

111TH CONGRESS
2D SESSION

H. R. 5124

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2010

Mr. ELLISON 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

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 60 to 80
6 million pounds of atrazine, a weed killing pesticide.

7 (2) The toxicity of atrazine is well documented
8 and has shown to have adverse endocrine effects in
9 amphibians, mammals, and humans. There is evi-

1 dence in humans that atrazine exposure is associated
2 with low sperm counts and poor motility in exposed
3 adult men, and that pre-birth atrazine exposure is
4 associated with small birth weight and abnormal de-
5 velopment of the gut wall in infants. In laboratory
6 mammals, exposure is associated with abnormal re-
7 productive system development, impaired prostate
8 gland formation, and abnormal breast tissue devel-
9 opment. In aquatic wildlife, exposure is associated
10 with abnormal reproductive system development, im-
11 paired reproduction, and impaired immune system
12 function.

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

18 (4) The United States Geological Survey found
19 atrazine in approximately 75 percent of stream wa-
20 ters and 40 percent of all groundwater samples from
21 agricultural areas tested. According to data from the
22 Environmental Protection Agency Ecological Water-
23 shed Monitoring Program, the surface water sam-
24 pled in the Midwestern and Southern United States
25 suffers from pervasive atrazine contamination. Sam-

1 pling of watersheds between 2004 and 2006 showed
2 that all 40 watersheds tested had detectable levels of
3 atrazine and 25 watersheds had average concentra-
4 tions above 1 ppb. While these average elevated con-
5 centrations of atrazine are worrisome, high peak
6 concentrations may also be dangerous. Nine water-
7 sheds had at least one sample showing levels above
8 50 ppb, and four watersheds had levels above 100
9 ppb.

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

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

21 (7) The Department of Agriculture estimates
22 that a ban on atrazine would result in crop losses of
23 only 1.19 percent and decrease corn acreage by only
24 2.3 percent. Since banning atrazine nearly 20 years
25 ago, both Italy and Germany have not experienced

1 a reduction of corn productivity or total acreage of
2 land in production.

3 **SEC. 2. ATRAZINE PROHIBITION.**

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

7 **SEC. 3. ENFORCEMENT.**

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

11 **SEC. 4. DEFINITIONS.**

12 In this Act:

13 (1) ATRAZINE.—The term “atrazine” or “active
14 ingredient atrazine” refers to the pesticide chemical
15 2-chloro-4-ethylamine-6-isopropylamin-1,3,5-triazine.

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

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