submitted to the United States Department of Agriculture in September 2008;
- Cut the funding for this unsafe, ineffective, and wasteful program, which harms the farmers, growers, economy, health, and environment of California.