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Is it safe to spray to eradicate the light brown apple moth? Legal battles brew

April 24, 2010 | 2:12 pm



Talk about an earthy fight: Two coalitions of state environmental and community groups have recently [filed lawsuits \(PDF\)](#) against California’s program to eradicate the light brown apple moth. On Thursday, a collection of Bay Area cities and community groups filed their challenge of the California Department of Food and Agriculture’s program in Alameda County Superior Court.

The CDFA has been pushing forward efforts to curtail the spread of the invasive Australia moth, which the agency says poses a risk to fruit and ornamental plants. Detection of the moth has led to thousands of square miles of land being quarantined. State agriculture officials have certified an environmental impact study about a program that would use insecticide and other methods of decreasing reproduction rates. But the study has raised protests from scientists and environmentalists, who say the eradication measures are unnecessary.

The lawsuit filed in Alameda claims that the study is based on flawed data and scientific methodology, and that the state’s decision to try to control the moth – rather than simply eradicate it – invalidated the study.

The study didn’t weigh other options, such as not taking any action, and left unclear what other future options the agency might take, according to the complaint. The plaintiffs included the cities of Albany, Berkeley and Richmond, and nine other environmental or community groups.

“One has no way of guessing what spraying or any of the other many approved treatments CDFA will use (or what the risks and synergistic effects these treatments or any combination of treatments may have), where CDFA will use the various treatments ... when CDFA will use what treatments, or even why CDFA will use whatever combination of treatments it may decide to use for any specific place,”

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the complaint states.

A second lawsuit, which outlined similar allegations and is trying to stop the program, was filed Monday in Sacramento Superior Court.

--P.J. Huffstutter

Photo: An exotic pest, Epiphyas postvittana, the Light Brown apple moth (LBAM) has an appetite for many fruits and vegetables. Credit: Calif. Department of Food & Agriculture

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MOTH IS NOT DESTRUCTIVE AS ADVERTIZED BY DISHONEST GOVERNMENT AGENCIES (CDFA AND USDA).

Tens of thousands of these Light Brown Apple Moths (LBAM) have been trapped in California indicating that millions live in California. If you read the 3,000 pages of the Draft Environmental Impact Report (EIR) on LBAM and the Final EIR, you will see that it clearly reveals that NO DAMAGE has occurred from LBAM in California, NONE!

If you have heard, seen or read reports in the media that claim LBAM damage, then contact the agriculture commissioner office in the county where the damage was reported and you will find that there is NO Documentation of any damage in that county and NONE in the entire state of California. The California Department of Food and Agriculture (CDFA), with assistance from USDA, reported damage from LBAM repeatedly over three years, but each report was fabricated and false.

In New Zealand, where LBAM also lives, there is no Government program attempting to control or eradicate LBAM and LBAM is not a threat to crops as falsely advertised by the CDFA.

If you are wondering why the CDFA would advertise such direct lies about this moth, consider "Following the money." The emergency CDFA was claiming regarding this moth was going to lead to a program that would bring approximately \$100 million additional to the budget of CDFA every year for up to 30 years for this single insect, when the existing general fund budget of CDFA for dozens of functions and hundreds of other insects is \$80 million per year. So this single non-issue insect was the false bait to more than double the agency's budget.

And where would the extra \$100 million per year go? The top management at CDFA were giving most all of it to large privileged insider chemical companies in the form of pesticide contracts that were 100% unnecessary regarding LBAM, but quite necessary regarding transferring \$\$\$ hundreds of millions from taxpayers to these cronies connected to top CDFA Management.

We can't blame workers at CDFA and USDA who are just doing their job. We can't blame reporters, as they don't have the budget to investigate so they repeat the false statements delivered to them by top management of CDFA and USDA.

We can thank the scientists who stood up against the pressure and reported to the public and elected officials regarding the absurdities and inaccuracies of science that CDFA and USDA were using to implement this fraud on the public.

See a professor's press release revealing the fraud of this program.
<http://www.californiachronicle.com/articles/view/76798>

Posted by: Robert Williams | April 24, 2010 at 04:32 PM

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