

Congress of the United States
House of Representatives
Washington, DC 20515

June 9, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Administrator Jackson:

We continue to hear from growers about the important role soil fumigants play in the production of numerous specialty crops throughout our country, including strawberries, potatoes, peppers, tomatoes, melons, fruit trees, almonds, tobacco, cut flowers, grapes, forest nursery, plant nursery and orchard replants.

Growers are now using additional safety measures that were required by the May 2009 Amended Reregistration Eligibility Decisions (REDs) for soil fumigants. Many of the additional safety measures were implemented through label changes that went into effect in 2010. Growers are now preparing to comply with additional product label changes and other measures that will be implemented as part of the remaining phase of reregistration. Among other changes, these measures include extensive training programs for applicators, enhanced worker protection requirements, and the implementation of buffer zones and other restrictions around treated fields. As we speak to growers about these new changes, many of them have raised concerns about EPA's request that pesticide registrants develop a community outreach campaign.

Pesticide registrants and growers disagree with EPA's assertion that there is often a fundamental lack of information regarding soil fumigants within communities where fumigations are conducted. Incidents involving offsite exposure from the use of soil fumigants are extremely rare. The new measures already required as part of the RED label changes for soil fumigant applications will further reduce the already small risk of any offsite exposure to surrounding communities, but EPA is requesting the outreach campaign on top of these requirements.

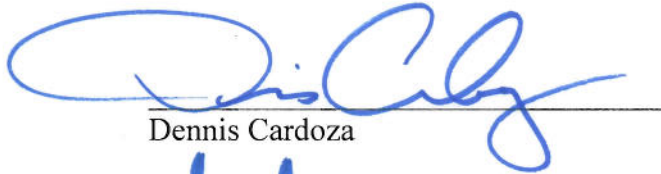
In order to address the community outreach issues expressed by EPA in the REDs, the Chloropicrin Manufacturers' Task Force, Metam Task Force, and Methyl Bromide Industry Panel submitted a proposal to EPA in August 2010. Their proposal includes the dissemination of fumigant specific information sheets **tailored to** first responders and **a separate set of information sheets tailored to** medical personnel, as well as the development of English and Spanish websites which will allow vital information about soil fumigants and their use to be **easily accessible** to those living near fumigated fields **in a manner that will avoid unnecessary and unwarranted alarm.**

This proposal for community outreach appears to be a reasonable and cost-effective approach given EPA's goal in seeking to satisfy the issues expressed in the REDs. It is our understanding, however, that EPA has asked the registrants to expand its community outreach proposal to include an additional outreach medium and additional content. We have several questions in light of EPA's response:

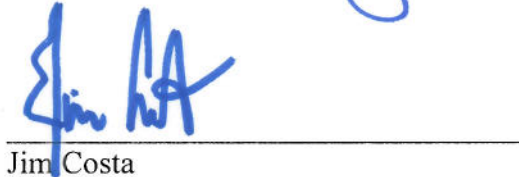
- Given the extremely low rate of incidents of off-site exposure and all of the additional safety measures that are now or will soon be required by the REDs, why does EPA believe that a community outreach program is needed?
- Has EPA held discussions with municipalities and first responders to determine the impact of an expanded community outreach program on local resources due to non-incident related inquiries?
- Has EPA done any assessment of the cost impact of an expanded community outreach proposal on fumigant registrants and growers?

We look forward to receiving your answers to these questions and appreciate your consideration of the concerns raised by growers in our communities.

Sincerely,



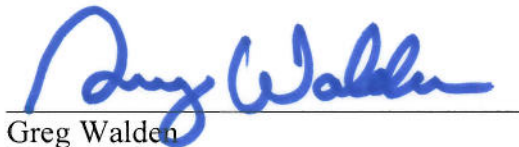
Dennis Cardoza



Jim Costa



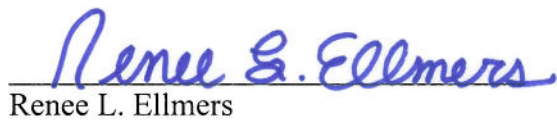
Austin Scott



Greg Walden



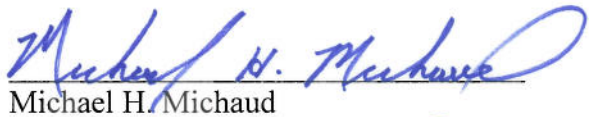
Steve Southerland, II



Renee L. Ellmers



Walter B. Jones



Michael H. Michaud

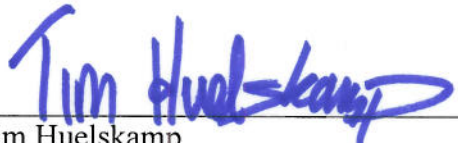


Daniel E. Lungren



Devin Nunes

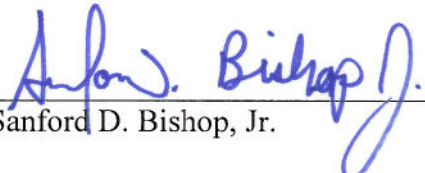

Jeff Denham

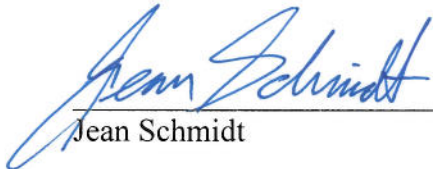

Tim Huelskamp


Rick Larsen



Larry Kissel


Tom McClintock


Sanford D. Bishop, Jr.

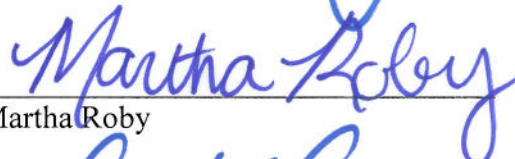

Jean Schmidt



Joe Courtney

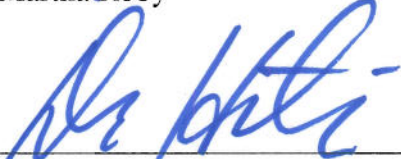

Kevin McCarthy

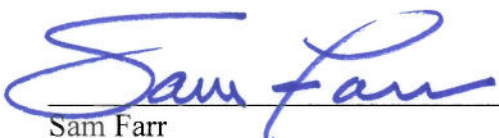

Bill Huizenga


Stephen Lee Fincher


Martha Roby


Howard Coble


Doc Hastings


Sam Farr


Fred Upton


Kurt Schrader


Mike McIntyre

Andy Harris

Andy Harris