113TH CONGRESS
1ST SESSION

H. R. 2692

To direct the Administrator of the Environmental Protection Agency to take certain actions related to pesticides that may affect pollinators, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2013

Mr. CONYERS (for himself and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To direct the Administrator of the Environmental Protection Agency to take certain actions related to pesticides that may affect pollinators, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Saving America’s Pollinators Act of 2013”.

SEC. 2. FINDINGS.

(1) Pollination services are a vital part of agricultural production, valued at over $125,000,000,000 globally and worth...
$20,000,000,000 to $30,000,000,000 in agricultural production annually in the United States.

(2) One-third of food produced in North America depends on pollination by honey bees, including nearly 95 varieties of fruits such as almonds, avocados, cranberries, and apples.

(3) Over the past several years, documented incidents of colony collapse disorder have been at a record high, with some beekeepers repeatedly losing 100 percent of their operations.

(4) During the winter beginning in 2012 and ending in 2013, United States beekeepers, on average, lost 45.1 percent of the colonies they operate.

(5) According to scientists of the Department of Agriculture, current estimates of the survivorship of honey bee colonies show they are too low to be able to meet the pollination demands of United States agricultural crops.

(6) Scientists have linked the use of systemic neonicotinoid insecticides to the rapid decline of pollinators and to the deterioration of pollinator health.

(7) Neonicotinoids cause sublethal effects including impaired foraging and feeding behavior, disorientation, weakened immunity, delayed larval development, and increased susceptibility to viruses,
diseases, and parasites and numerous studies have also demonstrated acute, lethal effects from the application of neonicotinoid insecticides.

(8) Recent science has demonstrated that a single corn kernel coated with a neonicotinoid is toxic enough to kill a songbird.

(9) In June 2013, over 50,000 bumblebees were killed as a direct result of exposure to a neonicotinoid applied to Linden trees for cosmetic purposes.

(10) In January 2013, the European Food Safety Authority determined that the most widely used neonicotinoids pose unacceptable hazards to bees, prompting the European Union to suspend their use on agricultural crops.

SEC. 3. URGENT REGULATORY RESPONSE FOR HONEY BEE AND POLLINATOR PROTECTION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Environmental Protection Agency shall suspend the registration of imidacloprid, clothianidin, thiamethoxam, dinofuran, and any other members of the nitro group of neonicotinoid insecticides to the extent such insecticide is registered, conditionally or otherwise, under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136
et seq.) for use in seed treatment, soil application, or foliar
treatment on bee attractive plants, trees, and cereals until
the Administrator has made a determination that such in-
secticide will not cause unreasonable adverse effects on
pollinators based on—

(1) an evaluation of the published and peer-re-
viewed scientific evidence on whether the use or uses
of such neonicotinoids cause unreasonable adverse
effects on pollinators, including native bees, honey
bees, birds, bats, and other species of beneficial in-
sects; and

(2) a completed field study that meets the cri-
teria required by the Administrator and evaluates
residues, including residue build-up after repeated
annual application, chronic low-dose exposure, cumu-
lative effects of multiple chemical exposures, and any
other protocol determined to be necessary by the Ad-
ministrator to protect managed and native pollin-
ators.

(b) CONDITIONS ON CERTAIN PESTICIDES REG-
ISTRATIONS.—Notwithstanding section 3 of the Federal
Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.
136a), for purposes of the protection of honey bees, other
pollinators, and beneficial insects, the Administrator of
the Environmental Protection Agency shall not issue any
new registrations, conditional or otherwise, for any seed
treatment, soil application, and foliar treatment on bee at-
tractive plants, trees, and cereals under such Act until the
Administrator has made the determination described in
subsection (a), based on an evaluation described in sub-
section (a)(1) and a completed field study described in
subsection (a)(2), with respect to such insecticide.

(c) Monitoring of Native Bees.—The Secretary
of the Interior, in coordination with the Administrator of
the Environmental Protection Agency, shall, for purposes
of protecting and ensuring the long-term viability of native
bees and other pollinators of agricultural crops, horti-
cultural plants, wild plants, and other plants—

(1) regularly monitor the health and population
status of native bees, including the status of native
bees in agricultural and non-agricultural habitats
and areas of ornamental plants, residential areas,
and landscaped areas;

(2) identify the scope and likely causes of un-
usual native bee mortality; and

(3) beginning not later than 180 days after the
date of the enactment of this Act and each year
thereafter, submit to Congress, and make available
to the public, a report on such health and population status.