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March 9, 2016

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California Department of Public Health
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RE: SB 1246 (Nguyen): Pesticides: Aerial Spraying and Seven-Day Notices- Oppose

Dear Dr. Smith:

The California Conference of Local Health Officers (CCLHO) voted at the CCLHO Board meeting on March 3, 2016 to take an Oppose recommendation on SB 1246 (Nguyen). This bill would add Section 12978.5 to the Food and Agricultural Code, and Section 2056 to the Health and Safety Code, to require pest control operators, pest control businesses, and mosquito abatement and vector control districts, at least seven days before administering pesticides by aircraft or unmanned aerial vehicle over a residential area, to notify various people and entities, including, but not limited to, affected governmental agencies, school districts, and chambers of commerce. The bill would specify the information required to be included in the notice.

CCLHO opposes SB 1246. Mosquitos in California transmit potentially lethal viruses such as West Nile Virus to humans. With the introduction of invasive Aedes species of mosquitos in California, these vectors now pose a potential threat of transmitting emerging diseases such as Dengue, Chikungunya and Zika viruses. Mosquito and vector control agencies have served an important role in conducting surveillance for mosquito species as well as identifying new and emerging viruses transmitted by these vectors. Identification of emerging species and rapid response, including aerial spraying, are critical to controlling the mosquito vector population and preventing transmission of important viruses. Each agency communicates the local vector threat to the community it serves, and describes the spraying that will be conducted to address the vector threat. When appropriate, local health departments and vector control agencies coordinate media messages and communication promptly to the public.

A new mandate to provide seven-day notice would delay aerial spraying that could otherwise eliminate newly introduced vectors. While the agency waits to spray, the vector population could increase. Furthermore, this delay could result in a population size that can no longer be eliminated, allowing the mosquito to travel to neighboring communities. This bill therefore may increase the risk of transmission of new and emerging vector borne human infections. CCLHO respectfully recommends that CDPH oppose this bill, as SB 1246 could negatively impact the health of potentially all Californians.

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As you are aware, CCLHO was established in statute in 1947 to advise the California Department of Health Services (now the California Department of Public Health), other departments, boards, and commissions, as well as officials of federal, state and local agencies, the Legislature and other organizations on all matters affecting health. CCLHO membership consists of all legally appointed physician health officers in California's 61 city and county jurisdictions.

This recommendation of oppose for requiring seven-day noticing prior to aerial spraying, as outlined in SB 1246, is consistent with CCLHO's strategic priority of providing scientific expertise on public health matters. This oppose position is further consistent with the strategic priority of taking a leadership role in the practice of public health and policy development.

If you have any questions, please contact me at jberreman@ci.berkeley.ca.us or 510-981-5301.
Thank you.

Sincerely,

Original signed by Dr. Janet Berreman

Janet Berreman, MD, MPH
President, California Conference of Local Health Officers