

EPA internal emails suggest science took back seat to political pressure in pesticide approval

From [Johnathan Hettinger, The New Lede](#)

December 2023

These EPA managers are more concerned about getting chemicals and pesticides on the market than protecting the people who are exposed to them.



The US Environmental Protection Agency (EPA) is considering a new approval for a pesticide that would be used on Florida oranges and grapefruits despite the fact that agency scientists have repeatedly found the chemical does not meet safety standards designed to protect children's health, internal agency records show.

EPA emails suggest that persistent pressure from chemical industry lobbyists, politicians and political appointees led the agency's Office of Pesticide Programs (OPP) to change its position on aldicarb from one that favored public health to one that critics say instead favored the interests of a North Carolina-based company called AgLogic that is seeking to expand sales of the insecticide. The EPA communications were obtained by the nonprofit Center for Biological Diversity through a Freedom of Information Act lawsuit and reviewed by The New Lede.

In one [2020 email](#), for example, an EPA regulatory specialist wrote to AgLogic that while the EPA was not yet able to make a safety finding, the agency has "spent time brainstorming possible solutions". The emails also show that scientists within the agency felt they had to "defend" their concerns about aldicarb as top agency administrators and lawmakers made expanded approval of the chemical a priority.

"What this shows is just how difficult it is for the agency to say no," said Nathan Donley, Environmental Health Science Director at the Center for Biological Diversity. "They were going to reject it so many times, and [AgLogic] just said, 'no, no no.'"

The revelations underscore [whistleblower complaints](#) made by EPA scientists in 2021 alleging that they have been routinely pressured for years to minimize or remove scientific evidence of the dangers certain chemicals posed to public health.

A risk to babies' brains

Aldicarb is considered “[extremely hazardous](#)” by the World Health Organization and has been banned in more than 100 countries. It also is banned by the Rotterdam Convention, a global agreement to regulate the world’s most hazardous chemicals.

In the US, the EPA found in 2010 that aldicarb posed unacceptable risks to the developing brains of infants and young children, leading German conglomerate Bayer AG to cancel its registration for sales of aldicarb. At that time, the highest risk for infants and children was found to be when aldicarb was used in citrus. Since then, the EPA has allowed AgLogic a limited approval [to sell aldicarb](#) for use on cotton, dry beans, peanuts, soybeans, sugar beets, and sweet potatoes. Those uses have been rare, according to [US Geological Survey data](#).

In recent years AgLogic has been pushing for expanded approval to allow the insecticide to be used by farmers on Florida grapefruits and oranges. The EPA did grant the approval in 2021 in the [waning days of the Trump Administration](#), but that approval was [overturned](#) by a federal court in response to litigation brought by opponents. Approval was [additionally rejected](#) by Florida regulators who found that the continued use of the pesticide posed “an unacceptable risk to human, animal and environmental health in Florida.”

After a renewed effort by AgLogic, EPA approval for aldicarb use on citrus is [now under consideration again](#).

When asked about the aldicarb issue, EPA spokesman Jeffrey Landis said the agency “is committed to ensuring its decisions are free from interference and that the agency’s scientific integrity policy, which is a bedrock principle for the Biden-Harris Administration, is upheld.”

The agency is now conducting human health and environmental risk assessments on aldicarb and will not register the pesticide unless it can “mitigate against unreasonable adverse effects,” Landis said.

AgLogic did not respond to a request for comment.

The internal EPA emails document an array of concerns held by EPA scientists about the chemical. They were concerned about polluting drinking water. They also were worried that levels of the pesticide would be so high in the fruits that orange juice would be unsafe for children to drink. They even had a nickname for it – “All De Crap,” [according to an email string](#).

The records also show that EPA scientists, at the direction of senior management, tried creating new scientific models to see if they could generate data that would show aldicarb to be less risky than prior scientific findings had demonstrated. Scientists doing the analyses repeatedly documented their concerns about the chemical in emails, and indicated that EPA management made the approval of aldicarb an administration priority.

“Sorry for the pontification, but making quiet, polite comments doesn’t seem to be sinking in,” [wrote one scientist](#) in a partly redacted email sent to colleagues on Nov. 13, 2020. That same

scientist even joked about getting a picture of the risk assessment [put on a mug](#) because of how ridiculous it was, according to agency emails.

When those new models didn't provide the scientific support needed to reapprove the pesticide, the EPA finally settled on a solution: they would limit the use of aldicarb to 100,000 acres and 2.5 million pounds – a little more than half of the total usage previously allowed before the EPA restricted aldicarb in 2010.

Called a production cap, this method limited the amount of aldicarb that could be used. This allowed the EPA's analysis to have safety findings by showing it was just a small amount of citrus that would have aldicarb in it.

A scientific struggle

The EPA's Office of Pesticide Programs rarely denies industry requests to approve pesticides. In fact, the United States allows the [use of hundreds of millions of pounds of pesticides](#) that are banned in other countries each year. The agency says its determinations are grounded in scientific risk assessments that it uses to ["protect human health and the environment."](#)

But the internal communications over aldicarb provide a window into the agency's inner workings and demonstrate that science does not always drive the decisions. .

Emails and agency documents show internal struggles by EPA scientists to find a way to declare aldicarb safe for the uses desired by AgLogic:

- On [Dec. 18, 2019](#), an agency memo summarized scientific findings that found aldicarb posed unacceptable risks to food, drinking water and groundwater. The memo also said aldicarb posed unacceptable risks to small and medium birds, mammals, and most aquatic organisms. The memo also expressed concern about honey bees. "A safety finding may not be possible," the memo said.
- On [Jan. 13, 2020](#), an agency memo said that "OPP has identified significant risks of concern that prevent moving forward with the requested new uses." The memo said that they had received Congressional interest and to let all parties know as soon as possible.
- On [June 18, 2020](#), a timeline of proposed actions said that the agency would call AgLogic to provide "withdrawal and denial options" on June 24.
- On [Sept. 8, 2020](#), an EPA regulatory specialist wrote to AgLogic that the EPA is not able to make a safety finding, but the agency has "spent time brainstorming possible solutions" including new modeling methods and asked for an extension .
- On Nov. 10, 2020, the [agency still could not make a safety determination](#) because of concerns about orange juice contamination.
- On [Nov. 23, 2020](#), the agency still wasn't sure it would approve the pesticide. "Maybe make it more clear in the paper that there is still a decision point here on what that path will be," wrote an associate director of the registration division.
- Even six weeks before the eventual approval, EPA wasn't sure it could make it work. On [Dec. 1, 2020](#), a regulatory specialist wrote this about her conversation with AgLogic lobbyists: "I told her the team is working very hard and there is a chance that we may have found a path forward, but that there are still a lot of moving pieces needed to fall into place."

Political pressure

AgLogic has tried multiple times to expand the use to citrus in Florida and Texas. In 2017 and 2018, Florida [rejected the company's overtures](#), saying there was [little evidence](#) that aldicarb was any better than the 18 other chemicals used to control citrus pests. In 2018, [the EPA also rejected a company application](#) to approve aldicarb in small doses, citing health concerns.

AgLogic applied again in 2019, only this time it had the US House Committee on Agriculture as an advocate. The committee began reaching out to the EPA to check in on the status of the proposal, a fact noted by scientists in their internal emails as a pressure point.

The EPA's then-Assistant Administrator Alexandra Dunn also became involved, according to the emails.

"Be aware that it has attention at the AA level so we'll need to defend our info (as I know we can)," wrote Kimberly Nesci, director of the Biological and Economic Analysis Division in the EPA's Office of Pesticide Programs, [on Nov. 4, 2019](#).

AgLogic's efforts also included [industry group meetings](#) with then-EPA Administrator Andrew Wheeler.

After Trump lost the 2020 election, Trump's political appointees in the EPA made it clear that getting aldicarb approved by the time they left office [was a priority](#).

One scientist [forwarded an email](#) titled "Request for Meeting to help save the Florida citrus industry" from AgLogic to colleagues on Nov. 19, 2020.

"To give you a taste, this is the kind of stuff we're getting almost daily, and explaining to these folks that the lawyers need to learn math isn't going over well," the scientist wrote.

On Dec. 12, 2020, EPA supervisors warned of "[aggressive timelines](#)." And after EPA scientists asked for a deadline of Jan. 15th, EPA communications staff wrote on Dec. 22 that they wanted the [approval finalized](#) before Wheeler's Jan. 12 meeting with Florida citrus growers.

The EPA posted aldicarb for a 30-day comment period in Dec. After it ended on Jan. 6, scientists lamented how quickly they had to move to meet the administration's Jan. 12 deadline.

"Even if we had six months, this would be hard," [wrote one scientist on Jan. 7](#), just five days before it was approved.

A scientist [on Jan. 8 said](#) he kept having more aldicarb work, and it was making him fall behind in his other work.

On Jan. 11, one day before aldicarb was officially approved, [one scientist wrote](#) of what he called a "real cluster," and said that they had to write a response to public comments in three hours that morning.

"An end-of administration push that's become a real mess," he wrote.

Kyla Bennett, a former EPA scientist who now works with the watchdog group Public Employees for Environmental Responsibility, said the emails provide more evidence that the EPA needs an overhaul and that it is steeped in an “industry-beholden culture” that persists regardless of which party is in office.

It has become “standard operating procedure” for the agency to “dismiss the studies that demonstrate the chemicals are dangerous; override the scientists who are trying to do the risk analysis properly; alter the math they use to come up with risk factors; and, if all else fails, they will invoke some unwritten policy to amend the decision in favor of industry,” Bennett said.

“These [EPA] managers are more concerned about getting chemicals and pesticides on the market than protecting the people who are exposed to them,” she said.