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MEDIA

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**AG TAKES ACTION AGAINST BAYER OVER
DECEPTIVE MARKETING ABOUT RISKS OF
PESTICIDES**

*First-of-Its-Kind Enforcement Action by a State Attorney General
Targeting a Manufacturer of Neonicotinoid Pesticides*

BOSTON — Bayer CropScience, the world's largest agrochemical company and one of the largest global manufacturers of pesticides, has agreed to pay \$75,000 and change its advertising practices to resolve allegations that the company misled and deceived consumers about the potential risks its pesticides pose to bees and the environment, Attorney General Maura Healey announced today.

The assurance of discontinuance, filed today in Suffolk Superior Court, is believed to be the first time any major pesticide company has agreed to a court order to address alleged false advertising regarding risks posed by its products containing

synthetic chemicals – known as neonicotinoids – to bees, other pollinators and species, and the environment. Bayer CropScience LP (Bayer) is a division of Bayer AG.

“Bayer made numerous misleading claims to consumers about the safety of its pesticide products, including falsely advertising that they were similar to giving ‘a daily vitamin’ to plants, when in fact, they are highly toxic to honey bees and other pollinators in the environment,” said AG Healey. “This settlement is an unprecedented step from a major pesticide manufacturer to promote truth in advertising for consumers about products that expose bees and the environment to harm and in turn also impact farming and food production.”

Honey bees play an essential role in crop pollination for both small, local farms and large national farming operations. The U.S. Department of Agriculture has reported that a quarter of the American diet depends on honey bee pollination.

The AG’s Office began an investigation in September 2013 into Bayer’s advertising for its lawn and garden products. As a result, the AG’s Office alleges that the company violated the state’s Consumer Protection Act by making deceptive and misleading claims that its products did not present risks to bees, other pollinators, and the environment.

The lawn and garden products, which include Bayer Advanced® All-in-One Rose and Flower Care, Bayer Advanced® 12 Month Tree & Shrub Protect and Feed II, and Bayer Advanced® Season Long Grub Control Plus Turf Revitalizer, contain the active ingredients imidacloprid and/or clothianidin, which belong to a family of synthetic chemicals called neonicotinoids.

Neonicotinoids are systemic chemicals designed to spread their toxin throughout the plant, including into the plant’s pollen,

where the toxic pesticides are easily accessible to pollinators. In addition to causing harm to bees, neonicotinoid exposure on land and in bodies of water has been associated with adverse effects on fish, amphibians, birds, and bats.

Bayer's alleged deceptive advertisements included statements that:

- Its neonicotinoid products are environmentally friendly to beneficial insects including honey bees;
- Neonicotinoids are active ingredients approved by the Environmental Protection Agency (EPA), even though the EPA cautions pesticide companies not to characterize any pesticide product as EPA-approved;
- Identified the active ingredient in some of its neonicotinoid products only by the term "Merit®," when the active ingredient is the neonicotinoid pesticide, imidacloprid; and
- The consumer should think of systemic insecticides like a preventative treatment, much like taking a daily vitamin.

Today's settlement requires that Bayer refrain from using any reference or claim that the products are safe, environmentally friendly, non-toxic, or will not harm bees or other pollinators unless the company can substantiate the claims, along with prohibiting any other misleading assertions about the product being safe or harmless.

The settlement also requires that all advertisements state that consumers should read and follow all instructions on the product label.

The AG's Office also initiated an investigation of Scotts Miracle-Gro for similar allegations, and discontinued the investigation after Scotts decided to phase out neonicotinoids from its lawn and garden consumer product line earlier this year.

For more information about residential pest control click [here](#)

This case was handled by Assistant Attorney General Andrew Goldberg, of AG Healey's Environmental Protection Division, and Assistant Attorney General Melissa Hoffer, Chief of AG Healey's Energy and Environment Bureau.

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