



## **Senate Committee on Agriculture and Environment**

### **Hawai'i Alliance for Progressive Action (HAPA) Supports: SCR67 / SR61**

Monday, March 28th, 2022 1p.m. Conference Room 224

Aloha Chair Gabbard, Vice Chair Nishihara and Members of the Committee,

On behalf of the Hawai'i Alliance for Progressive Action (HAPA) I am submitting testimony in support of SCR67 / SR61 which requests the Department of Agriculture to submit a report on pesticide inspections conducted within the past five years and strengthen statewide enforcement of Restricted Use Pesticide (RUP) violations.

HAPA supports SCR67 / SR61 and better oversight and accountability for pesticide use violations.

Pesticide violations are a threat to our keiki, farmworkers and communities living near heavily sprayed fields. Improper use, disposal and drift threatens to harm adjacent, non-target plants and species, to lead to short and long-term contamination of the state's soil, air and water and takes a toll on human health and quality of life. Despite these risks, pesticide misuse has, and continues to occur.

Enforcement of Hawai'i's pesticide laws, as well as timely and routine inspections and compliance investigations of potential pesticide misuse, are crucial to protecting public health and the environment.

The state sponsored Joint Fact Finding Group Study of Pesticide Use by Large Agribusiness on Kauai found that "responses to suspected incidents (of pesticide poisoning) are not always timely and sometimes inadequate in terms of both analytic approach and depth. Without immediate responses that include bioassays for pesticides, it is difficult to verify or discount allegations of possible pesticide poisoning incidents"<sup>1</sup>

### **Major Recent Pesticide Violations**

It is worth noting that large industrial agrochemical companies have routinely engaged in pesticide violations threatening the health of Hawaii's nearby communities and environment. Too often, pesticide violations are considered an acceptable "cost of doing business" by large industrial operations because the state's current low fine threshold does not create a sense of urgency to change behavior or stop repeat violators.

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<sup>1</sup> <https://jffkauai.files.wordpress.com/2015/10/jff-kauai-final-report1.pdf> pages 97-98

### **2021: O'ahu**

In 2021, Monsanto/Bayer pled guilty to 30 environmental crimes related to the use of a pesticide on corn fields in Kunia in 2020. The crimes involved the use of Forfeit 280, a glufosinate ammonium-based product. After using the product in 2020 on corn fields on O'ahu, Monsanto allowed workers to enter the fields during a six-day 'restricted-entry interval' after the product was applied.

### **2019: Westside of Kaua'i**

The State of Hawai'i's Department of Agribusiness Development Corporation (ADC) was ruled to have polluted waters of West Kaua'i without a permit since 2015 by a federal judge, [violating a federal Clean Water Act](#). Glyphosate was one of 18 chemicals found by the Department of Health and U.S. Geological Survey. The waters drain into the Pacific Ocean near the popular recreation spots of Kekaha Beach and Barking Sands Beach. Pesticide originated from chemical company tenants on ADC lands.

### **2019: Maui and Moloka'i**

In November 2019, Monsanto/Bayer pled guilty and paid \$10 million as part of a plea agreement with the United States Environmental Protection Agency for illegally using the banned pesticide PennCap-M on Maui and Moloka'i. Exposure to this cholinesterase-inhibiting pesticide has been linked to impaired neurological development in the fetus and in infants, chronic fatigue syndrome, and Parkinson's disease.

### **2018: Kaua'i**

In 2018, a commercial pesticide applicator was fined \$168,535 for misusing different restricted-use pesticides on Kaua'i.

### **2016 and 2017: Westside of Kaua'i**

In 2016 and 2017, Syngenta failed to adhere to pesticide use instructions and improperly used the now-banned neurotoxin pesticide, chlorpyrifos. This dangerous pesticide caused health issues for exposed farmworkers. Although an investigation by the United States Environmental Protection Agency initially proposed a pesticide fine of \$4.9 million, the fine was significantly reduced to just over \$500,000.

Please support SCR67 / SR61.

Thank you for your consideration,



Anne Frederick

Executive Director

**SR-61**

Submitted on: 3/27/2022 12:04:54 PM

Testimony for AEN on 3/28/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
shantee brown	Individual	Comments	Remotely Via Zoom

Comments:

please work directly with the department of health on SR61. the department of health needs these kinds of reports so they can use this information to determine if any of the violations caused clusters in infant mortality, birth defects, autoimmune disorders, etc. by working with them in the beginning stages, we will have a valuable outcome that can easily be used to steer future policy surrounding pesticide use and treatment for chronic exposure to restricted use pesticides because the department of health will need specific information to determine causation. collaboration on this will be an effective use of our tax dollars and strengthen public perception of efficiency in government. mahalo for your consideration.

**SR-61**

Submitted on: 3/25/2022 1:59:31 PM

Testimony for AEN on 3/28/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Azuma Chrupaluk	Individual	Support	Written Testimony Only

Comments:

Thank you

**SR-61**

Submitted on: 3/26/2022 8:34:15 AM

Testimony for AEN on 3/28/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Valerie Weiss	Individual	Support	Written Testimony Only

Comments:

Please support this important environmental measure. Enforcement strengthening to reduce violations is paramount.

Mahalo.

Valerie Weiss

Kapaa

**SR-61**

Submitted on: 3/26/2022 9:29:03 AM

Testimony for AEN on 3/28/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

Strongly Support

**SR-61**

Submitted on: 3/26/2022 7:39:25 PM

Testimony for AEN on 3/28/2022 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan B Roberts Emery	Testifying for Green Party Hawai'i	Support	Written Testimony Only

Comments:

The Green Party of Hawai'i asks for a Yes vote, on SR61.

The crimes against humanity by the chemical giants are too long to list. Monsanto/ Bayer, Syngenta, and The State of Hawai'i's Department of Agribusiness development corporation (ADC) are just a few of the bad actors who have poisoned farm workers, and their communities.

A Yes vote on SR61 is long overdue.

Mahalo nui,

Susan RobertsEmery

Green party of Hawai'i

Co chair