



Testimony

of

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before the

New York City Council Committee on Health

on

Activities under Local Law 37 of 2005, and Intro 800

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250 Broadway

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Good morning Chairman Johnson, Councilmember Kallos, and members of the Health Committee. I am Corinne Schiff, Deputy Commissioner for Environmental Health at the New York City Department of Health and Mental Hygiene. I am joined by colleagues at the Departments of Education, Sanitation, and Parks and Recreation, as well as the New York City Housing Authority. On behalf of Commissioner Bassett, thank you for the opportunity to testify today on the Department's role under Local Law 37 of 2005 and on Introduction 800.

Local Law 37 established requirements for pesticide use on property owned or leased by New York City, including prohibiting the application of certain pesticides, requiring public notification and mandating that city agencies annually report pesticide use. With enactment of Local Law 37, New York City became the largest city in the nation to regulate the use of pesticides on city-owned and leased property.

Local Law 37's pesticide prohibitions were phased in over time. By November 2006, pesticides classified as of 2005 by the United States Environmental Protection Agency (EPA) as Toxicity Category 1, as carcinogenic—which includes possible, probable, likely or known human carcinogens, or by California as a developmental toxicant, could no longer be applied on city-owned or leased property. The Law provides limited exemptions for certain pesticides and for particular locations. Moreover, the law allows agencies to seek a waiver of the prohibition from the Department. When deciding whether to grant a waiver, the Local Law directs the Department to consider the magnitude of the pest infestation, the threat to public health, the availability of effective alternatives, and the likelihood of human exposure.

A major aim of Local Law 37 was to shift the city's approach to pest control away from a sole reliance on pesticides and toward Integrated Pest Management, or IPM. IPM focuses on eliminating the underlying conditions that are conducive to pest infestation—for example, by containing garbage in order to deny pests food; repairing leaks to reduce pests' access to water; eliminating nesting areas; and repairing holes and sealing cracks or gaps that allow pests to freely move about. IPM relies on low-risk pesticide use as only one piece of a comprehensive strategy. The Local Law required the Department to create a citywide IPM Plan and to semi-annually convene the Citywide Pest Management Committee so the agencies can share best

practices.

The Local Law's emphasis on IPM recognizes the concerns about both the potential links between pesticide exposures and disease and the health risks presented by pests. Mice and roaches are asthma triggers; rats can contaminate food; mosquitoes are vectors for the West Nile virus; and bed bugs can interrupt sleep and negatively impact mental health. Balancing the interests in reducing exposure to pesticides *and* pests is at the heart of the Local Law and the Department's pest control program.

Striking this balance is critical to our work, and IPM is the most effective way to control pests while also protecting public health by reducing pesticide exposure. The Department uses IPM in our own pest control work, limiting pesticide use as much as possible. Because city agency pesticide applications account for only a small fraction of pesticides used in New York City—less than an estimated 3% of the total volume of liquid pesticides and under a quarter of the total pounds of solid pesticides applied—the Department publishes educational materials and provides free training to private property managers and members of the public on implementing IPM in a variety of settings. And the Department is authorized under the New York City Health Code to mandate the implementation of IPM by private property owners under certain circumstances, enabling our agency to extend the use of IPM beyond the city's own pest management work.

The Department's use and promotion of IPM is critical to our effort to reduce health disparities. We know that the presence of residential pests is tied to housing quality, and that New Yorkers of color and those living in high poverty neighborhoods bear a heavier burden of pest infestations and pest-related health conditions such as severe asthma. Judicious application of pesticides and the implementation of other strategies through IPM have been critical to the promotion of healthier environments in these settings. An example of how the Department works to address this inequity is through our Healthy Homes Program, which conducts IPM for pest infestations in homes of children with severe asthma.

To monitor progress on reducing pesticide use on city property, Local Law 37 requires agencies to report use data to the Department each year. The Department consolidates the agency

information into a single report to the City Council that includes an analysis of trends in pesticide use across the city. The Department's 2016 Pesticide Use Report shows that Local Law 37 has led to an overall decrease in pesticide use by city agencies and an increasing reliance on IPM.

I will turn now to Intro 800, which would authorize the use of only biological pesticides unless there was an applicable exemption or issuance of a waiver by the Department. The Department appreciates the intent of this bill to further reduce pesticide use on city property, and we share this goal. We are concerned, however, that the proposed change would hamper the City's ability to control certain pest conditions at the expense of public health. There is no biological alternative for the control of certain pests, including roaches, and biological pesticides alone are insufficient to effectively control others such as bed bugs and the mosquitoes that are vectors for West Nile virus. When a child's asthma is triggered by roaches, and she's living in a roach-infested apartment, the swift, effective application of low-risk pesticides as part of a comprehensive, IPM strategy can be critical to the protection of her health. The prohibition set out in Intro 800 would make it harder for the City to provide the pest control that families need. We look forward to working with the Council to find ways to further reduce pesticide use in the City.

Thank you for the opportunity to testify. I would be happy to take questions.