



A Professional Society Representing the Nation's Crop Production, Research Consultants and Quality Assurance Professionals

FIFRA REVISION & THE PROTECT AMERICA'S CHILDREN FROM TOXIC PESTICIDES ACT (S. 3283)

NAICC POSITION ON FIFRA

Members of the National Alliance of Independent Crop Consultants (NAICC) are independent agricultural consultants and researchers. Our members consult in 40 states on approximately 150 crops. Their recommendations and research must be based on the best available data. NAICC supports the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and believes that its regulations should be held to at least this same level of science-based standards. The proposed Protect America's Children from Toxic Pesticides Act (PACTPA) would significantly change key provisions of FIFRA with the potential to weaken decades of federal regulation and scientific progress in the evaluation of pesticide safety and registration. NAICC believes that any changes to FIFRA should continue to be data driven and science based and guard against any potentially subjective prejudices.

BACKGROUND

In 1947 FIFRA was enacted by Congress to employ a strategy that mitigated issues related to safety of pesticides. In 1972 FIFRA amendments paved the way that began the regulatory processes that we currently employ to ensure that pesticides are safe to the public. FIFRA was amended in 1996 by the Food Quality Protection Act (FQPA) that added specific protections from risks to infants and children. Through thorough evaluation by EPA and the regulatory authorities within our ag industry, the process that is currently employed for a pesticide to come to market is the gold standard leading the world to ensure the safe use of pesticides. FIFRA allows for a sound scientific method for evaluating pesticides.

ISSUE

Pesticides are necessary for the effective protection of public health, homes, natural resources and the environment. They are necessary tools used in Integrated Pest Management (IPM) to protect crops by managing weeds, insect infestations, and diseases. PACTPA has been introduced into the Senate (No House bill as of now.). If enacted, this legislation would replace much of EPA's science-based risk/benefit procedures with a more EU hazard-based process which could potentially put our nation's food supply at risk.

KEY AREAS OF CONCERN INCLUDE:

Sec. 3: Petitions to Designate Dangerous Pesticides

Any person may submit a petition to designate an active ingredient (ai) or pesticide as a dangerous pesticide. EPA then has 90 days to review all relevant evidence. If this isn't done in 90 days, then the ai/pesticide shall be deemed a Dangerous Pesticide. If EPA fails to suspend an ai/pesticide deemed dangerous within 60 days, then the ai/pesticide "shall be immediately and permanently canceled". This has the potential to unleash a landslide of petitions. EPA is currently not built to be able to handle a large number of Dangerous Pesticide petitions and get them done in 90 days, which could lead to the immediate and permanent cancellation of those products outside of the science-based reregistration review guidelines.

Sec.4 (1)(A): Suspension of Banned Pesticides

EPA will suspend any ai/pesticide that is banned by any country in the European Union or Canada, and "shall not consider any economic analysis of the benefits or costs". The U.S. risk-benefit system is the most comprehensive in the world and balances the need for pesticides with the risks and requires making regulatory decisions based on the best available science. Pesticide registrations are regulated by U.S. law under FIFRA and do not need to be subject to the laws and regulations of other countries.

Sec. 9,10,11: The immediate cancellation of registrations of Organophosphates, Neonicotinoids, and Paraquat. Farmers rely on these products for the protection of a safe food supply for America. These products should continue through the science-based reregistration process.

Sec. 12: Any political subdivision of a State may design their own regulations of pesticides. This would create a confusing patchwork of regulations which would undermine the scientific expertise that determines safety standards for pesticides. Local governments do not have the scientific expertise to make informed science-based decisions about the safety of pesticide products. State regulatory programs provide uniform pesticide regulation including, packaging, sales, transportation, and storage. Allowing each community to enact its own regulations would cause a high level of confusion on which rules apply where and increase the likelihood that products could be misused in ways that would endanger public health or worker safety.

NAICC remains committed to protecting human health and the environment while safely maintaining America's food, fiber and biofuel production. The U.S. food supply and its safety are currently guarded by the world's most thorough pesticide registration process. Only about one in 10,000 discoveries makes it from the lab to the farmer's field in a process that can take up to twelve years. Even if PACTPA were to not pass, future attempts to replace the current science-based regulations with a more subjective process, which would also be more exposed to outside influences, needs to be guarded against. Protecting our nation's food supply and the health and safety of U.S. citizens is the ultimate goal of FIFRA as written and needs to be protected.