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January 5, 2016

OPP Docket
Environmental Protection Agency Docket Center (EPA/DC) (28221T)
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460-0001

RE: Chlorpyrifos Tolerance Revocations Proposed Rule (EPA-HQ-OPP-2015-0653)

Dear Ms. Friedman:

The Agricultural Retailers Association (ARA) appreciates the opportunity to comment on EPA's proposed tolerance revocation of chlorpyrifos. We do not believe that EPA's current tolerance revocation of chlorpyrifos is properly founded on risk-based analysis of crop protection science and could have a significant impact on American farmers and production agriculture.

Statement of Interest

ARA is a not-for-profit trade association that represents America's agricultural retailers and distributors. ARA members provide goods and services to farmers and ranchers which include: fertilizer, crop protection chemicals, seed, crop scouting, soil testing, custom application of pesticides and fertilizers, and development of comprehensive nutrient management plans. Retail and distribution facilities are scattered throughout all 50 states and range in size from small family-held businesses or farmer cooperatives to large companies with multiple outlets. ARA member companies own and operate over 6,500 retail facilities located throughout all 50 states and account for about 70-75 percent of US crop pesticide sales. ARA members account for more than half of all domestic crop pesticide ground and aerial applications.

Comments

EPA appears to have significantly changed its previous assessments of chlorpyrifos by adopting new methods and applying many new assumptions. These changes include the selective use of certain epidemiological data as an alternative to laboratory animal studies; expanded margins of safety; consideration of an updated hazard based assessment; and the incorporation of a number of questionable assumptions about chlorpyrifos in its exposure assessment policies.

Chlorpyrifos is an organophosphate insecticide, acaricide and miticide used primarily to control foliage and soil-borne insect pests on a variety of food and feed crops. It has been safely used by the agricultural industry in the United States since 1965 (which is over a 40 plus years period) and is one of the most versatile and cost effective insecticides on the global market. Nearly 100 other countries have also registered the product and it is applied to millions of crop acres each year. Chlorpyrifos is used on corn, soybeans, fruit and nut trees, Brussels sprouts, cranberries, broccoli, and cauliflower, as well as other row crops. Insecticides containing chlorpyrifos are important tools used to control pests such as soybean and corn aphids, two-spotted spider mites, alfalfa weevil, and adult corn rootworm beetles. While chlorpyrifos is one of several classes of insecticides effective in controlling these types of pests, the potential recurring nature of aphid and mite infestations during the agricultural production season

requires the availability of several chemistry control options in order to rotate modes of action, a key part of integrated pest management.

EPA's comprehensive endorsement of the Columbia University epidemiology study raises serious questions regarding the agency's use of a wide range of important occupational handler use scenarios. EPA's use of this study without providing the raw data be made available to the public is a major procedural change that places new questionable assumptions being utilized as the basis of the agency's decisions related to this important and proven crop protection tool. We urge EPA to reevaluate its proposal to revoke tolerances on chlorpyrifos based on the agency's significant overestimate of risk.

EPA states that under the agency's current analysis "there does not appear to be risks from exposures to chlorpyrifos from food, but when that exposure is combined with estimated exposure to drinking water in certain watersheds, EPA cannot conclude that the risk from the potential aggregate exposure meets the Federal Food, Drug, and Cosmetic Act (FFDCA) safety standard." It is ARA understanding that EPA only does a national screen to estimate concentrations in surface water sources of drinking water, which is based on one drinking water reservoir in the state of Illinois. ARA agrees with the National Agricultural Aviation Association's (NAAA) recommendation that EPA use all available data to identify actual small watersheds with drinking water intakes with the greatest potential runoff vulnerability in surface water sources, both reservoirs and flowing streams. These modeling iterations should be repeated using all available refinements supported by existing data to generate the most accurate information and the process corresponds to the level of refinement done in the Health Effects Division (HED) to estimate residues in food.

ARA members along with the vast majority of American farmers do not want to lose the use of chlorpyrifos as a safe and cost-effective insecticide tool that provides broad-spectrum control of many damaging insect pests. We believe EPA is using flawed data / assessments regarding the risks inherent from chlorpyrifos. EPA should not use an application of 10x FQPA SF and duration assumptions regarding mixer / loader exposure and should use extensive data collected from laboratories rather than the flawed epidemiological correlations for risk assessment. The current re-registration of chlorpyrifos should stand and EPA needs to stop pursuing the revocation of any tolerances for this essential crop protection tool.

Thank you for your review and consideration of these comments!

Sincerely,



Richard D. Gupton
Senior Vice President, Public Policy & Counsel