

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4318

To prohibit the use, production, sale, importation, or exportation of any pesticide containing atrazine.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2012

Mr. ELLISON (for himself, Mr. KUCINICH, and Mr. MORAN) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit the use, production, sale, importation, or exportation of any pesticide containing atrazine.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. FINDINGS.**

4       Congress finds the following:

5               (1) The United States annually uses  
6       60,000,000 to 80,000,000 pounds of atrazine, a  
7       weed-killing pesticide.

1           (2) The toxicity of atrazine is well documented  
2           and has shown to have adverse endocrine effects in  
3           amphibians, mammals, and humans. There is evi-  
4           dence that atrazine exposure is associated with low  
5           sperm counts and poor motility in exposed adult  
6           men, and that prebirth atrazine exposure is associ-  
7           ated with small birth weight and abnormal develop-  
8           ment of the gut wall in infants. In laboratory mam-  
9           mals, exposure is associated with abnormal repro-  
10          ductive system development, impaired prostate gland  
11          formation, and abnormal breast tissue development.  
12          In aquatic wildlife, exposure is associated with ab-  
13          normal reproductive system development, impaired  
14          reproduction, and impaired immune system function.

15          (3) The United States Fish and Wildlife Service  
16          acknowledges that atrazine may have potential ad-  
17          verse effects on fish, such as organ tissue disease,  
18          disruption to the endocrine and olfactory systems,  
19          and reduced reproductive function.

20          (4) The United States Geological Survey found  
21          atrazine in approximately 75 percent of stream  
22          waters and 40 percent of all ground water samples  
23          from agricultural areas tested. According to data  
24          from the Environmental Protection Agency Ecologi-  
25          cal Watershed Monitoring Program, the surface

1 water sampled in the Midwestern and Southern  
2 United States suffers from pervasive atrazine con-  
3 tamination. Sampling of watersheds between 2004  
4 and 2006 showed that all 40 watersheds tested had  
5 detectable levels of atrazine and 25 watersheds had  
6 average concentrations above 1 ppb. While these av-  
7 erage elevated concentrations of atrazine are worri-  
8 some, high peak concentrations may also be dan-  
9 gerous. Nine watersheds had at least one sample  
10 showing levels above 50 ppb, and four watersheds  
11 had levels above 100 ppb.

12 (5) According to data from the Environmental  
13 Protection Agency Atrazine Monitoring Program,  
14 high levels of atrazine are also evident in drinking  
15 water systems. More than 90 percent of the samples  
16 taken in 139 water systems had measurable levels of  
17 atrazine in both 2003 and 2004. Three systems had  
18 annual averages exceeding 3 ppb.

19 (6) In 1991, Germany and Italy banned the use  
20 of atrazine. In 2003, European regulators an-  
21 nounced a ban on the pesticide throughout the Euro-  
22 pean Union.

23 (7) The Department of Agriculture estimates  
24 that a ban on atrazine would result in crop losses of  
25 only 1.19 percent and decrease corn acreage by only

1       2.3 percent. Since banning atrazine nearly 20 years  
2       ago, both Italy and Germany have not experienced  
3       a reduction of corn productivity or total acreage of  
4       land in production.

5       **SEC. 2. ATRAZINE PROHIBITION.**

6       Notwithstanding any other law, the use, production,  
7       sale, importation, or exportation of atrazine or an atrazine  
8       product is prohibited.

9       **SEC. 3. ENFORCEMENT.**

10       Any person who violates section 2 shall be fined  
11       under title 18, United States Code, or imprisoned not  
12       more than 2 years, or both.

13       **SEC. 4. DEFINITIONS.**

14       In this Act:

15               (1) ATRAZINE.—The term “atrazine” or “active  
16       ingredient atrazine” refers to the pesticide chemical  
17       2-chloro-4-ethylamino-6-isopropylamino-1,3,5-tri-  
18       azine.

19               (2) ATRAZINE PRODUCT.—The term “atrazine  
20       product” means any pesticide containing the active  
21       ingredient atrazine, as identified on the Environ-  
22       mental Protection Agency registered label, either  
23       alone or in a combination with other pesticides.

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