



BEYOND PESTICIDES

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December 17, 2002

OPP Public Regulatory Docket (7502C)
Docket ID number OPP-2002-0251
U.S. Environmental Protection Agency
1200 Ariel Rios Building
Washington, DC 20460

Re: Interim Reregistration Eligibility Decision
(IRED) document for the pesticide active ingredient diazinon

Dear Madam/Sir:

Thank you for the opportunity to comment on the Interim Reregistration Eligibility Decision (IRED) document for the pesticide active ingredient diazinon. These comments are submitted on behalf of Beyond Pesticides and its membership. Beyond Pesticides is a membership-based organization committed to pesticide safety and the adoption of alternative pest management strategies that reduce or eliminate a dependency on toxic chemicals. To that end, we would like to use this opportunity to comment on and make recommendations to the diazinon interim reregistration eligibility decision.

Before the current phase outs approximately 13 million lbs a.i. of diazinon were used annually, according to Agency and registrant estimates. Although many of these uses are being phased out, they are currently still being used. First and foremost, all of these uses must be included in this IRED. These risks that were considered too dangerous to continue are currently exposing and will continue to expose people until they are gone from the market and all stocks are used up. This is a significant risk to the population and especially to children.

The following are the continuation of Beyond Pesticides' comments to this IRED:

EPA must use the 10x safety standard under the *Food Quality Protection Act*

Congress overwhelmingly passed FQPA to address, among other concerns, the particular hazards faced by children from exposure to pesticides. Diazinon is one of the leading causes of acute reactions to insecticide use reported as poisoning incidents in the United States (see pages 90-92 of the Occupational and Residential Exposure

Assessment (OREA-Diazinon), November 30, 2000). Much of the frequency of the reported incidents for diazinon is accounted for by the widespread use of this chemical inside and outside the home. Diazinon was the fifth most common pesticide found in U.S. homes in a survey conducted by EPA in 1990. Clearly, diazinon represents a major source of exposure to organophosphate pesticides to young children given its common use in and around homes. This fact alone is enough to preclude EPA from lowering the 10x safety factor for diazinon provided for by FQPA.

- There are a number of important data gaps in the residential risk estimates of diazinon.
- EPA is required to maintain the 10X safety factor unless there is “no evidence of abnormalities in the development of the fetal nervous system in the pre/post natal studies.”
 - There are several studies that have been previously brought to the attention of the Agency that show maternal exposure to diazinon can cause behavior abnormalities in their offspring including Spyker et al (1977).
- Additionally there is evidence that infants are particularly susceptible to diazinon poisoning.

Children of farmworkers and children who live and work in or near the fields must be considered a special Identifiable Subpopulation

Amendments to the Federal Food, Drug, and Cosmetic Act require EPA to identify and study results to human risk; dietary consumption patterns and variations in the sensitivities of major identifiable subpopulations; cumulative and aggregate (dietary and nondietary) effects of exposure to the pesticide and other substances with common mechanisms of toxicity; effects on the endocrine system; and scientifically recognized appropriate safety factors.

- Children of farmworkers and children who participate in farming are exposed to pesticides at much higher rates than non-farming children.
- Worker protection standards are created using an average body type not comparable to children.
- An additional safety factor must be considered for this special at risk group.
- The children of farmers, farmworkers and agricultural communities, including over 500,000 children under the age of six, face the greatest risks from exposure due to their small size and higher metabolisms.

Farm children should be deemed to comprise an especially vulnerable population, and their exposure to pesticides must be considered in establishing tolerances where data are available.

- Children who live on or near farms are at risk from airborne pesticide drift when they spend any time outdoors.
- These children come in contact with pesticides through residues from their parents' clothing, dust tracked into their homes, contaminated soil in areas where they play, food brought directly from the fields to the table, and contaminated well water.
- These children are likely to have the highest exposure to pesticides of any group of people in the country. Furthermore, farm children often accompany their parents to work in the fields, raising their pesticide exposures even higher.
- The dangers to the unborn fetus of pregnant farmworker women should also be evaluated under the FQPA standard.

At the SAP meeting several members stated that the failure of the risk assessment to address agriculture communities as especially vulnerable to high pesticide exposure is a very serious oversight. Consideration of these communities would include populations that live near agriculture areas, farm families, and effects of spray drift. In addition, one SAP member pointed out that considering protective clothing should also include a consideration of what happens to the clothing after the pesticide application. Does it sit on household furniture; does it sit in a laundry room, or hang in a back porch? These scenarios are real possibilities, particularly in agricultural communities, and are not included in the risk assessment. This leads to an underestimate of the exposure of farm families.

Residential use continues and will continue after the phase out

Current residential uses of diazinon must be included in the risk assessment and all uses must end immediately necessitating a residential and commercial buy back by the registrant.

- Cumulative risks including existing residential uses pose a threat to human health.
- Residential customers can continue to use diazinon stockpiles indefinitely after the phase out becomes final. All of these continued uses pose an unreasonable risk to children and other sensitive populations.

Occupational exposure risks exceed the level of concern and proposed mitigations are not stringent enough

Formulation and label changes do not take into account the time needed to produce, package, market, transport and sell and new formula/label. These unacceptable risks will continue for an undetermined amount of time. In addition, many of these unacceptable risks were determined at “typical” application rates. EPA must determine that workers are safe at “maximum” application rates use these scenarios to develop risk mitigation.

- Many growers/workers/applicators do not stay abreast of new formula and label changes.
- Many workers face language and educational barriers that may prevent them from reading labels.
- It must be the responsibility of the registrant to pay to advertise/educated consumers, and sales/distributors of these changes and the potential dangers.
- EPA has not assessed its ability to enforce new mitigation standards.
 - Especially those involving the use of PPE
- EPA’s worker exposure MOEs do not represent truly safe scenarios.
 - Many of the diazinon MOEs are exceeding small and safe levels are not reached in a reasonable amount of time.
 - MOEs do not take into account the possible exposures to and cumulative effects of other cholinesterase inhibiting OPs.
- Occupational risk must be calculated cumulatively with dietary, drinking water, and residential use of diazinon.

The Risk to wildlife from continued exposure to diazinon is too great to justify reregistration

EPA cannot reregister diazinon without a complete and formal consultation by the US Fish and Wildlife Service. According to the IRED EPA knows of imminent threats to endangered species with continued use of diazinon. Continued use in this manor will constitute a take in the Endangered Species Act and a violation under the Consent Decree - *CATs v. EPA (Section 7 inter-agencies consultation)*.

- Diazinon had the highest number of reported bird-kill incidents of any registered pesticide from 1994 to 1998. This statistic represents the post turf phase out numbers.
- The endangered species levels of concern are exceeded for wildlife, aquatic life and terrestrial plants in semi-aquatic areas for all registered use rates of diazinon.
- Sublethal effects are an increasing concern in the Pacific Northwest and are relevant to endangered salmonids nationally.

- The Endangered Species Act does not take into account the economic benefit gained by continued threat to endangered species.

Alternatives to diazinon are available cost effective

The ecological risk of the continued use of diazinon in many scenarios is too great to support reregistration. The benefits of the continued use of diazinon are comparable to existing alternative methods and products.

- Alternatives include Beneficial insects
- Decreased fertilization
- Predator releases-Insect
- Growth regulators
- Pyrethroids
- Bt
- Agricultural oils
- Many of these practices have been found to be very efficacious and cost effective
- Organic farming methods

In conclusion, the continued use of diazinon poses unreasonable risks to human health and the environment. EPA's disregard for both The Endangered Species Act and the CAT Consent Decree pose dangerous threats to endangered wildlife. Human health risks associated with the continued use of this chemical are well known and well recognized by the Agency, yet the residential risks associated with two additional years of outdoor use are not considered in the assessment. Farmworker safety is continually disregarded by use of ineffective and dangerously inadequate safety measures. EPA must immediately end all residential uses of diazinon, ban all uses with unacceptable environmental and ecological risks, and take real, enforced measures to protect farmworkers and their families. Beyond Pesticides and its membership hope the EPA will consider these comments when re-reviewing these risk documents.

Sincerely,

Jessica Lunsford
Program Coordinator