



DELAWARE-MARYLAND AGRIBUSINESS ASSOCIATION
123 Clay Drive, Queenstown, MD 21617
www.demdagribusiness.org
443-262-8491

SB 300 - Pesticides - Use of Chlorpyrifos - Prohibition

Committee: EHEA

Date: February 11, 2020

DMAA Position: **OPPOSED**

Chlorpyrifos is a pesticide registered by the Environmental Protection Agency (EPA) for control of a variety of pest in many agricultural crops. Important to Maryland, Chlorpyrifos is used in corn, corn for silage, canning vegetables, soybeans, grapes, and orchards.

Pesticide registration and regulation is a function of EPA directed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). EPA has the capacity and expertise to carefully analyze these products for safety. EPA develops risk assessments for potential harm to humans, wildlife, fish, and plants, including endangered species and non-target organisms and Contamination of surface water or ground water from leaching, runoff, and spray drift. Chlorpyrifos was re-registered for all crops under this rigorous process in 2006.

EPA was petitioned to revoke all tolerances for Chlorpyrifos which triggered a series of events. There was concern about Chlorpyrifos based on a Columbia University study and EPA convened a Scientific Advisory panel (SAP) in April of 2016 to determine whether or not it was appropriate to regulate pesticides, specifically Chlorpyrifos, using epidemiological studies (such as the Columbia study) as opposed to direct exposure and animal studies which are now the basis for pesticide regulations. The SAP, under the Obama Administration, determined that it was not appropriate to use epidemiological studies in this way or use the Columbia Study data as part of the human health assessment on Chlorpyrifos. To demonstrate this fact, please find two quotations below from the SAP report “[A set of Scientific Issues Being Considered by the EPA Regarding Chlorpyrifos: Analysis and Biomonitoring Date](#)” April 2016 :

- Because many uncertainties cannot be clarified, the **majority of the Panel does not have confidence that the Columbia Center for Children’s Environmental Health (CCCEH) cord blood data on chlorpyrifos concentrations can accurately be used in quantitative risk assessment** to determine a Point of Departure (PoD). Pg. 18
- While **one** Panel member agrees with the Agency’s simpler approach of using the CCCEH study cord blood data for directly deriving the PoD, the **majority of the Panel considers the Agency’s use of the results from a single longitudinal study to make a decision with immense ramifications based on the use of cord blood measures of chlorpyrifos as a PoD for risk assessment as premature and possibly inappropriate.** Pg. 25

Later in 2016, EPA released the proposed rule to revoke all tolerances stating that they had addressed the concerns of the SAP when in fact they had not. EPA in 2017 denied the petition to ban Chlorpyrifos. Critics of Pruitt's decision to deny the petition say he rushed to a decision and did not consider EPA's science. The reason he had to act quickly was the Court Order to make a decision by March. Pruitt acknowledged in his decision that the product will continue to go through the comprehensive re-registration process by 2022.

Also worth noting, the USDA Office of Pesticide Policy, also under the Obama administration commented on the EPA proposed rule on Chlorpyrifos, questioning the process and the science and calling on them to deny the petition. Here is part of USDA's comment: **"USDA has grave concerns about the EPA process that has led to the Agency publishing three wildly different human health risk assessments for chlorpyrifos within two years, and severe doubts about the validity of the scientific conclusions underpinning EPA's latest chlorpyrifos risk assessment."**

Bottom line here is that while you may hear "the science is clear," there is obvious dissention on certain studies and their appropriateness for use in regulatory risk assessments. This is an information intensive issue with real world implications for our farmers.

Whether or not we can agree on *if* Chlorpyrifos should be used, I hope we can agree that decision should be made through a rigorous, regulatory process, where experts can consider all the science and implications to come to a sound, scientific decision.

DMAA believes that the federal process through FIFRA is the appropriate place to regulate pesticides and requests the committee allow Chlorpyrifos to continue through the re-registration process. Banning a pesticide at the state level creates a competitive disadvantage for Maryland farmers and takes away a tool from farmers and agricultural professionals to use in order to responsibly manage pests.

DMAA respectfully requests your unfavorable report on Senate Bill 300.

Contact:

Lindsay Thompson

Lindsay.mdag@gmail.com

