

Questions and Answers on the Lead Ban Petition to the EPA

What is the action requested? Conservation groups petitioned the Environmental Protection Agency for a nationwide ban on the production and sale of lead bullets, shotgun pellets, and fishing sinkers. The change is being sought under the Toxic Substances Control Act, which regulates dangerous chemicals in the United States.

Who filed it? The petition was filed by the Center for Biological Diversity, American Bird Conservancy, Public Employees for Environmental Responsibility, Association of Avian Veterinarians, Center for Food Safety, and Project Gutpile (*see below for more information on the groups).

What is the problem with lead? Lead is an extremely toxic substance that is dangerous to people and wildlife, even at extremely low levels. Lead exposure can cause a range of health effects, from acute poisoning and death to long-term problems such as damage to reproduction, growth, and neurological development. The government has wisely mandated removal of lead from water pipes, gasoline, paint, cooking utensils, and even wheel weights. Spent lead from hunting and fishing activities poses a grave and widespread danger to wildlife.

What are the human health risks? Humans who accidentally ingest lead shot pellets or lead bullet fragments in meat risk lead poisoning, which is especially dangerous for children. Lead bullet fragments in shot game can spread throughout the meat that humans eat. Radiograph studies of animals shot with lead ammunition show that numerous imperceptible dust-sized particles of lead can infect meat up to a foot and a half away from the bullet wound.

What bird species are at risk? At least 75 bird species have been poisoned by lead ammunition, including bald eagles, golden eagles, mourning doves (from 9 to 15 million may be killed each year, based on a peer-reviewed study) common ravens, and endangered California condors. There may be population level effects from lead poisoning on sensitive species such as condors, cranes, eagles, and swans. Many scavengers are poisoned after consuming the carcasses of animals shot with lead ammunition. In the water, lead-based fishing weights that sink to the bottom are often mistaken for food or grit and ingested by trumpeter swans, ducks, geese, loons, and other waterfowl.

Weren't some of those birds already protected from lead? A federal requirement in 1991 banned lead shot for hunting waterfowl – including ducks, geese, and swans – but similar protections to get the lead out of terrestrial habitats have been sporadic and only at a local level.

Does the EPA have the authority to enact the kind of ban the groups are seeking? Yes. The Toxic Substances Control Act gives the EPA broad authority to regulate chemical substances that “present an unreasonable risk of injury to health or the environment.” The lead in bullets and sinkers clearly falls within the definition of a

“chemical substance.” Specific steps the EPA can take include regulating the manufacture and use of certain substances. The EPA has already declared that lead is a toxic substance and taken steps to remove it from other areas. EPA is permitted to regulate the toxic components of ammunition, but is not allowed to regulate firearms or the manufacture and sale of ammunition.

Do we know that lead from ammunition and fishing sinkers is the source of lead harming wildlife? Yes. The science linking lead ammunition and fishing tackle to lead poisoning in numerous wildlife species is clear and extensive. In 2007, 44 prominent scientists joined to state their support for the “robust chain of evidence” linking lead ammunition to lead exposure in California condors. A 2008 Blue Ribbon Panel convened by the American Ornithologist’s Union reached the same conclusion, and forensic evidence since then has solidified the link. Other scavengers face similar exposure, and studies continue to show lead poisoning in a wide range of birds and even mammals.

If the evidence is so clear on this issue, why is there opposition to it?

Unfortunately, naysayers will remain for whom no amount of scientific evidence will be sufficient, who will continue to dispute good science and propose other possible sources of lead that have been disproven. One misleading argument has been that regulating lead is a backdoor method to ban guns (which it is not), rather than getting the toxic lead out of the environment.

Aren’t voluntary measures and hunter education enough? Hunters who already shoot non-toxic ammunition should be given credit for helping to reduce lead poisoning of wildlife, but voluntary efforts and local bans on lead have major limitations: lead ammo remains readily available and is still cheaper than non-lead alternatives; even low amounts of noncompliance have been shown to cause major harm; and different requirements between hunting zones and states complicate enforcement and compliance.

Won’t this impede hunting and fishing and hurt local economies? No! The costs of ammunition and fishing tackle are typically a tiny fraction of the total that hunters and anglers spend on their sport. States that have already banned shotgun ammunition for hunters and lead fishing gear for anglers have successfully made the transition to non-toxic products and continue to have active hunting and fishing communities. A full line of non-toxic replacement products are available. Regulatory action will spur increased demand and availability, and as subsequent production costs fall, non-toxic ammunition and fishing tackle will likely become less expensive.

Will this action inhibit my ability to hunt or fish?

No! You will hunt or fish the way you always have, but with non-toxic ammunition or tackle. You will be able to purchase guns and ammunition from the same places and in the same way, and use them in the same manner. You will have the same access to your traditional hunting and fishing areas, and experience no change in your ability to hunt or fish.

What about bullets for the police and military, and for personal handguns? The petitioners support exceptions to allow continued use of lead pistol ammunition for home defense and non-hunting activities. This petition will not affect law enforcement or the military.

***Filing Groups:**

- American Bird Conservancy (www.abcbirds.org) conserves native birds and their habitats throughout the Americas by safeguarding the rarest species, conserving and restoring habitats, and reducing threats while building capacity of the bird conservation movement.
- The Center for Biological Diversity (www.biologicaldiversity.org) is a national non-profit conservation organization that works through science, law and creative media to secure a future for all species, great or small, hovering on the brink of extinction.
- Public Employees for Environmental Responsibility (PEER) is a national non-profit alliance of local, state and federal scientists, law enforcement officers, land managers and other professionals dedicated to upholding environmental laws and values.
- The Association of Avian Veterinarians is an international professional organization of practitioners advancing and promoting avian medicine, stewardship, and conservation through education of its members, the veterinary community and those they serve.
- Project Gutpile is a grassroots hunters' organization dedicated to educating hunters and anglers and to saving wildlife from lead poisoning through encouraging the use of non-toxic ammunition.
- The Center for Food Safety is a non-profit public interest and environmental advocacy membership organization that works to challenge harmful food production technologies and promote sustainable alternatives.