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California Department of Pesticide Regulation

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SUSPENSION PROCESS BEGINS AGAINST PESTICIDES WITH DATA GAPS

The California Department of Pesticide Regulation has begun the suspension process against 14 pesticide active ingredients whose manufacturers have not taken appropriate steps to complete required toxicity studies. The action affects 535 different products, each of which contains one of the 14 active ingredients.

"We are proceeding with suspension actions against chemical companies that have not made a commitment to complete health effects studies in a timely manner," said James Wells, CDPR interim director.

The studies are required under the Birth Defect Prevention Act of 1984 (SB 950, Petris), which mandated a review of toxicity data for all pesticide active ingredients currently registered in California, beginning with a list of 200 chemicals. If existing data were not adequate, companies were mandated to provide the required studies, or face suspension of their products. The data required include animal studies on chronic toxicity, oncogenicity, teratogenicity, neurotoxicity, reproductive toxicity, and genotoxicity.

"Of the first 200 active ingredients, there are 92 chemicals with data gaps," Wells said. "For 61 of those 92 chemicals, the data gaps involve studies which are under review by Department of Pesticide Regulation scientists, and studies which are currently being conducted by registrants, or are scheduled to be initiated in the near future. The majority of the studies will be completed prior to the end of 1992."

The SB 950 timetable mandated that all required data be submitted by March 1, 1991. Chemicals with data gaps may be subject to suspension.

"We began this process in March," Wells said. "After the deadline passed without commitments from some registrants, we established priority lists, based on the number of data gaps and failure to commit before March 1 to generating the data. We have spent several months preparing the legal and regulatory groundwork to initiate the suspension process against the 14

chemicals on our first priority list."

Wells added that "the delays that occurred in enforcing SB 950 are behind us. CDPR is now part of the California Environmental Protection Agency. We have a clear directive to strictly enforce the law. Mistakes that were made in the past will not be repeated.

"Our continued use of suspension authority to enforce the provisions of the Birth Defect Prevention Act will help convince other companies that it is important to comply with the data requirements," Wells said. "Realistic timeframes will be established for all remaining pesticides, and adherence to them will be enforced. Companies that do not meet our timeframes will find their products off the market."

The first suspension actions under SB 950 were in 1990 when state regulatory officials suspended two pesticides, ferbam and dimethylphthalate.

The suspension process begins with a letter to all affected manufacturers, formulators or other registrants, notifying them that because of failure to submit required data, the registration of the pesticide active ingredient and all products containing it will be suspended. This is followed by a notice of intent to suspend. A registrant may request a hearing to appeal the action. The process takes at least 145 days. When the suspension becomes final, the registrant cannot sell the product in California until the data gaps are filled and the suspension is lifted.

(Registrants are companies who do business in California selling pesticide active ingredients or products. A registrant may be the manufacturer of a technical-grade chemical, a formulator who mixes active and inert ingredients to make a pesticide product, or a distributor who puts its own label on a formulated product. Each registrant may sell one or more pesticide products using the active ingredient.)

The pesticide active ingredients affected by the current series of actions include chemicals used in production agriculture, homes and gardens, structural pest control, mosquito abatement, and on non-crop areas. The 14 affected active ingredients, contained in a total of 535 different products, are:

* Chloroneb, a fungicide used before or at planting on beans, cotton and other crops; 5 registered products; approximately 45,000 pounds sold in California in 1989 (the latest year for which sales figures are available).
* Chloropicrin, used as a biocide, structural and soil fumigant, and as a warning agent in combination with methyl bromide fumigations; 55 products registered; in 1989, 2.9 million pounds sold.
* Chlorthal-dimethyl, a selective herbicide used for preemergent control of grasses and some broadleaf weeds; 72 products registered; 1.05 million pounds sold in 1989.
* Coumaphos, insecticide used in livestock buildings and on livestock; 15 registered products; approximately 6,000 pounds sold in 1989.
* DEET (diethyl-meta-toluamide), the most widely used active ingredient in insect repellents for both humans and pets; 72 products registered; approximately 116,000 pounds sold

in 1989.

* Endothall, major use is as pre-harvest plant desiccant on cotton, potatoes and sugarbeets; 9 registered products; 1989 sales, approximately 127,000 pounds.

* Fenthion, insecticide used for mosquito abatement; 4 registered products; approximately 6,000 pounds sold in 1989.

* Methyl parathion, an insecticide used on a wide variety of crops in production agriculture; approximately 88,000 pounds sold in 1989. *(Please note: this chemical is not the more widely used ethyl parathion, which is also commonly referred to as "parathion.")*

* MSMA (monosodium methanearsonate), herbicide on non-cropland; also used on cotton, almonds and citrus; 37 registered products; 1989 sales, approximately 479,000 pounds.

* Napthlalene, an insecticide and fumigant, and active ingredient in some mothballs; 11 registered products; 370,000 pounds sold in 1989.

* Paraquat dichloride, herbicide in trees, vines, alfalfa, almonds and cotton; 2 registered products; approximately 200,000 pounds sold in 1989.

* Resmethrin, insecticide for control of flying and crawling insects; 221 products registered; approximately 7,000 pounds sold in 1989.

* Rotenone, a non-synthetic pesticide used by organic and other farmers for insect control; also used by game wardens for control of undesirable fish; 44 products registered; 7,800 pounds sold in 1989.

* Tetramethrin, insecticide for indoor and outdoor use to control flying and crawling insects; 111 registered products; approximately 3,000 pounds sold in 1989.

Note: Attached is a list of registrants of the 14 chemicals.