



NATURAL RESOURCES DEFENSE COUNCIL

February 26, 2002

US Environmental Protection Agency
Office of Pesticide Programs (Division Mail Code)
Ariel Rios Building
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

To: Marcia Mulkey, Director, OPP
Stephen Johnson, Assistant Administrator, OPP

Re: Reduced Risk initiative program

Dear Ms. Mulkey and Mr. Johnson,

After years of internal and external dialogue, OPP announced the long-awaited "reduced risk" policy initiative in 1994. The Reduced-Risk program initiated by the EPA has the stated goal of encouraging registrants to invest a greater share of R+D funds in the discovery and commercialization of active ingredients that pose significantly less risk to human health and the environment than currently registered products. A related and positive goal is to provide additional alternatives to farmers, so that the need for and benefits from applications of higher-risk products are reduced.

The major incentive offered through the "Reduced Risk" initiative is expedited review and approval of registration applications that meet comparative, "reduced risk" criteria set forth by EPA. We support the clear, quantitative criteria specified by EPA. We believe the criteria have the potential to achieve major risk reduction, and quicker than possible through contested regulatory interventions.

Significant risk reduction progress has been achieved in large part because the program has provided a mechanism for registrants and EPA to cooperatively transition from higher-risk products serving a particular set of needs, to lower-risk alternatives serving largely the same needs and markets. Registrants view the ability to phase out a higher-risk product as a reduced risk alternative is phased in as critical to the program, because companies are reluctant to sacrifice market share in cases where voluntary cancellations are finalized prior to the registration and availability of reduced risk alternatives.

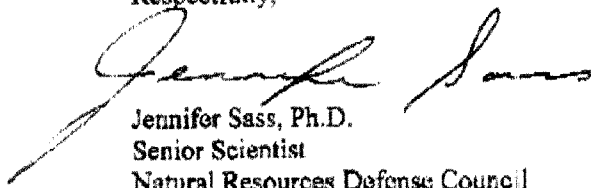
The Reduced Risk program has been and remains a successful policy initiative and an OPP success story. Applications for reduced risk status have increased annually. More than a dozen effective, lower-risk pesticides registered through the program have already gained significant marketshare and are helping farmers cut reliance or phase out use of known, high-risk products, including organophosphate and carbamate insecticides and a host of endocrine disruptors. The Natural Resources Defense Council (NRDC), along with the organizations joining us in this

letter, commends the Agency for this forward-thinking program and encourages the agency to take whatever steps are needed to assure its continued, successful implementation.

One of the critical steps the agency must take is to remain true to its word when issuing registrations and imposing conditions during the course of approval of a reduced risk alternative. The current controversy over the registration status of the acetanilide herbicide metolachlor stems from the failure of the agency to follow through in finalizing a cancellation order that the agency itself imposed as a condition when it approved the conditional registration of what EPA determined was a reduced-risk alternative. Both as a matter of law and in order to preserve the integrity of the reduced risk program, we believe that the Agency should act without further delay to cancel all registrations for the old, higher-risk metolachlor. The prospect that generic manufacturers might be able to continue to produce a higher-risk product despite the registrant's agreement to phase it out will undermine the effectiveness of the reduced risk program. While we challenge registrants and the agency to achieve even more significant reductions in the use of this family of chemistry, we think that significant risk reductions are worthy of concerted agency action.

Metolachlor is the third most widely used herbicide in the U.S.; residues are routinely found in surface and drinking water throughout the Midwest. Thus, the transition away from metolachlor to lower risk alternatives could significantly reduce the volume of chemical entering the environment and exposing people via drinking water. This, we believe, will result in significant benefit to people and the environment, and also achievement of OPP's basic mission. NRDC, along with the signatory organizations shown below, encourages the Agency to continue to move forward with progressive, protective initiatives such as the Reduced Risk program. Additionally, we encourage the Agency to ensure that such programs are maximally effective, by insisting on the complete and timely cancellation of riskier pesticides as safer alternatives become available.

Respectfully,



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