

EMBARGOED UNTIL
Sunday, February 11, 2001
10:00 PM Eastern

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CONSUMERS UNION GRADES EPA “C-” FOR PESTICIDE REGULATION

New Report Shows Agency Needs To Improve Performance To Protect Children

WASHINGTON – In a report released today, Consumers Union (CU), the non-profit publisher of *Consumer Reports* magazine, gives the Environmental Protection Agency (EPA) an overall grade of “C-” for its implementation of the Food Quality Protection Act (FQPA), a law designed to reduce exposure to dangerous pesticide residues. While the Agency has made some progress, the report makes it clear that the tough implementation decisions remain to be made.

The report, “*A Report Card For The EPA: Successes and Failures In Implementing The Food Quality Protection Act*,” looks at EPA’s performance to date in four key implementation areas: 1) development of the science policies that frame EPA’s implementation of the FQPA; 2) EPA’s definition of what constitutes a “reasonable certainty of no harm”; 3) reducing the risk from pesticide exposures in the home; and 4) the impact of EPA’s effort to reduce dietary risk from pesticide exposures.

Reducing risk from exposures to pesticides on foods is one of the most important goals of the FQPA, and one of the most visible for parents looking to feed their children a diet rich in fruits and vegetables. However, EPA’s efforts to reduce dietary risk received a grade of “D” in the report.

Under the FQPA, EPA is tasked with reassessing the level of pesticide residues legally allowed on every food product, called tolerances. The Agency’s “tolerance reassessment” decisions to date have reduced dietary exposure to and risk from pesticide residues by 37 percent, CU says. That’s progress. But CU estimates that EPA will need to achieve about a 98 percent reduction from 1996 pesticide risk levels to meet the safety goals of the FQPA. That means about two-thirds of the job remains to be done.

“EPA has managed to make some significant progress while under fire from political opponents of pesticide regulation,” said Ned Groth, a senior scientist and CU and a co-author of the report. “But the easy part is over. The Agency has cherry-picked some of the biggest, ripest targets for risk reduction. To meet the safety targets of the FQPA, EPA’s real, hard work is just beginning.”

Grades for EPA’s recent decisions on specific pesticides range from an “A” for its actions on methyl parathion (the report calls it “a model of rational and efficient risk management”) to an “F” for EPA’s decision on azinphos-methyl (“a complete failure”). CU also graded EPA’s recent decision on Chlorpyrifos a “C.” The report notes that the Agency did severely restrict three major food uses of the chemical, but left unchanged numerous other tolerances that collectively account for a third of children’s total exposure to and risk from chlorpyrifos residues in foods.

EPA has developed science policies in nine key areas to guide its FQPA implementation. CU graded EPA's performance in developing each of the science policies for timeliness, responsiveness to the statute and public comments, and consistency in adherence in the implementation process. EPA received an overall grade of "C+" for its work on science policies. Overall progress has been too slow, CU said, and has delayed other critical implementation decisions.

CU gave the EPA low marks for using the FQPA's innovative provision requiring an added 10-fold safety margin when data are insufficient to assess risks precisely. EPA has applied the "extra 10-X" safety factor in just 13 of 82 decisions to date (16 percent), and used an added 3-X safety factor in another 13 cases, even though serious data gaps exist for almost all of the chemicals EPA has reviewed.

"The FQPA's 10-X provision was designed to give public health the benefit of the doubt, and to put the burden on pesticide makers and users to produce data needed to ensure that chemicals are being used safely," said Charles Benbrook, a CU consultant and co-author of the report. "By failing to use this provision effectively, EPA has reverted to 'business as usual' in which most pesticide uses go on uninterrupted while further testing is done," Benbrook added.

EPA does receive a "B" for its work to reduce risks from pesticide exposures in and around the home. By eliminating virtually all non-agricultural uses of the insecticides chlorpyrifos and diazinon, the Agency has gone a long way toward eliminating the riskiest home pesticide uses.

"All of EPA's FQPA implementation work is fairly well documented," added Benbrook. "Using that documentation, we've been able to measure the impact of EPA's decisions on the risk children face from pesticide exposures. A slightly below-average performance just isn't good enough to provide the protection that Congress sought when it unanimously passed the FQPA."

"EPA's performance really needs to improve," said Groth. "We are hopeful that with the experience gained over the last four years, the new administration will be able to bring EPA's grade point average up over the next couple of years. When it comes to protecting our children's health, a 'C-' is just not good enough."

The report is available at http://www.ecologic-ipm.com/ReportCard_final.pdf. It will not be published in paper form.

Consumers Union, publisher of Consumer Reports magazine, is an independent nonprofit testing, educational and information organization serving only the consumers. We are a comprehensive source of unbiased advice about products and services, personal finance, health, nutrition and other consumer concerns. Since 1936, our mission has been to test products, inform the public and protect consumers.