

Judge halts June moth spraying

Light Brown Apple moth
State vows to appeal ruling but governor orders postponement until tests can be conducted. *4 25 08*

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SANTA CRUZ — The state will not be allowed to spray pesticide over Santa Cruz County in June after a judge

ordered California leaders to complete an environmental review first.

Santa Cruz Superior Court Judge Paul Burdick said the state did not prove the invasive light brown apple moth poses an immediate threat to life

or property. As a result, Burdick said, he rescinded an emergency exemption that had allowed spraying before the review was done.

A cheer went up from the courtroom packed with more than 100 people as

Burdick announced his decision.

About the same time, Gov. Arnold Schwarzenegger announced plans to postpone all aerial spraying for the moth until acute testing of eye, inhalation, respiratory and other potential

irritants, known as the "six-pack" toxicology test, could be completed. Schwarzenegger's office said the decision was unrelated to the local court ruling.

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