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Statement of Rep. Henry A. Waxman Press Conference on Human Pesticide Experiments June 16, 2005

I am pleased to join Senator Boxer today in releasing this report on human pesticide experiments.

In 1996, Congress passed the Food Quality Protection Act, which significantly reduced the amount of pesticides allowed on food. I wrote much of that law.

In many ways, the 1996 law has been a success. Thousands of tolerances that allow pesticide residues on food have been revoked. And virtually all indoor uses of hazardous organophosphate pesticides have been cancelled.

But the law has had one ironic result: it has spurred an interest among pesticide manufacturers in conducting pesticide experiments on humans. The manufacturers fear that the new standards will make it impossible for them to continue to produce older, more dangerous pesticides, such as organophosphates. They want to conduct experiments on humans in the hope that they can use the test results to argue for more lenient standards.

This experimentation is controversial. Drug companies test their products on humans. But these tests are closely regulated. And those participating in the trials can gain from the medical treatment.

But when humans are asked to swallow capsules filled with insecticide, there is no benefit to the subjects.

The Clinton Administration placed a moratorium on the use of these studies until the ethics could be carefully weighed and considered. But the Bush Administration has lifted the moratorium. Its position is that the pesticide manufacturers can be trusted to conduct ethical studies. The EPA now says that these experiments are "available, relevant, and appropriate."

The report that Senator Boxer and I are releasing today examines these claims. It is a detailed analysis of 22 human pesticide experiments that the Bush Administration is currently

reviewing or plans to review in the future. The 22 studies that we've examined total over 6,500 pages. The most recent one was submitted to the Environmental Protection Agency in February 2005.

What we've found is that the human pesticide experiments that the Bush Administration intends to use to set federal pesticide policies are rife with ethical and scientific defects.

There are four main problems. First, many of the experiments put human subjects at risk of harm without any promise of health or environmental benefits.

The pesticides used in these experiments are "highly hazardous" poisons, suspected carcinogens, and suspected neurotoxins. Eleven of the experiments involved organophosphates, which are a class of pesticides developed in the 1930s as nerve agents for military use. One study involved chloropicrin which was used as a chemical warfare agent during World War I. Another study exposed humans to a chemical very similar to the one that killed thousands of people in Bhopal, India.

These pesticides are intentionally designed to be toxic. Their whole purpose is to kill insects and invasive plants. Yet in the experiments, test subjects swallowed insecticide tablets, sat in chambers with pesticide vapors, had pesticides applied to their skin, had pesticides shot into their eyes and noses, and were even exposed in their homes for six months at a time.

And many of the subjects suffered during and after these experiments. They coughed, vomited, had blurred vision and rashes, severe eye irritation, headaches, and full body sweating.

There is an important distinction that needs to be drawn. If pesticide manufacturers were trying to develop a safer pesticide or one that's less damaging to the environment, it might be possible to justify exposing human subjects to some level of risk. But that's not what's going on here. The goal of these experiments is not to find safer alternatives. The real goal is the exact opposite: to justify keeping older and more dangerous products on the market.

And according to numerous expert bodies that have examined this issue – including the National Academy of Sciences – that's wrong and unethical.

The second major problem we found is that the researchers conducting these experiments did not obtain the informed consent of the subjects.

The subjects were not told of the dangers of exposure to the pesticides. Sometimes, they weren't even told the substances being tested were pesticides. They were misled into believing that they were participating in "drug" trials, not pesticide experiments.

And in clear violation of the ethical rules, they were forced to waive their rights to compensation.

Third, we also found that many studies had serious scientific and methodological flaws. In short, they violated the National Academy of Sciences rule that "a study cannot be ethically acceptable if it is scientifically invalid."

For example, one recurring problem was the questionable manipulation of the experimental results. In one experiment, everyone who was exposed to the pesticide got sick. Yet the researchers writing up the report simply dismissed these results, saying they could be attributed to “viral illness” or “ward conditions.”

The final major problem was the failure of the researchers to conduct long-term follow-up. Even short-term exposure to pesticides can cause long-term health effects. Yet there was frequently no monitoring to detect these effects. In 14 experiments, there was no medical monitoring after the first 24 hours following completion of the experiment.

Over the last five years, the Environmental Protection Agency has undergone a sea change. The Air Office, which is supposed to prevent air pollution, allows more toxic emissions. The Water Office allows more water pollution. Information about global warming has been hidden from the public. Polluters have been protected, and the public has suffered as a result.

Today we learn that EPA’s handling of pesticides is no different. Instead of protecting us, the policies of the Bush Administration encourage pesticide companies to use the public as guinea pigs in unethical experiments.

This report clearly demonstrates that we need a new moratorium on these kinds of studies. And if the Administration won’t establish one, then Congress should do it.