

US EPA ARCHIVE DOCUMENT

**STATEMENT OF
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OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES
U.S. ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEE ON THE FEDERAL WORKFORCE AND AGENCY
ORGANIZATION**

MAY 17, 2005

Introduction

Good afternoon, Mr. Chairman and members of the subcommittee. My name is Jim Jones and I serve as the Director of the Office of Pesticide Programs at the U.S. Environmental Protection Agency. I appreciate the opportunity to discuss EPA's role in food safety, and how we coordinate with other federal agencies on this important topic. I am pleased to be here today with my colleagues from FDA and USDA

EPA enjoys a strong working relationship with its federal partners in assuring food safety and security for the American public. As a consequence of the collective efforts of FDA, USDA, and EPA, the U.S. enjoys one of the safest, most abundant, and most affordable food supplies in the world. EPA's main food safety responsibility is to regulate pesticides, including setting health-based standards for pesticides used in food production, and ensuring our decisions promote the protection of public health and the environment.

Overview of Pesticide Registration and Food Safety

EPA protects public health through the registration, or licensing, of pesticides prior to their marketing and use in the U.S. under the authority of the Federal Insecticide, Fungicide, and Rodenticide Act, as well as setting and reevaluating tolerances (legal maximum residue levels) under the Federal Food, Drug and Cosmetic Act. This requires the use of a scientifically sound risk assessment process to consider the potential risks of pesticide use not only to human health, but to the environment as well. Registration and tolerance setting decisions are based on an extensive assessment of the pesticide's potential risks. Registration and tolerances will be granted only if EPA determines that there is a reasonable certainty of no harm from exposure to the pesticide residues in food and that use of a pesticide will not otherwise pose an unreasonable risk to human health or the environment.

EPA has a highly regarded program for ensuring pesticide and food safety and making regulatory decisions. Our reputation and credibility rests on our world-renowned expertise in pesticide risk assessment, as well as the ability to systematically require and evaluate an extensive amount of health and safety data to protect against potential risks. The Agency has regulations establishing a rigorous battery of tests necessary to support the registration of a pesticide. A typical agricultural pesticide used in food production must undergo over 100 different tests (which can cost in excess of \$12 million) to characterize its potential to harm humans, wildlife, and plants, and to evaluate its fate and movement in the environment. In addition, the Agency gives particular attention to the potential effects of pesticides in the diets of

infants and children, who can be more sensitive, and people who may be exposed to pesticides through their occupation, such as farm workers.

A pesticide risk assessment considers several factors in addition to human health. EPA also reviews studies that show how a pesticide will react in the environment, including how long it remains after application and whether it could reach ground or surface water. The Agency considers a pesticide's potential effects on wildlife, fish, and plants in general, in addition to the possibility that its use might specifically harm endangered species, and implements measures through the pesticide label to ensure the product can be used safely.

Tolerance Setting

Where a pesticide may be used on food or feed, EPA is responsible for setting tolerances, or maximum allowable residue levels. As with the general risk assessment, the process of setting tolerances is based on rigorous data. The data required to establish a tolerance include extensive food residue chemistry data and short- and long-term feeding studies in animals. The goal of EPA's review is to protect against possible health effects, including aggregating exposure to a pesticide, including dietary, residential, and drinking water sources, and whether such exposures represent an acceptable level of risk. This risk determination must not only be made for an individual pesticide, but for the cumulative effect of groups of pesticides which share a common mechanism of toxicity. Before establishing a tolerance, the Agency must reach a conclusion that under the proposed use conditions there is a reasonable certainty that no harm will result from

exposure to pesticide levels remaining on food, and that infants and children are provided an extra margin of protection as provided by the Food Quality Protection Act (FQPA).

While EPA is responsible for establishing pesticide tolerances during the pesticide registration process, FDA and USDA's Food Safety and Inspection Service (FSIS) enforce these tolerances. If pesticide residues on food or feed exceed the tolerance, or if no tolerance exists for such pesticide residues, the food or feed would be considered adulterated and would be subject to regulatory action. EPA actively cooperates and collaborates with FDA and FSIS regarding tolerance levels for pesticide residues on both domestically produced and imported foods.

EPA also establishes tolerances for imported commodities for pesticide uses that are not registered domestically. EPA has devoted significant resources to working internationally on the harmonization of pesticide data and tolerance levels. Through this work, the Agency has reached work sharing agreements with several countries, encouraging efficiencies and facilitating trade.

As part of its ongoing work to ensure that all pesticides meet current public health and environmental standards, EPA's is reevaluating older pesticides so that they meet the safety standards called for under the FQPA. This law requires EPA to reassess the maximum pesticide residue levels allowed in food (tolerances), with particular consideration of protecting subpopulations which may be more susceptible to the adverse effects of pesticides, such as children, evaluating cumulative and aggregate risks, and promoting ample stakeholder input in our decisions. At the end of fiscal year 2004, the Agency had completed 7,093 tolerance

reassessments, and is currently working hard to complete tolerance reassessment by August 3, 2006.

Interagency Agreements

Some of the data EPA uses when establishing tolerances are generated through interagency agreements with USDA, FDA, and the Centers for Disease Control and Prevention. These agreements provide valuable information related to food consumption patterns, pesticide use, and expected levels of pesticide residues once food products actually reach the consumer. The Agency is also partner to a number of agreements in areas such as training for agricultural workers, providing alternatives to the use of pesticides, and coordinating work on pesticide residues. In addition, EPA is collaborating with other food safety agencies, including FDA and USDA, and the Department of Homeland Security on a number of initiatives to protect the nation's food supply from natural, unintended, or malicious threats.

In addition to our formal interagency agreements, EPA has established strong working relationships with its regulatory partners. The Agency has participated in numerous workshops and work groups, and encourages agencies such as USDA and FDA to participate on pesticide advisory groups. In the past, EPA and USDA have co-chaired public advisory groups related to food safety. The Agency enjoys strong partnerships with other federal agencies, with each contributing based on its particular strengths and existing relationships.

In addition to pesticides, EPA also works closely with FDA on the development and publication of national fish advisories for fish and shellfish. These advisories provide important information to consumers on healthy seafood consumption, and steps they can take to limit exposure to possible contaminants found in seafood. Currently, we are continuing to closely coordinate with FDA on activities that involve contaminants in fish tissue, with a focus to better ensure safe and beneficial seafood consumption.

Conclusion

EPA is responsible for evaluating the risks of pesticides, and establishing tolerance levels which are used to ensure the safety of the food supply. Given our unique and successful role in conducting and refining pesticide risk assessments, EPA is uniquely qualified to continue the important work of strengthening the safety of the food supply. EPA looks forward to continuing to work with its regulatory partners, including FDA and USDA, to ensure that the U.S. maintains its well earned reputation for protecting the safety of our nation's food supply.

I appreciate the opportunity to testify before your Committee, and would be glad to answer any questions you might have.