



Center for Regulatory Effectiveness

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Dr. Tyrone B. Hayes
University of California
Department of Integrative Biology
3060 Valley Life Sciences
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Berkeley, CA 94720-3140

Dear Dr. Hayes:

We appreciate your timely response to our review of your documents. We have posted unedited your response on the CRE website FACA Under Fire. We have also posted this letter to you. We will post unedited any response you wish to make to this letter.

Before addressing the substance of your response, I would like to describe the analytical metric from which we approach our review of your work.

CRE was an early proponent of the Data Quality Act (DQA). The DQA sets quality standards for information disseminated by the federal agencies. CRE, in its role as a regulatory watchdog, routinely reports on agency and stakeholder compliance with the DQA. To this end we have issued a number of reports.

CRE filed a DQA Request for Correction (RFC) with EPA regarding the Agency's draft ecological risk assessment for atrazine. CRE's RFC emphasized the absence of any validated tests to determine the endocrine effects, if any, of atrazine. CRE's RFC and EPA's response may be viewed at http://www.thecre.com/quality/20030224_epa.html.

In addition, CRE's website FACA Under Fire is dedicated to the operation of the Federal Advisory Committee Act (FACA). FACA committees exert considerable influence on the operation of government agencies.

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Your claim that atrazine causes endocrine effects brings both of these statutes into play, the DQA because your studies must meet these requirements if the federal government were to adopt them, and FACA because an EPA Science Advisory Panel (SAP) reviewed and criticized all tests of atrazine on amphibians that were available at the time, including your tests and those funded by Syngenta.

With this background in mind, let me next address three points made in your recent correspondence.

Please correct me if I misunderstand your position.

First, the SAP Was Objective and Unbiased and Expert

You agree that the SAP convened by EPA to review your atrazine tests and the tests of others performed its review in an objective and unbiased manner. You also agree that the SAP members were all expert in this field and qualified to peer review your tests and those of others. As a scientist, do you not agree with the need for such peer review?

Second, the Kloas Tests are Objective and Unbiased

Dr. Werner Kloas is currently performing tests to determine the effects of atrazine on amphibians. These tests are being performed in accordance with new protocols developed as a result of the SAP review mentioned above. Syngenta is funding these tests. Based on your letter, you agree that the Kloas tests are objective and unbiased.

Third, the Kloas Tests Will Detect Any Atrazine Effects

You agree that the Kloas tests will detect any effects of atrazine on frog testes: *e.g.*, the “chemical castration” effects you claim occur.

In addition to these three points, I have two questions regarding the list of studies that you appended to your letter.

List of Atrazine Endocrine Effects Reports

You appended a list of published papers which you believe “demonstrat[e] that atrazine is an endocrine disruptor.” Do you know of published papers about atrazine tests that do not show endocrine effects?

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Why Do You Not Discuss the Tooi Tests?

I am curious why your letter did not address the recent work of Dr. Osamu Tooi. Dr. Tooi presented the results of his atrazine tests at the Atrazine 2005 conference you organized and hosted in Iowa. Your website for this conference is available at http://www.atrazineconference.com/scientific_symposium.php.

Dr. Tooi was kind enough to send me his power point presentation at your conference. I am not a scientist, but I understand that Dr. Tooi's tests

- Show no atrazine effects on frogs; and
- Show no atrazine effects on aromatase, testosterone or estrogen.

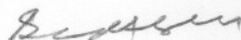
Please advise me if I correctly understand Dr. Tooi's tests and presentation at your Iowa conference.

I further understand that Dr. Tooi's presentation emphasized the need to develop standardized, validated test protocols for atrazine amphibian effects. The SAP also emphasized the need for such test protocols.

As a scientist, do you disagree with Dr. Tooi and the SAP on the need for standardized tests that have been demonstrated to be accurate, reliable and reproducible?

In conclusion, I greatly appreciate your offer to "advise [me] ahead of time of publication dates and speaking engagements." Please send them to me at your earliest convenience.

Sincerely yours,



Scott Slaughter

Cc with Hayes response:

EPA amphibian effects SAP