

Judy Shaw  
Government Affairs Director

Syngenta Crop Protection Canada, Inc.  
140 Research Lane, Research Park  
Guelph, ON N1G 4Z3  
Canada  
www.syngenta.ca

Tel: (519) 837-5328  
Fax: (519) 836-1032  
judy.shaw@syngenta.com



*cc Vic*

September 16, 2003

Doug Wright  
Director of Programs  
Commission for Environmental Cooperation  
393 St-Jacques West, Suite 200, Montreal,  
Quebec, Canada H2Y 1N9.

Comments on Commission for Environmental Cooperation Phase One North American Regional Action Plan Dioxins and Furans, and Hexachlorobenzene

Syngenta appreciates this opportunity to comment on the draft NARAP for dioxins, furans, and hexachlorobenzene. Syngenta fully supports the efforts of the CEC and intends to be an active participant in the implementation of the NARAP. We do however have several areas that we would like the CEC to clarify in the final NARAP report. Specifically, in Section 4.4.2.3., the following statement appears:

4.4.2.3 Microcontamination in Pesticides

The Parties will work in partnership with registrants to reduce/eliminate HCB, and 2,3,7,8-substituted dioxins and furans as microcontaminants in currently registered pesticides, in line with the best available technology from a manufacturing perspective and encourage the development of new technology, including the development of non-chemical alternatives.

If the level of the microcontamination remains unacceptable in currently registered pesticides, the Parties will work in partnership with registrants and other stakeholders to develop alternative products and/or pest control strategies to prevent or minimize releases.

Syngenta agrees with the intent of this statement, however there is no definition in the document as to what an "unacceptable" level of a particular microcontaminant might be. The document does reference the Stockholm Convention in the Objecting section and states that the NARAP "documents how the three governments will cooperate in implementing their obligations and commitments established in CEC Council Resolutions 95-05 and 99-01, the Stockholm Convention, other international agreements to which one or more of the Parties is a signatory, and their respective national programs". To be consistent with the Stockholm Convention, we believe it is appropriate to define the "acceptable" levels of microcontaminants as "unintentional trace contaminants", which is as they are referenced in the Convention. We believe that arbitrarily specifying absolute levels as "unacceptable" is not appropriate because this does not consider for the true environmental impact of the actual amount of PBT released. This is especially true with pesticides because the contribution of a given PBT from currently registered pesticides is small relative to the overall historical environmental loading from pesticides and other sources. Also, in the case of pesticides, there is clearly a benefits consideration that needs to be weighed against any hazard posed by a microcontaminant in the product. For this reason, Syngenta continues to support the regulation of PBTs in pesticide products by those regulatory bodies most

familiar with pesticide-specific issues, i.e. the Pest Management Regulatory Authority in Canada and Office of Pesticide Programs in the United States.

The document goes on to state that "the objective of this NARAP, comprising joint and individual actions of the Parties, is to improve the capacities of the Parties to reduce exposure to dioxins and furans, and hexachlorobenzene of North American ecosystems, fish and wildlife, and especially humans, and to prevent and reduce anthropogenic releases to the environment of dioxins and furans, and hexachlorobenzene and to promote continuous reduction of releases *where feasible*" [emphasis added]. Syngenta is committed to implementation of state of the art technologies that remove contaminants, including PBTs, from our products. Nevertheless, it must be recognized that there is a threshold beyond which any further reduction of a trace contaminant is no longer economically and/or technically feasible to accomplish further reductions. At this point we believe that the "virtual elimination" target will have been achieved and the risk and benefits of the introduction of small amounts of the PBT resulting from pesticide use must be evaluated.

The Phase 1 NARAP Action Plan includes calls for environmental and biological monitoring programs. Syngenta is concerned that the results from these analyses be properly screened with validated QA/QC procedures similar to those employed by regulated community. We believe that stakeholders should have an opportunity to review and verify results of the monitoring programs before the information is widely disseminated as factual. There will undoubtedly be many instances where residues are detected in the environment or in humans that result from deposition of the PBT possibly years prior to sampling. The exposure from historical releases needs to be distinguished from any additional marginal exposure from future releases and the relative contributions from each source. Past and present, needs to be clearly documented so that current producers are not penalized for past behavior.

According to the NARAP, the implementation process will include "partnerships with industry, public interest groups, indigenous populations and international organizations in Canada, Mexico and the United States to involve them in NARAP implementation". Syngenta totally supports full stakeholder participation and is prepared to engage in partnerships designed to achieve the goals of the NARAP. To that end, Syngenta (also on behalf of the CropLife Industry Association) is requesting membership on the North American Implementation Task Force on Dioxins and Furans, and Hexachlorobenzene.

Once again, Syngenta thanks the CEC for this opportunity to comment on the draft NARAP.

Sincerely,



Judy Shaw  
Government Affairs Director

cc: Tom Beidler  
Tom Tseng