

1 [Urging the United States Department of Agriculture to Declare the Light Brown Apple Moth as  
2 a Non-Actionable Pest]

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4 **Resolution urging the United States Department of Agriculture to declare the Light**  
5 **Brown Apple Moth as a non-actionable pest in order to end the Light Brown Apple**  
6 **Moth eradication project that could expose San Franciscans to unacceptable and**  
7 **unnecessary levels of pesticide exposure.**

8 WHEREAS, The United States Department of Agriculture (USDA) is currently  
9 accepting comments in its Docket No. APHIS—2009-0101 on how to classify the Light Brown  
10 Apple Moth (LBAM); and

11 WHEREAS, The reclassification of the LBAM as a non-actionable pest is supported by  
12 the evidence and advocacy organizations, and will result in measurable health improvement  
13 to Californians and economic benefit to farmers; and,

14 WHEREAS, The USDA issued a Draft Response that denies petitions for  
15 reclassification, even though there is no evidence LBAM has done damage in the U.S. or  
16 poses a threat to crops or wild/native plants; and,

17 WHEREAS, In 2009, the National Academy of Sciences concluded that the USDA had  
18 not “communicated its justification in a scientifically rigorous way or with sufficient clarity” and  
19 would “benefit greatly from referencing more robust science to support its position, as its draft  
20 response did not adequately explain the moth's most likely future geographic distribution in  
21 the United States or the level of economic harm it could cause”; and,

22 WHEREAS, USDA's response to the petitions says LBAM is “newly introduced” even  
23 though NAS concludes that LBAM surveys/trapping for LBAM prior to 2005 are inadequate to  
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25

1 determine whether LBAM was present in the U.S., and independent scientists tell us LBAM  
2 has been here for up to 30 years; and,

3 WHEREAS, USDA continues to overestimate potential economic damage from LBAM  
4 ~~by including high-cost crops such as almonds for which National Academy Sciences says~~  
5 there is no evidence that LBAM will be a pest; and,

6 WHEREAS, USDA relies on outdated sources and information about the effects of  
7 LBAM and the effectiveness of natural controls for LBAM and ignores current experience in  
8 Hawaii, New Zealand, and elsewhere indicating that LBAM is not a threat; and,

9 WHEREAS, The National Research Council Letter Report entitled "Review of the U.S.  
10 Department of Agriculture's Animal and Plant Health Inspection Service Response to Petitions  
11 to Reclassify the Light Brown Apple Moth as a Non-Actionable Pest" is on file with the Clerk of  
12 the Board of Supervisors in File No.100558, which is hereby declared to be a part of this  
13 resolution as if set forth fully herein; and

14 WHEREAS, Commenting to the USDA is one strategy to protect San Franciscans that  
15 complements the recent lawsuit filed by the City and County of San Francisco against the  
16 California Department of Food and Agriculture to invalidate their flawed Environmental Impact  
17 Report; now, therefore, be it

18 RESOLVED, That the City and County of San Francisco urges the USDA to accept the  
19 petitions of the Pesticide Action Network North America and concerned individuals to  
20 reclassify LBAM; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board  
22 to send an official copy of this resolution as comment to the following address:

23 DOCKET NO. APHIS-2009-0101

24 REGULATORY ANALYSIS AND DEVELOPMENT

25 PPD, APHIS, STATION 3A-03.8, 4700

RIVER ROAD, UNIT 118, RIVERDALE, MD 20737-1238.

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City and County of San Francisco

Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 100558

Date Passed: May 11, 2010

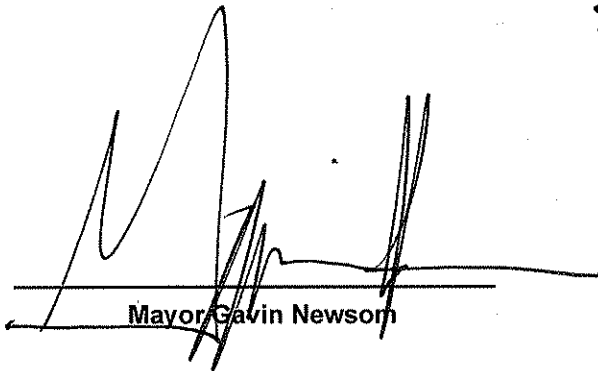
Resolution urging the United States Department of Agriculture to declare the Light Brown Apple Moth a non-actionable pest in order to end the Light Brown Apple Moth eradication project that could expose San Franciscans to unacceptable and unnecessary levels of pesticide exposure.

May 11, 2010 Board of Supervisors - ADOPTED

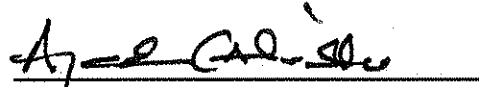
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100558

I hereby certify that the foregoing Resolution was ADOPTED on 5/11/2010 by the Board of Supervisors of the City and County of San Francisco.



\_\_\_\_\_  
Mayor Gavin Newsom



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Angela Calvillo  
Clerk of the Board

5/21/2010  
\_\_\_\_\_  
Date Approved