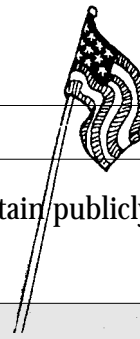


8. Using the Freedom of Information Act



Objective: • To acquaint students with the means for acquiring certain publicly-available information held by the federal government.

Activities:

- Study** the Freedom of Information Act (FOIA), its purpose, and how it can be used to obtain certain public information from federal agencies, including certain pesticide test results used to make regulatory decisions.
- Choose** a particular pesticide chemical used by your school, and make a FOIA request to the EPA to get pesticide testing data (e.g., toxicity or environmental fate data) for that chemical.
- Or, simply **ask** EPA to tell you what all the ingredients are in the pesticide product. You may be surprised to know that EPA considers some of this information to be trade secret, and will likely “black out” some of the information that it sends you about the “inert” ingredients. Discuss these inert ingredients of pesticide products and their confidential or “trade secret” status. Why do you think this information is not publicly available? What other information does the government have that it does not allow citizens to see, and why not?
- As a third option, **choose** one of your favorite fruits or vegetables and make a FOIA request to the FDA requesting all of that agency’s pesticide residue testing data for that crop. This will give you an idea of how much pesticide residue you are being exposed to by eating that food.

Resources:

- Guide to the Freedom of Information Act (FOIA). 1990. Available from NCAP, PO Box 1393, Eugene, OR 97440. (541) 344-5044.
- Visit the inerts page of NCAP's Web site to learn more about the trade secret status of pesticide inert ingredients (www.pesticide.org/inertspage.html). This will be of interest to those who want to know more about what information about pesticides is not currently available from the government under the Freedom of Information Act.

Address FOIA requests to:

FOIA Officer

U.S. Environmental Protection Agency (EPA)

401 M St. SW

Washington, DC 20460

FOIA Officer

U.S. Food and Drug Administration (FDA)

Public Health Service

Department of Health and Human Services

Washington, DC 20204

Note: Responses to FOIA requests may take months. Be sure to use certified mail when sending a FOIA request. Otherwise, you will likely not get an answer at all! For best and fastest results, be as specific as possible in your request. You may want to call the appropriate agency to talk with someone familiar with the area you are researching, to try and pin down exactly what it is that you want before you mail your request. Also confirm the proper address to direct your FOIA request within the agency. Different divisions have their own FOIA staff.