

# No Need to Get the Lead Out

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*In 1991 the U.S. Fish and Wildlife Service instituted a nationwide ban on the use of lead shot to hunt waterfowl due to studies that suggested ducks and geese often mistake the small pellets for food, resulting in lead poisoning.*



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In June 2012, seven environmental groups sued the Environmental Protection Agency (EPA), claiming that lead bullets are poisoning both wildlife and humans. The goal of the lawsuit was to force the EPA to regulate the amount of lead in bullets. This lawsuit is similar to a 2010 petition that sought to force the EPA to ban lead bullets, and a petition in 2012 that sought regulation. The EPA's answer to both the petitions and lawsuit was that it does not have the authority to regulate ammunition.

Research indicates that lead ammunition poses little or no harm to animals and humans. From an environmental perspective, banning or limiting lead ammunition would make hunting more expensive, resulting in fewer hunters, less funding for wildlife conservation and poorer wildlife management.

**The Effects of Lead Ammunition on Wildlife.** Many environmentalists claim that raptor populations — such as hawks, eagles and falcons — are harmed each year through ingestion of lead fragments in the carcasses of animals they scavenge. However, there is little scientific evidence to support these claims. Some birds do accidentally ingest lead shot. Lead causes developmental and

behavioral abnormalities when ingested in large quantities, but there is no evidence that this occurs frequently in birds, which would be shown by population declines. In fact, according to an ongoing study by the Raptor Population Index, populations of bald eagles and golden eagles have increased over the past few decades. Moreover:

- Twenty raptor populations in various locations have increased or stabilized.
- Only six populations have shown any significant population decline.
- Five of these declines are credited to changes in migration patterns and behavior.

With the exception of a few species, such as the California condor, the effect of lead ammunition on wildlife has proved to be negligible.

In 2008 California banned the use of lead bullets in areas inhabited by condors. Recent research indicates that about 30 percent of condors in California show lead concentrations high enough to affect the condors' health. However, prior research by the California Fish and Game commission found that the number of condors with blood lead levels greater than background amounts dropped to 45 percent in the six months following the 2008 ban, then jumped back up to 60 percent of condors in the first half of 2009. The wide swing in condors with elevated blood lead levels suggests that there are problems with the study, and/

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or lead shot is not the only source of elevated blood lead levels, and/or the ban did not have the intended effect, at least in the short run. Even if the California ban is effective, that is not a compelling reason to institute a nationwide ban, since the circumstances of the California condor are exceptional.

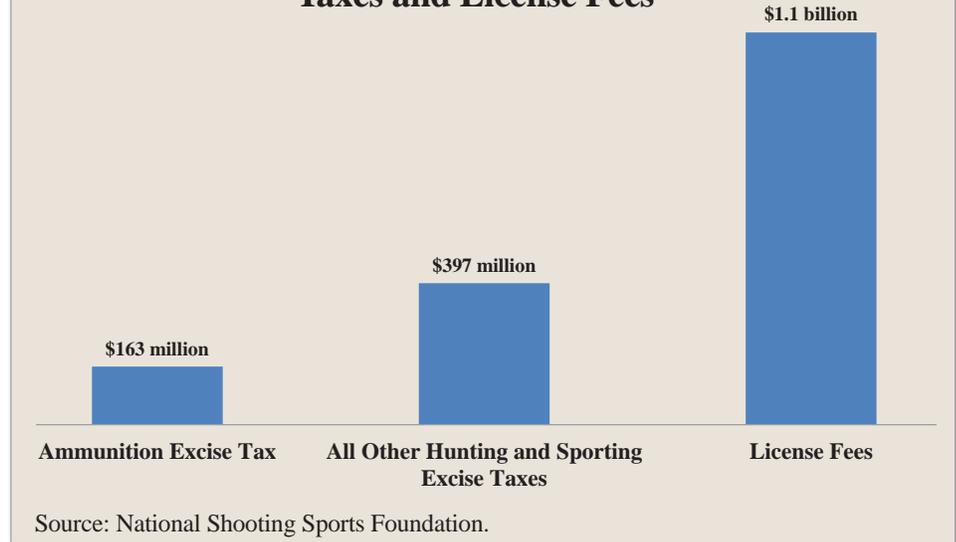
**The Effects of Lead Ammunition on Humans.** In humans, elevated lead levels are associated with such conditions as high blood pressure, hearing loss or infertility. A 2008 study of 738 North Dakotans conducted by the U.S. Centers for Disease Control and the North Dakota Department of Health found higher blood lead levels were statistically correlated with eating a lot of wild game shot with lead bullets. However, the study acknowledged that many individuals in the study who ate a lot of wild game shot with lead bullets had much lower blood lead levels than other individuals who ate little or no wild game but had other risk factors for lead exposure, such as living in an old house with lead-based paint. Indeed:

- The blood lead levels for the participants ranged from zero to 9.82 micrograms per deciliter.
- Only blood lead levels higher than 25 micrograms per deciliter for adults are considered elevated — a level none of the participants reached or exceeded.

Therefore, the study does not support claims that consumption of wild game shot with lead bullets results in health complications.

**Banning Lead Ammunition Would Raise the Cost of Hunting.** Ninety-five percent of ammunition made in the United States contains lead, according to the National Shooting Sports Foundation, the firearms industry's leading trade

### Annual Revenue Generated Through Excise Taxes and License Fees



association. Ammunition made with nonlead materials, such as copper, is often twice as expensive as lead ammunition. If the use of lead bullets or shot were banned or limited, hunters would face significantly increased costs. Rising costs are a significant factor in the decline of hunting over the past 20 years, and higher priced ammunition could exacerbate that decline. This would result in a decrease in revenue for state and federal wildlife agencies that depend upon excise taxes on ammunition and the sale of licenses for funding and wildlife conservation. For instance, hunting and sporting excise taxes cover about three-fourths of the cost of wildlife and fish restoration projects. As the figure shows:

- The 11 percent excise tax on the sale of ammunition yields \$163 million per year for wildlife conservation programs.
- Proceeds from all other hunting and sporting excise taxes total \$397 million per year.
- License fees contribute \$1.1 billion per year to state fish and game departments.

In addition, with fewer hunters and less hunting, there would be poorer wildlife management. This could, arguably, worsen the overpopulation of such animals as deer and feral hogs — both of which already cause millions of dollars of damage to farms, forests, suburbs and automobiles each year. Thus, banning lead ammunition would be contrary to sound wildlife management.

**Conclusion.** The EPA is precluded from regulating or banning lead ammunition under an exemption to the definition of “chemical substance” in the Toxic Substances Control Act. To reinforce its intention to limit the EPA’s authority, in April 2012 the House of Representatives passed the Sportsman’s Heritage Act of 2012, which would expressly prohibit the EPA from regulating the amount of lead in ammunition. A pending amendment to the Senate’s Agriculture Reform, Food, and Jobs Act of 2012 would have the same effect.

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