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US EPA ARCHIVE DOCUMENT

UNITED STATES

ENVIRONMENTAL PROTECTION AGENCY

PESTICIDE PROGRAM DIALOGUE

COMMITTEE MEETING

October 15, 2009

Conference Center - Lobby Level

2777 Crystal Drive

One Potomac Yard South

Arlington, VA 22202

1 P R O C E E D I N G S

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3 (Tape starts in the middle of testimony.  
4 Beginning of hearing appears to be missing.)

5 LANCE: -- for registrants that would result in  
6 them being able to distribute pesticide labeling by the  
7 internet. We acknowledge that there are existing  
8 applications out there that pretty much prove that this  
9 can be done. This is still an objective of the pilot.

10 The second part is really to determine whether  
11 the benefits would be appealing enough to potential users  
12 that they would actually be willing to visit the web site  
13 and download the actual pesticide labeling. Again,  
14 that's really one of the most important things here.

15 We really want to make sure that people would  
16 actually use the system. It really doesn't provide any  
17 real world benefit to us if we implement something that  
18 isn't going to result in people using the system. If  
19 people just aren't going to use it, then that really  
20 doesn't accomplish our objectives.

21 In terms of timing, we believe that a virtual  
22 pilot could be implemented fairly quickly, I guess

1 compared to some things, where we could actually start up  
2 and execute and follow up with a pilot in less than a  
3 year and a half, in about 16 months.

4 On slide 11, in general, the feedback we've  
5 received so far from the PPDC subgroup in general is that  
6 the subgroup is definitely very interested in further  
7 exploring the concept of the pilot. I think as a  
8 subgroup what we want to be sure to do is to make sure  
9 that we know exactly what we're doing before we implement  
10 anything as formal as a pilot. So, the subgroup did  
11 recommend that we do a pre-pilot evaluation which would  
12 include a thorough analysis of the existing web  
13 distributing labeling-like resources out there.

14 Then, there were also several members who  
15 expressed concern over costs, whether people would  
16 actually want to participate in a virtual pilot because  
17 of the costs associated with developing a system.

18 Then, we also solicited very preliminary  
19 feedback from several vendors who might be interested and  
20 who we believe might be interested in participating in  
21 the web distributing labeling pilot. The feedback that  
22 we got was generally very positive. It seemed like we

1 didn't get the sense there wouldn't be anybody who would  
2 raise their hand. A better way to say that is we do  
3 believe that if we were to put this out for public  
4 consumption, that there would be people who would be  
5 interested in participating in a virtual pilot.

6 In terms of next steps, we do believe that the  
7 virtual pilot is worth exploring further. Through that,  
8 we are likely going to do the pre-pilot evaluation that  
9 was expressed during the subgroup meeting. In terms of  
10 the future for this PPDC subgroup, we were originally  
11 scheduled to conclude our work as a subgroup before this  
12 meeting. Based on the feedback received in our Tuesday  
13 meeting, there does seem to be actually quite a bit of  
14 interest from the participants to continue this subgroup  
15 and to further explore these issues that we feel as a  
16 group merit further discussion.

17 Again, those would be back to the liability  
18 issues, the potential liability associated with web  
19 distributed labeling, also getting state feedback from  
20 input through SPYREG and also again, like I mentioned,  
21 the virtual pilot continuing to explore that concept and  
22 then also, again like I said, making sure that we don't

1 lose sight of ITRMD's (phonetic) structured labeling  
2 effort and we could potentially marry those two get a  
3 more effective system.

4 So, that's about it for the formal  
5 presentation. I'll turn it back over to you, Bill, to  
6 facilitate the discussion. I'm very very interested to  
7 hear feedback and comments. Thanks.

8 BILL: Thanks, Lance. So, as I mentioned, I'd  
9 like to ask if there are any members of the PPDC web  
10 distributed labeling subgroup who are also on this full  
11 committee who would like to offer comments before we open  
12 up generally. I see a couple of signs up, Jim Thrift and  
13 Tyler, and then we'll work around the table.

14 Jim, why don't you go ahead. You'll need to  
15 use the microphone, please.

16 MR. THRIFT: My name is Jim Thrift. I'm with  
17 the Agricultural Retailers. In order to put it in  
18 perspective, my comments, Agricultural Retailers and  
19 Agricultural Aircraft Applicators actually apply  
20 somewhere between 65 and 75 percent of all the crop  
21 protection chemicals in the U.S. So, when we talk about  
22 user groups, farmers and growers make up the balance of

1 that, but we are the biggest segment. So, obviously, we  
2 have a great deal of interest.

3 I have, as I mentioned the other day, been to  
4 all of the meetings of the groups because we see this as  
5 very very important. We thank Bill for his leadership.  
6 Also, I thank the people on the work group because I have  
7 never seen such a vertically integrated group that  
8 cooperated so much because we all realized this is not a  
9 hot potato issue. We must all agree what we're doing  
10 here or it won't work.

11 One thing that was left off the overheads that  
12 I think is very important and comes up regular is, will  
13 the program be voluntary or mandatory. We see this as  
14 very critical of issues that aren't mentioned, not to  
15 minimize the other issues, but it's high priority for the  
16 simple reason that if it's a voluntary program, my  
17 members and a lot of other user groups will have a great  
18 deal of difficulty figuring out where they go to get the  
19 label. Is it off the container, on the web site, and so  
20 forth?

21 Also, I can't emphasize enough that some of my  
22 first comments -- Bill corrected me. The meetings didn't

1 start five years ago. I believe it was a year and a half  
2 ago -- that one of my first comments was that my members  
3 want to go to the same web sites they're already going  
4 to. We do not want to go to more web sites.

5 We believe that the commercial web sites in  
6 existence, CDMS, Agrain (phonetic), and probably others,  
7 we're happy with any of those, that those can be actually  
8 manipulated or enhanced to deliver what now I believe the  
9 agency wants. We also don't want to minimize the  
10 liability issues because again, working with the  
11 registrants -- and we perfectly understand the label is  
12 the ownership of the registrants -- that that is a very  
13 serious issue when it goes down through distribution and  
14 education.

15 The goal, as I saw it quite some time ago, is  
16 extremely positive. We believe this is an laudable goal.  
17 However, the goals should not be achieved at complete  
18 education disruption or information dissemination  
19 problems due to trying to push a square peg into a round  
20 hole.

21 If the system is dramatically upset by a new  
22 process that could be technically workable, actually the

1 goal is not achieved. I believe that the agency, under  
2 Bill's leadership, has been extremely responsive to  
3 understanding the system and the needs of all of the  
4 people that would be users and understands that this  
5 system could be a dramatic change.

6 I would offer a phased-in program where we now  
7 look at current suppliers, which we are, and I would have  
8 something that would be adjunct to what the agency wants  
9 for a period of time to see that some of the commercial  
10 web sites could be used as downloading for the  
11 information the agency wants, yet leaving labels possibly  
12 on the containers.

13 We believe this is a very complex issue. we  
14 understand what people want. They want faster labels.  
15 They want quicker access to 24@ state labels and  
16 everything else. We believe also ESA needs can be met,  
17 but we do not want to have a disruption of the system  
18 during the process of transition.

19 Thank you.

20 BILL: Thanks. Next, Tyler.

21 MR. WAGMEYER: Good morning, Tyler Wagmeyer,  
22 American Farm Bureau Federation. Bill, thank you for

1 your leadership. I appreciate the efforts of this.

2 We have major concerns. We've expressed this  
3 from day one. That is, first and foremost, for this to  
4 work, users, farmers, have to have access to the  
5 internet. That simply is really not the case today. I  
6 mean, just the latest USDA report, 59 percent of farmers  
7 have access to the internet, but only half or less than  
8 half have high speed.

9 So, if we begin to look at changing the culture  
10 to get them to actually adapt to this, they actually have  
11 to be able to get on those web sites to be able to  
12 download it. Frankly, what they're doing now is working.  
13 I mean, they're used to going and reading the label.  
14 They do not carry product for a long period of time.  
15 They have every incentive not to carry product for a long  
16 time. Labels do not get old. It costs farmers a lot of  
17 money to have product in storage. They want to get it,  
18 get rid of it, use it, and go forward.

19 So, this may have a future, this program, but I  
20 don't think it's in the near term.

21 Thanks.

22 BILL: Thanks. The next card I saw go up,

1 Carol Ramsay. I'll work up this side of the table.

2 MS. RAMSAY: Carol Ramsey, Washington State  
3 University.

4 I think from two day's ago meeting, looking at  
5 the difference between this pre-evaluation pilot and the  
6 virtual pilot, I think Jim kind of hit the distinction  
7 there very well. Basically, the pre-evaluation pilot --  
8 and correct me anybody who was at the meeting if I don't  
9 capture this correctly -- is looking at what existing  
10 vendors have in place today, go out with a set of  
11 parameters for an evaluation on what it is that you're  
12 trying to achieve with reaching the user with the  
13 information from the label but not actually an  
14 enforceable label.

15 So, it would be subset, which is what they're  
16 delivering now, a subset of a label that's delivered and  
17 see what it is that the user needs from that, how they  
18 could want that enhanced, to where you might build the  
19 bridge to where you find the initial thing that we don't  
20 know about, which Tyler just touched on, how important it  
21 is to the user to have a streamlined label.

22 As an educator, having a 4-page label versus a

1 16-page label or a 20-page label or a 70-page label, to  
2 me just makes good sense. But we don't have the data  
3 where we've gone out and said, how much more palatable is  
4 this, how much more are you going to read this, are you  
5 going to find the subtleties on this label by finding  
6 these subsets from this pre-evaluation, proposal, pilot  
7 of the existing vendors.

8           At the same time, I don't think you want to  
9 stymie how you might still move forward with a virtual  
10 pilot to where -- how would you structure a database to  
11 where you could tease out and populate that database-  
12 driven system which eventually might come from a  
13 structured label database? How would you spit out the  
14 use directions for kumquats that would be different than  
15 dry beans on a label that might have both of them, and  
16 the application methods would be very different? How  
17 would you actually populate that to where you could give  
18 yourself, if you just had five cells on the table, that  
19 you could have things that are delivered to where you've  
20 got a four-page or six-page label?

21           So, I think you have to have those going on  
22 kind of parallel but you've got to be building it

1 virtually, as you just said. It's got to be an iterative  
2 process to where when you learn this, you tweak here.  
3 When you learn this, you tweak here. But you kind of  
4 have things going parallel to where if there is a point  
5 where it is acceptable, you're ready to go as compared to  
6 having another 10-year building process.

7 Thank you.

8 BILL: Thanks, Carol.

9 Cindy Baker.

10 MS. BAKER: Thanks, Bill. I'd like to just add  
11 a couple things that maybe we didn't talk about in as  
12 much detail in the presentation for the benefit of the  
13 rest of the group.

14 I think in addition to the activities that you  
15 listed, the agency has done a nice job in reaching out  
16 and using us as work group members to reach out. So, in  
17 other words, you know, we've gone out and made  
18 presentations to different associations, to different  
19 stakeholder groups. At conferences, you know, we've  
20 talked about it. It's talked about I think within the  
21 state regulator group. I think that has made this  
22 particular work group pretty productive, because then we

1 come back to the work group meetings and we've gone out  
2 and tried to gather that input.

3 So, I think one of the things that evolved over  
4 the course of us coming together was figuring out where  
5 are the real sticky issues in this. So, some of it is  
6 what Tyler and Jim hit on, which is where are the users  
7 in terms of what they want, what are the benefits for  
8 them, what are still the concerns for them. So, we're  
9 trying to kind of work through those.

10 From the registrant perspective, I think we've  
11 addressed it largely from the business side because  
12 that's what it is for us; it's our business. So, what do  
13 our customers want? What do the people who are  
14 regulating us want? How does this work into that system?

15 So, I think that the key in this next step of  
16 evaluation is to get that group of evaluators together.  
17 That's a group of people that are users, regulators,  
18 registrants, whatever, to really take a look at what's  
19 available today and say do we need to change from what's  
20 available today. If we do, why? What's deficient? What  
21 can we get? Can we get to, you know, Carol's point where  
22 the people who don't want to look at 20 pages of label

1 language can get the stuff they have to have to treat  
2 their peaches?

3           You know, they need all the safety information,  
4 all those kinds of things. Can we get a system in place  
5 that would give them that? Then, what do the states  
6 think about that in terms of enforcement? This issue of  
7 the states is a real key point because what we can't have  
8 is, you know, 20 states support it and want to do it and  
9 30 don't. Then you've got mixed things out there in the  
10 marketplace. I think it creates more confusion than it  
11 will create benefits. So, getting the results of that  
12 survey I think is another critical step.

13           But I think that this work group -- I've done a  
14 number of work groups -- really has been a very  
15 productive process in terms of getting input from all the  
16 impacted stakeholders and trying to tee up for the  
17 agency. Where are the issues that we have real concern  
18 that have to be addressed before we figure out how to go  
19 forward?

20           BILL: Thanks. I'll turn next to Dan Botts.

21           MR. BOTTS: Thank you, Bill. I'd like to maybe  
22 state in a little different way some of the comments that

1 have been made today. I went into this process -- and  
2 you can attest to this from my initial conversations  
3 before the work group was ever found -- very skeptical  
4 that there was a process that could be put together where  
5 you could achieve an end goal of an enforceable web  
6 distributed label outside of what goes on a pesticide  
7 container. We're getting closer but I don't think we're  
8 there yet. I think that was highlighted in some of the  
9 concerns or conversations that have been brought to light  
10 today.

11 The process over the past year has kind of  
12 defined an evolving process of what individuals want out  
13 of this process. If you go to the state regulatory folks  
14 it's one thing. If you go to a grower in specific, it's  
15 a different thing. If you go to the regulatory agencies,  
16 it's a different thing.

17 I still think we've got a ways to go. We're  
18 probably about 85 percent of the way there reaching those  
19 decisions on what we want at the end of the day out of  
20 this process. I think it's a clear point that we need to  
21 continue the work group and the discussions because I  
22 will agree it's been a very dynamic work group. The

1 discussions have been far ranging. I think you've  
2 captured probably 98 percent of the concerns that might  
3 surface in the process. It's the last 2 percent that are  
4 always the hardest to get framed and put on the table and  
5 resolved at the end of the day.

6 So, I think I would argue that the work group  
7 needs to continue, especially in the context that Cindy  
8 raised of taking it to the next level to be sure that  
9 whatever we test, it's what needs to be tested to provide  
10 the end point that everybody wants out of this process.  
11 That's going to take some more discussions, some more  
12 face-to-face conversations, and some pretty serious sweat  
13 equity in working through the process, not only by agency  
14 staff but by the people in the work group.

15 The issues that are still on the table are  
16 those that I think are probably the most difficult to  
17 deal with, the liability and enforceability side of it,  
18 what the state regulators want out of it versus what a  
19 user wants out of it. There has to be value in this  
20 process for everybody to get it to work. I just think  
21 we're close in at least defining what that is. But to  
22 get it to the end point of putting it out on a test, it's

1 going to take some more effort.

2 I appreciate the agency's work to date in  
3 getting this to where we are now.

4 BILL: Thanks, Dan. Three more folks who are  
5 on the work group, Scott Schertz, then Michael Fry and  
6 Laurie Berger. Then we'll open it up to the full group.

7 So, Scott, you're next.

8 MR. SCHERTZ: I'm Scott Shirts, and yes, I do  
9 appreciate the efforts of the work group. Just to bring  
10 into focus a bit, particularly Jim Thrift's comments, as  
11 a custom applicator and a retailer, there are some real  
12 concerns with the responsibility and liability shift at  
13 the retail level as far as providing -- or the potential  
14 need to provide this information and that it is ensurably  
15 enforceable that we know what we really have to deal with  
16 in a reliable manner.

17 Then, there are also some other, of course,  
18 inventory concerns, et cetera, as a retailer. So,  
19 basically, these retail concerns have to be considered  
20 along with the rest of it. Thank you.

21 BILL: Thanks. Michael Fry.

22 MR. FRY: Thanks. I agree. I think the work

1 of the subgroup and the work of EPA on this has been  
2 really good and really listening to everything. I agree  
3 completely with Jim Thrift and Tyler on not wanting to  
4 disrupt current practices. Web access I think is very  
5 important for a lot of farmers in rural areas.

6 I'm amazed that Dan Botts thinks we're 85  
7 percent there. I didn't think we were 85 percent there.  
8 I think there are still a lot of things to work out, but  
9 I think the information potential is so important that it  
10 really needs to go forward and integrate more things.

11 With the integrated management system we saw  
12 yesterday for endangered species, I think that kind of  
13 information could be included into a local label, as  
14 could pest resistance data on a local level and local  
15 needs for application rates for a particular compound.  
16 If all of these things can be integrated into a web  
17 system so that growers have a much better idea of what is  
18 required of them and what the best practices would be, I  
19 think this would be a great system. But that's  
20 complicated and it's going to take a while to do.

21 MS. BERGER: Okay, Laurie Berger, California  
22 Specialty Crops Council. There's been so many comments

1 made that I don't need to repeat, but one thing that  
2 would be very helpful in the next steps, there are a lot  
3 of excellent tools that have been presented by different  
4 vendors and so forth. I think it would be very helpful  
5 if we could understand more what EPA is missing in those,  
6 what would need to be added to those so that those could  
7 perhaps be used.

8 Then also, there is a lot of controversy among  
9 the states. It would be helpful to know, when do you  
10 think that the state surveys will be in, how represented  
11 -- how many states do you expect to get in the survey,  
12 how will you weigh the different perspectives, because  
13 there's a lot of diversity among the states on the  
14 direction of this program. That is very interesting to  
15 many of us, especially depending upon what crop sector  
16 you're coming from.

17 So, those are my comments. Thank you.

18 BILL: Thanks. In a second, I'll go around the  
19 table and invite others of the PPDC full committee to  
20 offer comments or ask questions. But let me respond to  
21 the question that Laurie asked.

22 We here at EPA recognize the need for

1 acceptance of a web distributed labeling system across  
2 all 50 states. Consequently, we have participation from  
3 state regulators and state educators on the internal team  
4 that's been working with the web distributed labeling  
5 initiative.

6 Carol Ramsay, who is also part of the PPDC, and  
7 Jim Gray, who works with SPYREG and is a regulator in  
8 North Dakota, they encouraged us to do a survey of all 50  
9 states working through the SPYREG group. We sent that  
10 survey out this past summer and have gotten in some  
11 responses but not all 50 states.

12 We'll probably start dunning the folks who  
13 haven't sent in their responses pretty soon and ask them  
14 to complete the survey, answering such questions as,  
15 would you need to change your state laws or regulations,  
16 how is this going to affect enforcement activities, and  
17 do you think it will improve labeling compliance or have  
18 no effect or make it worse in getting information that  
19 they might have about the degree to which internet  
20 service is readily available for the people who might  
21 need to use it to get access to labeling.

22 So, we're expecting to get a lot of information

1 from that survey. I don't anticipate that we will have  
2 all of the answers in, analyzed, and summarized it for  
3 probably several more months. But, when we do, we'll  
4 make that available not only to the states through SPYREG  
5 but also to this PPDC work group.

6 So, I'll go around the table this time because  
7 I saw Cannon Michael's card go up first. Cannon, why  
8 don't you start off.

9 MR. MICHAEL: Thank you. Cannon Michael of the  
10 National Cotton Council. I just wanted to mention  
11 quickly from a grower's standpoint, any kind of  
12 disruption to the system of how we're getting our  
13 labeling could potentially have a big impact on IPM. The  
14 ability to spray in a timely manner is critical, as any  
15 part of IPM usage. So, anything that could slow us down  
16 as we're trying to reduce usage by waiting for thresholds  
17 to be reached, any access limitations to the label could  
18 have detrimental impacts to that.

19 I would echo Tyler's comments about internet  
20 availability. The thought of a secondary telephone-based  
21 system, I think we've all been through the push 1 to get  
22 this. I think if you tried to do that on a pesticide

1 labeling issue, you're going to obviously cause some  
2 confusion and difficulties. So, I think we have a little  
3 ways to go.

4 But I appreciate the work of the work group and  
5 I'm proud to be a part of it.

6 MR. ROSENBERG: Bob Rosenberg with National  
7 Pest Management Association. Just two things.

8 One, if there's some award for transparency and  
9 stakeholder engagement, I mean this project has got to  
10 get the award for that. It's incredible.

11 Secondly, I think this is a small point but  
12 it's an important point for the people I represent. Most  
13 of them are very small businesses with one or two or  
14 three or five employees. But there are also pest control  
15 companies that operate in 50 states with more than 500  
16 offices and more than 5000 service technicians.

17 Having access to the most current label is a  
18 management problem, and ensuring they're using the most  
19 current labels is a management problem. I think PCOs  
20 support this sort of thing but want the agency to kind of  
21 keep in mind in developing the system the need to be able  
22 to maybe push information to those folks or develop

1 systems that would allow them to be able to man that  
2 large amount of pressure.

3 By the way, I should have said as many as 100  
4 or more products in the company will be used. So, it's a  
5 very large number and I know it's not the bulk of people  
6 but it's a big issue for them.

7 MR. JORDAN: Mark Whalon.

8 DR. WHALON: Mark Whalon, Michigan State  
9 University. I just wanted to follow up on a comment that  
10 Michael Fry made about resistance and inform the group if  
11 you don't know already that there is a public/private  
12 group that's international in scope that has a database  
13 up at Michigan State University, you can find that on the  
14 web.

15 Just type in the unhyphenated word pesticide  
16 resistance and you will find on that site a wealth of  
17 information in terms of the Referee Journal Article  
18 publications on resistance. It's within three months of  
19 being up to date globally. There are experts from all  
20 over the world that participate in that and there's a  
21 direct publication mechanism much like gene bank on that  
22 web site. So, somebody in India who is an expert and

1 goes through an editorial review process of experts  
2 around the world can publish on the database directly.

3 In addition to that, and this is a key point,  
4 under FIFRA and FQPA 3(c)(2)(b) and 6(a)(2) data,  
5 industry is compelled to report resistance in the field.  
6 We've been working on that through three committees,  
7 IRAC, FRAC and RAC. IRAC, the Insecticide Resistance  
8 Action Committee, is the one I'm most familiar with. RAC  
9 has a database up also. FRAC is getting their act  
10 together in a new way, the Fungicide Resistance Action  
11 Committee, that the industry has put together.

12 At the British Crop Protection Council meeting  
13 this year in Glasgow, there will be a whole section on  
14 this. Essentially, IRAC has called that together and  
15 there will be a number of papers. Essentially, what  
16 industry is trying to do here is develop a database  
17 system that will be published through the public portion  
18 of this at Michigan State University that will be a  
19 system that is very much like a NAS database.

20 If you have in a region, geographically, in  
21 region 6, reports of resistance such that you could take  
22 a general reading on that, they would agree to report

1 that in a colored geographical indicating mapping system.  
2 That's out there a number of years, but IRAC has agreed  
3 to work on that, IRAC international and IRAC US.

4 So, in the resistance management arena, which  
5 is so vitally important to pest management across the  
6 world, it doesn't matter whether it's human health or  
7 crop protection or structural, it's a huge issue. This  
8 is a resource that has a great potential to be part of a  
9 labeling initiative like this and one that I think that  
10 industry is going to support and the public sector is  
11 already working on.

12 So, I just throw that out for information and  
13 updating people.

14 BILL: Thanks. I'll go next to Carl Malamidrum  
15 (phonetic).

16 MR. MALAMIDRUM: I'm going to have to explain  
17 what happened here to some people, and I wasn't at the  
18 meeting. So, I have a couple questions just for clarity.

19 Is structured labeling the same as e-labeling?  
20 Both phrases were used. Are they synonymous?

21 UNIDENTIFIED MALE: I'll take a shot at  
22 answering that question and then Lance, who knows more

1 about it, can correct and fill in if I don't do it very  
2 well.

3 We are at EPA working on improving our internal  
4 processes for reviewing applications. One thing that we  
5 think would help us speed up that process and make it  
6 more reliable is to receive information electronically.  
7 So, we've developed an electronic application form, a  
8 standardized format for submitting data. And also, we  
9 are working on but are not yet at a place where we can  
10 accept labeling information in electronic format.

11 In order to be able to process labeling  
12 information most efficiently in electronic format, we  
13 want to capture the information that is in labeling  
14 electronically by assigning the data elements to discreet  
15 fields within a software program. I've heard that  
16 referred to as structured labeling. I've heard it  
17 referred to as e-labeling. I've heard it referred to as  
18 e-submission.

19 All of those ideas are pretty much the same,  
20 although there's some slight subtleties and differences  
21 in terms of the scope. But because our e-labeling  
22 effort, which is what I'll call it for our purpose here,

1 structured labeling effort would be supportive of and  
2 helpful for web distributed labeling, we've asked the  
3 PPDC work group if they would look at and comment on the  
4 structured labeling, e-labeling efforts that our  
5 information technology folks are leading.

6 Does that answer your question?

7 MR. MALAMIDRUM: Yeah, that's good. The second  
8 one is, for people who are used to paper labels and are  
9 not real familiar with the discussions today, is it the  
10 intent that a paper label would still be valid as long as  
11 you have the container with the label or like a notice to  
12 airmen or notice to mariners would be superceded by new  
13 information that's distributed by the lab?

14 UNIDENTIFIED MALE: The idea is for a product  
15 that is participating in web distributed labeling. The  
16 container will have on it certain basic information, but  
17 most of the information that is now in paper form  
18 accompanying a product would be available through the web  
19 or alternative sources. In no case would we want the  
20 labeling available through the web site to contradict or  
21 be inconsistent with what's on the container. That's one  
22 of the sort of information management challenges that we

1 need to sort out. I think we've got strategies for  
2 figuring out how to do that.

3 MR. MALAMIDRUM: A little bit of an update on  
4 that one. For people who do have some older product,  
5 would an old paper label still be valid if a new e-label  
6 or web distributed label is available for the same  
7 product?

8 UNIDENTIFIED MALE: Yes, it would.

9 MR. MALAMIDRUM: Okay. Then, the last one is  
10 more a common question that you had, would people  
11 actually use it? I can think of a couple examples where  
12 I think they definitely would based on discussions  
13 yesterday and comments from Michael Fry. Geographic  
14 specificity, what he was calling local data, if there was  
15 locally applicable regulations about clean water, about  
16 endangered species, et cetera, I think there's really no  
17 way to do that well without using the web nowadays.

18 I think that people certainly -- I can't speak  
19 for minor crop users yet, but for people that are in  
20 public health, broad area mosquito control, for example,  
21 I have no doubt that they would use this and be very  
22 eager to see what we know about geographically specific

1 pesticide regulations or restrictions.

2 BILL: Thank you. Julie Spagnoli. I'm sorry,  
3 Lance wants to add something, so hang on a second.

4 LANCE: Just one more clarification about e-  
5 labels and e-labeling. The agency currently is accepting  
6 labels electronically in PDF format. We've been calling  
7 those e-labels. I term these current effort for  
8 exploring the concept of parsing labels into a database.  
9 We started out calling that e-labeling. But I think we  
10 were getting a lot of confusion between e-labels and e-  
11 labeling. So, we've, at least in this presentation and  
12 recently in our discussions, we've been favoring  
13 structured labeling to avoid confusion.

14 BILL: See, I knew I'd get it wrong. I'm an  
15 old fossilized guy who doesn't understand all this tech  
16 stuff, so it's good to have the young folks around.

17 Julie.

18 MS. SPAGNOLI: This kind of goes back to the  
19 mandatory versus voluntary again and then the question of  
20 scope, because obviously if it's mandatory, the question  
21 of scope becomes a much bigger issue. I think we've all  
22 sort of -- we keep talking about growers.

1           So, I think looking at high production  
2           agriculture uses on one end of the spectrum and household  
3           consumer uses on the other end of the spectrum, I think  
4           we've all sort of agreed this makes sense, that doesn't  
5           make sense. But then there's infinite numbers of shades  
6           of gray in between. I'm thinking even if you're talking  
7           hobby farmers or some kind of small agricultural uses or  
8           animal health uses, I don't think anybody could say that  
9           web-based labeling is needed for ear tags.

10           So, I think that's where the whole scope issue  
11           along with the voluntary versus mandatory. Again, I  
12           think we've got a lot of products in the turf market.  
13           Obviously, pre-emergent herbicide on a fertilizer,  
14           there's just certain uses that it just doesn't really  
15           lend itself as much as others.

16           So, I think as we look at -- if it's voluntary,  
17           then I don't think that's an issue because you're going  
18           to make a choice based on your market and what makes  
19           sense. But if we do go into more mandatory, then I think  
20           the scope becomes very important.

21           MR. JORDAN: Thank you. Next card I saw was  
22           Virginia Ruiz.

1 MS. RUIZ: I'm Virginia Ruiz, Farmer for  
2 Justice. Has the work group considered whether this  
3 would be a delivery mechanism for labels in foreign  
4 languages? I'm thinking particularly Spanish, the  
5 primary language of many applicators.

6 MR. JORDAN: Yes, we have. That's one of the  
7 add-ons or bells and whistles that we think this  
8 initiative could eventually offer. We think that would  
9 be a big help for people who might be using pesticides  
10 but for whom English is not their most comfortable  
11 language to read or speak.

12 Jennifer, do you want to respond to that or  
13 comment on that?

14 DR. SASS: Yes. that was actually one of the  
15 things that Shelly had really advocated for, because on a  
16 paper label you can't -- there's just not enough room.  
17 So, that was one of her visions that she saw as far as  
18 multiple different languages.

19 MR. JORDAN: Thanks. The next person I have  
20 was Dennis Howard.

21 MR. HOWARD: Well, just going back to the  
22 inception of this effort, which I think state lead

1 agencies would certainly agree that it's been a yeoman's  
2 effort on the part of the work group. States were  
3 interested in this and I think probably helped to  
4 generate the idea for it based on the difficulties that  
5 we were having and continue to have with varieties of  
6 containers and labels and supplemental labels that are in  
7 the field that create a whole panoply of enforcement  
8 issues.

9 As the discussion has been going forward, there  
10 are obvious values in having container labels -- excuse  
11 me, labels for the users that are simplified and  
12 streamlined so that you cut out the unessential  
13 information but you make sure that you do that in a way  
14 that is not going to be cutting out the essential  
15 information.

16 So, there's a lot of interest in having  
17 streamlined labels. I think at this point the states are  
18 not all flying in formation on this. There's 50 of us  
19 and I imagine not all registrants or everybody else is  
20 flying in formation. But, in reality, I think that what  
21 the states are looking at right now is answers. They're  
22 looking for answers for questions.

1           The way to get to those answers is through the  
2 continued work of the work group, whether it's through  
3 the pilot pilot or the virtual pilot, and preferably  
4 through both. We would encourage you to continue in this  
5 endeavor. I personally think that web distributed  
6 labeling is going to be inevitable. There are already  
7 lots of reasons for doing it.

8           Getting back to Michael Fry's comment about  
9 resistance management, for example, in Florida right now  
10 we have a special local need registration that deals with  
11 a pocket of insects that are resistant to an insecticide  
12 and provides instructions to not use the product in those  
13 geographic areas where the outbreak has begun.

14           It's very old fashioned to try to cover a  
15 dynamic changing situation where resistance is going to  
16 break out in one area versus another with paper labels.  
17 So, electronic labels work very well for those  
18 circumstances.

19           I think that it's a reminder that really FIFRA  
20 is designed to be national in scope, but it also has  
21 capabilities for addressing local issues. I think that's  
22 a very important thing to keep in mind as we look at the

1 NPDES permitting and endangered species and a variety of  
2 other local issues.

3 So, states would encourage you to keep on. We  
4 understand that we're not all marching in step at this  
5 point, but I think all states would be interested in  
6 gathering more information to make an informed decision  
7 on whether this is going to work in the long run or the  
8 short run.

9 MR. JORDAN: Thanks. We need to end in 10  
10 minutes. I have Caroline Cox, Amy Liebman, Amy Brown in  
11 the cue. Then I see a couple of folks who have already  
12 spoken have put their cards up. So, if we have time,  
13 we'll get to Mark Whalon and Cindy Baker.

14 So, Caroline.

15 MS. COX: I've been trying to think about what  
16 the public interest is in this web labeling issue. I  
17 think, aside from my personal bias, that the public  
18 interest is served by reducing pesticide use. I think  
19 the public interest is served by having labels that are  
20 used and read and followed.

21 That means that they're available in other  
22 languages besides English. It means that you don't have

1 to wade necessarily through 70 pages to find the one page  
2 that has the part that's relevant to your use and a lot  
3 of other things. So, I can see the benefit to web-based  
4 labeling in those for the public.

5 I can also see that the public interest is  
6 served by just making sure that every pesticide user has  
7 the label at hand. Having it on the pesticide container  
8 is one of the only ways that you can assure that that's  
9 the case.

10 There's also the question about access to the  
11 internet, when and where a pesticide user might need it.  
12 I think things are really changing. If the best way to  
13 get a hold of my mother-in-law is to e-mail her, then you  
14 know that electronic communication is becoming a way of  
15 the future. But we may not be quite there yet.

16 So, I wasn't on this work group and I don't  
17 know what the discussions were like, but I wonder if we  
18 need some interim period where the label is still on the  
19 product but also available in a web-based form for people  
20 who would like a shorter label or a label in another  
21 language or whatever. Until we can really be sure that  
22 that web-based labeling is reaching everybody who needs

1 to have it, it would still be on the product.

2 Has that been discussed?

3 MR. JORDAN: The short answer is lots of things  
4 have been discussed including that and other approaches.  
5 But I want to say, for somebody who hasn't been on the  
6 work group, you've picked up on exactly the central  
7 issue.

8 If web-distributed labeling proves to be a  
9 vehicle for getting more information, better information,  
10 information in a more useful format to the user in a way  
11 that improves their ability to use the product safely and  
12 effectively, it will be a success.

13 If it proves to be disruptive and too much of a  
14 pain in the neck for folks to actually use and they just  
15 forget about it and go on the basis of what they thought  
16 they heard or thought they read three years ago, then  
17 we'll actually make the system worse. That's why the  
18 pilot's efforts to understand how the users respond to  
19 this are so critically important and why we're going  
20 cautiously ahead with this. We see both the promise and  
21 the potential downsides.

22 If you want to be on the work group, let me

1 know. But it will be work.

2 Amy Liebman.

3 MS. LIEBMAN: First of all, this particular  
4 work group, whenever we hear updates of what you've done,  
5 it is obviously just very impressive, the extent of  
6 thought and communication with the various folks that  
7 would be involved with this that take place. I think it  
8 exemplifies some successes of why these work groups are  
9 such a good idea.

10 But what strikes me particularly in this  
11 conversation is that although this work group objective  
12 is to look at web labeling, what you've done is you've  
13 really highlighted a lot of the gaps and problems with  
14 the labeling system in general. I'm hoping that all of  
15 the work that the EPA has done to analyze this, that you  
16 take those lessons learned and figure out ways to fulfill  
17 the gaps. It might not be with web labeling.

18 I think the Spanish labeling issue or foreign  
19 language label issue is incredibly important. Although  
20 we look to web labeling as a potential for a solution to  
21 that, it's a huge problem when we look at who is using  
22 pesticides and the language that the labels are in. I

1 hope that the EPA would be -- that this highlighted that  
2 even more in the information that was passed on to you,  
3 that you really begin to move some of these gaps to a  
4 different level of priority, take it out of the web  
5 labeling work group and put it into a different priority.

6 It seems like there might be other aspects in  
7 terms of how farmers and growers access their labels,  
8 what their communication needs are that you might want to  
9 consider and again remove it from this web labeling  
10 process and think about ways that you can get the  
11 information to people so that products are being used  
12 according to how they're supposed to be used and that we  
13 ultimately have -- we're protecting the workers, we're  
14 protecting the growers and we're protecting the public  
15 because people are better informed.

16 MR. JORDAN: Thank you. Again, you've put your  
17 finger on another central issue, people want more  
18 information and at the same time people are complaining  
19 about information overload. So, what's the most  
20 effective way of finding out how to deliver the  
21 information that people want, when they want it, and the  
22 form that they want it. That's where I think technology

1 has offered some promise.

2 I think I'm going to say, Mark and Cindy, that  
3 you'll have to talk to me on the break. They get to  
4 talk? Okay. Let me go with Amy Brown first and then  
5 Cindy.

6 MS. BROWN: I was going to make it fast and  
7 pass, but the issue has come up several times. This  
8 comment is so far for the future. I think the language  
9 issues are in the future and I don't want to -- I think  
10 this process needs to go along as has been said. But  
11 when it comes to the language issues, I just have a real  
12 concern.

13 As an educator, I want to educate everybody in  
14 their language that is their native language that they  
15 speak. They'll learn it better. But when it comes to  
16 putting something like a label in another language,  
17 you've got to think that you are enabling them one sector  
18 if you, for instance, put it only in Spanish or start  
19 with Spanish first. You're enabling that sector to have  
20 jobs that will then not be available perhaps to others  
21 who speak other languages.

22 I don't think you can get it all done at once.

1 It's a different issue of training versus allowing people  
2 to qualify for a different level of a job if they can  
3 read a label.

4 MR. JORDAN: I think you're right. There are  
5 environmental justice issues that need to get looked at.

6 Cindy, last word.

7 MS. BAKER: I'll be really fast.

8 MR. JORDAN: Thank you.

9 MS. BAKER: Just two quick points, one on  
10 structured labeling. One of the important points I think  
11 that we talked about at our last meeting that we don't  
12 want to lose either is that that has benefits to the  
13 agency and others separate from itself. So, one of the  
14 points we said is let's not get this bogged down in this  
15 group. You're exactly right.

16 We're talking about it in this group because  
17 it's a mechanism to talk about it. But really, for  
18 structured labeling I think to move forward, we need  
19 people who have the technical expertise in that area  
20 which isn't those of us necessarily sitting on that  
21 group. We can give you feedback because we're looking at  
22 it, but I just want to make sure the agency knows we want

1 that one to keep moving with the right people in that  
2 area.

3 The second is to this language issue. We've  
4 absolutely discussed it in there quite a bit, whether or  
5 not these web sites that are available today can make a  
6 translation easily into Spanish or another language.  
7 Some of them can do it. But we run up against the same  
8 things we run up as we go through all of these.

9 What's the enforcement of that? What do the  
10 states think about whether it's done there? What do the  
11 registrants think about the liability associated with a  
12 computer-generated language thing? So, we've got to work  
13 through the details. But it absolutely is there and  
14 we're talking about it and trying to figure out how do we  
15 get by those issues.

16 MR. JORDAN: Thanks, Cindy.

17 Mark, I didn't mean to cut you off, if you want  
18 to add anything.

19 MR. WHALON: Well, thanks. I just wanted to  
20 give credit where credit was due relative to this  
21 international resistance management effort. It was Janet  
22 Anderson and the biopesticide inclusion prevention

1 division that originally funded that. USDA picked up the  
2 funding subsequently. IRAC has contributed, too. So, it  
3 is an example of public/private sector working on a  
4 particularly difficult problem over about 10 years to get  
5 to where we're at.

6 MR. JORDAN: Thanks, everyone. Turn back to  
7 Debbie Edwards.

8 MS. EDWARDS: Well, thank you. That was an  
9 excellent session, in part because I'm actually  
10 encouraged that there appears to be, albeit continuing  
11 concerns and everyone recognizes this is not a short term  
12 fix, I feel actually quite a bit of energy around this  
13 about the need to continue to keep trying and do what we  
14 can for all sorts of reasons, everything from safety to  
15 better communication, to better transparency, to allowing  
16 geographically specific environmental protections to get  
17 into place, and so forth. So, I really appreciate your  
18 input. I think we will continue this work group. So,  
19 Bill gets to keep doing what he does so well.

20 We're going to have a break now. We're going  
21 to come back at 10:30. I would remind you again that  
22 there is an opportunity for public comment today. So, if

1 you would like to take advantage of that, just sign up at  
2 the registration desk. Thank you.

3 (Whereupon, a brief recess was taken.)

4 MS. EDWARDS: Would you take your seats,  
5 please? Welcome back. We're going to start now with our  
6 last major session of the day, which is session seven on  
7 plant health claims on pesticide products chaired by Lois  
8 Rossi of the registration division.

9 MS. ROSSI: I'm going to go through some issues  
10 that have recently been raised that we have been working  
11 on to make sure that all stakeholders have an  
12 understanding of these. Briefly, I'll talk about  
13 examples of plant health claims that are currently on the  
14 label, some concerns that are raised with these plant  
15 health claims, and some of our thoughts in response to  
16 them.

17 Some examples that are -- I think everybody has  
18 a copy of the slides in front of them by now. Some  
19 examples of some plant health claims that are on  
20 pesticide labels currently, they're listed there in  
21 quotes. They're directly taken from labels, improve  
22 plant health, stronger stands, drought resistance, bigger

1 yields.

2           Then, this next slide gets into some of the  
3 concerns that have been raised from university plant  
4 pathologists and a letter received from the American Bird  
5 Conservancy. These concerns are listed in this slide and  
6 they carry over to the other slide. I'm going to go  
7 through actually all of them in detail.

8           But just roughly, non-pesticide claims  
9 appearing on labels, a lack of substantiation, potential  
10 increased use of the product, increased use of the  
11 product such that non-target impacts are seen, and  
12 possible misuse in increased exposure, and then impacts  
13 on IPM practices.

14           So, the first one, the non-pesticide claims  
15 appearing on the label, going back to FIFRA, the agency  
16 views plant health as pesticidal claims under FIFRA. The  
17 term pesticide also includes plant growth regulators.  
18 The next bullet you see actually the definition of a  
19 plant growth regulator. I think the important thing is  
20 their substances or mixtures of substances that through  
21 physiological action can accelerate or retard the growth  
22 rate or maturation of the plant. It's listed there for

1 your information. I'm not going to read the whole thing.

2 We also know that enhanced yield responses to  
3 the (inaudible) and fungicides, for example, do in part  
4 have direct affects on plant metabolism.

5 The second concern is the lack of claim  
6 substantiation. With regard to this, I think it's  
7 probably fairly well known that we focus our resources  
8 and our main work is on assessing and mitigating risk to  
9 public health and the environment.

10 We have maintained for a long time, as long as  
11 I certainly can remember, that with the exception of  
12 public health pesticides, the effectiveness essentially  
13 is absorbed by users in the field. Obviously, if the  
14 pesticide doesn't work, they will make other decisions in  
15 their selection of product.

16 So, we don't routinely collect and review  
17 efficacy data for pesticide products that have non-public  
18 health uses. Of course, for the public health ones, we  
19 do have efficacy requirements and we review that data,  
20 require that data and review that data.

21 Continuing on with this, having said that, we  
22 always review data that comes to our attention, not just

1 on this subject but on other subjects as well. So, we  
2 are committed to reviewing any data that anyone may  
3 submit to us to support the fact that these plant health  
4 claims may be false or misleading.

5           Very recently, we have received some data from  
6 a Dr. Paul Vancelli (phonetic) from the University of  
7 Kentucky. Actually, he was in town, I believe, last week  
8 and gave a seminar at USDA that some of our folks were  
9 able to attend. So, that has been submitted. It will  
10 undergo a review.

11           The second concern was the increased use of the  
12 product almost guarantees early selection for resistance  
13 in certain pathogen populations to a valuable class of  
14 fungicide. Product labels do bear resistance management  
15 recommendations, and they are specifically intended to  
16 reduce sequential applications and encourage the rotation  
17 with other fungicides.

18           There are advisory committees that put out this  
19 guidance. That is incorporated into our labels. There  
20 is the concern, though, that if your total focus is, as a  
21 user, on improving plant health, you may not follow these  
22 recommendations.

1           The third concern was increased use of the  
2 product -- oh, this is a continuation of the last one.

3           As I said, again, this just says that we would  
4 certainly review any data or information that indicates  
5 development of pathogen resistance. As a matter of fact,  
6 we'd be very interested in reviewing that. But I am not  
7 aware of such information being submitted.

8           We also have in the pesticide program a  
9 resistant management workgroup. They are specifically  
10 chartered to explore this issue and develop some  
11 recommendations, including the consideration of the  
12 enforceability of the resistance management labeling and  
13 requiring it.

14           The next concern is the increased use of the  
15 product such that non-target impacts are seen, including  
16 suppression of beneficial fungi that help keep certain  
17 insect pathogens in check. Again, we are interested in  
18 reviewing this data. The data that was recently  
19 submitted by Dr. Vancelli seems to be submitted in regard  
20 to this or have information that may lead to this. We  
21 welcome any other data that might be available in  
22 universities or research facilities.

1           The fifth one is the possible misuse and  
2 increased exposure as a result of these plant health  
3 claims. It relates to the possibility that a product's  
4 use may increase significantly if it actually improves  
5 plant health or has the potential to increase yield. We  
6 are looking at tracking usage information for these  
7 products that bear these claims and adjusting any risk  
8 assessments to actually reflect increased usage such as  
9 percent crop treated.

10           I believe the last concern raised was the  
11 impact on IPM practices. We acknowledge that a plant  
12 health claim could -- on a product that also bears  
13 fungicidal claims could lead to practices not in line  
14 with traditional IPM practices. Again, we would welcome  
15 information that issue to thoroughly look at that  
16 problem.

17           So, in summary, where we are with this is that  
18 a reminder that I think the agency's primary focus to  
19 utilize its resources is on assessing products for a  
20 public health or human health and an ecological risk  
21 assessment and managing those risks. We will, as always  
22 on this topic and any other topic that I can remember us

1 being faced with, we're committed to reviewing any  
2 information and data that is related to this and welcome  
3 that data. We will analyze it to see what the data show.

4 We have posted these concerns on our web site.  
5 We will continue as this project unfolds, as we review  
6 data, as we become more aware of information regarding  
7 this, we will be transparent with our reviews and with  
8 any information that we get.

9 So, that basically summarizes where we are for  
10 all stakeholders to be aware of what's going on with this  
11 issue. Thank you.

12 MS. EDWARDS: I imagine there are some  
13 comments. So, we'd like to hear any thoughts that the  
14 group might have on this topic.

15 This side this time, maybe Caroline.

16 CAROLINE: I think I understand why this could  
17 be a problem, but I'm wondering -- your comments sort of  
18 sounded like the PSA, so I assume that there's some  
19 element of that also, making people aware that this is a  
20 concern the agency has and wanting people to give you  
21 input where they have relevant information.

22 But it occurred to me when you were talking

1 about the growth regulators that that is what they do.

2 So, how do you deal with that issue in light of the  
3 concerns that you've expressed?

4 MS. ROSSI: Well, I mean, that was the point of  
5 pointing out the fact that they are plant health growth  
6 regulators and we regulate those. I think the key would  
7 be if there were data out there that are showing some of  
8 these quirks that are concerns that have been brought to  
9 our attention and they're actually being realized.

10 CAROLINE: Quirks would be additional use?

11 MS. ROSSI: Concerns.

12 MS. EDWARDS: Well, I think there's been a lot  
13 of concern that's been expressed on the six areas that  
14 Lois went through, but there's been very little data so  
15 far that's been provided to the agency that indicates  
16 that those concerns are actually happening.

17 So, what we're basically saying is if anyone  
18 has any information that indicates that these claims are,  
19 for example, causing increased use and therefore causing  
20 resistance to develop or these claims are causing  
21 increased use that are therefore causing impacts on  
22 beneficial fungi such that they're causing insect flares

1 would could result in increased insecticide use, we need  
2 to know about that.

3 But right now, I think what we've mostly heard  
4 so far is a general feeling of uneasiness, in particular  
5 among agricultural extension agents and others who are  
6 very concerns that the agricultural community not lose  
7 this class of fungicides because it has typically been  
8 viewed as lower risk than some of the fungicide classes  
9 that they've had available in the past.

10 Doyle.

11 DOYLE: Thanks. I have a suite of issues that  
12 are relevant to this, I think, not just the fidopathology  
13 issues but I was thinking about, as you were speaking,  
14 Lois, about some of the situations that we now find  
15 ourselves faced with with GMO labeling and access to  
16 research and access to farmer's fields with some of those  
17 agreements and secondary effects all through the system.

18 I'm also reminded again about a number of  
19 claims in the organic arena that are reflective of this  
20 kind of thing that you're talking about and also in the  
21 area of fertility and plant health, a range of claims  
22 very similar and more extensive along these lines. As a

1 field entomologist, I often get calls about why I put on  
2 this nutrient and I have this pest and it says here that  
3 it suppresses this pest and those kinds of things.

4 So, what it reminds me of is a bigger suite of  
5 issues associated with the functional ecological impacts  
6 of plant protection materials and their impact on the  
7 plant and its impact on the organization and structure of  
8 living organisms that are dependent on that system.

9 I think that it's a much bigger thing that just  
10 fidopathology. It's sweeping, in fact. As Dan Botts  
11 would say, there's a whole universe of issues associated  
12 with it. Thanks.

13 MS. EDWARDS: Thank you. Cindy.

14 MS. BAKER: I'd just make a couple of comments.  
15 One, I guess I would issue some caution to the agency in  
16 how much effort and resources you put into this because I  
17 think you have it right here that your primary directive  
18 is protection of human health and the environment.

19 There are other mechanisms in place, I think,  
20 that deal with this. One of them is people like Mark  
21 Whalon and other people in the university system who are  
22 regularly looking at use of products and IPM and

1 development of resistance and advising growers and pest  
2 control advisers and people like that about what makes  
3 sense.

4           The second is, as a registrant, it's in our  
5 best interest to make sure that our products are  
6 available for as long as possible. So, I think you will  
7 frequently see on label claims statements about  
8 resistance management, statements about what group of  
9 herbicides is this in so that you alternate chemistry.  
10 It crosses fungicides, insecticides, and herbicides.

11           Mark's earlier points about IRAC and FRAC and  
12 other people who are out there doing, this is not an  
13 issue that doesn't get attention. It gets a lot of  
14 attention because people are very concerned about the  
15 development of resistance and being able to control these  
16 pests.

17           So, I guess my comments are, there are already  
18 mechanisms out there I think to take care of this.  
19 Absolutely you have an obligation to make sure there  
20 aren't false or misleading statements. If people make  
21 pesticidal claims, you've got to regulate that. That's  
22 all fair game. But I think I would caution you to be

1 very careful about how much time and effort you guys put  
2 in to this when there are mechanisms out there in the  
3 marketplace to deal with it.

4 MS. EDWARDS: Thank you. Amy.

5 MS. BROWN: Amy Brown, University of Maryland.

6 I agree with what both Cindy and Mark have  
7 said, but I think one of the reasons why there is a  
8 little bit of uneasiness, particularly on the part of  
9 growers and extension professionals, is in part that  
10 historically, land grant universities were quite involved  
11 in efficacy testing and serving as a second route of sort  
12 of supposedly unbiased system that could test out  
13 efficacy. I'd like to know if Mark and Carol Ramsay  
14 perhaps might have some other thoughts.

15 But I know that from my university and other  
16 universities that I'm quite familiar with, we have moved  
17 away from that in the last 20 years. Junior faculty can  
18 no longer be rewarded on the basis of doing that kind of  
19 research, unless it involves resistance management where  
20 -- I think that's the area where both Mark and Cindy have  
21 put their finger on and it's fine.

22 But when it comes to straight efficacy data

1 either for plant health or for pesticidal efficacy,  
2 universities are not by and large doing that kind of  
3 research anymore, especially the younger people. So,  
4 some of the older folks who are at the end of their  
5 careers are still providing that service, but it's not  
6 being picked up by the young people.

7 Our growers and extension service are wondering  
8 where that will come from in the future. I think that  
9 might be leading to part of the uneasiness on this. It's  
10 always been assumed there's a check and balance out  
11 there, but that won't be so in the future, I think.

12 MS. EDWARDS: Thank you. Virginia.

13 MS. RUIZ: Sorry if this is a basic question,  
14 but on the slide where you talk about tracking usage  
15 information to revise the risk assessments, how will you  
16 track that usage information?

17 MS. ROSSI: We basically have a lot of sources  
18 that we use to estimate percent crop treated, so we would  
19 use those sources that we normally use to gather that  
20 information.

21 MS. EDWARDS: Let me just give you an example.  
22 Recently, and one of the products that has some of these

1 plant health claims is a product called paraclastrobin.  
2 So, we actually pulled up very recently, since we've  
3 heard about these concerns, all the new usage information  
4 for paraclastrobin and we ran a risk assessment and it's  
5 still below our levels of our concern. But it had  
6 increased somewhat, the usage, but it hadn't increased to  
7 the point where we felt we needed to take any regulatory  
8 steps. But that's the kind of thing we need to keep  
9 track of.

10 MS. RUIZ: So, is that state usage information  
11 or -- I'm just not clear what that entails.

12 MS. EDWARDS: It's historically been some USDA  
13 information and some privately collected information from  
14 a company called Dunn. But we can talk to you about that  
15 more. It's what we use pretty routinely in our risk  
16 assessment.

17 Caroline.

18 CAROLINE: There's something about this that I  
19 actually don't understand. It seems to me that basically  
20 nonpesticidal claims in general you can't put them on a  
21 pesticide label. To use a really ridiculous example, if  
22 there was a can of Raid and it said this cleans your

1       countertops too, I don't think EPA would approve a label  
2       like that.

3               So, I don't quite understand how it was that  
4       these nonpesticidal claims ended up on the label to begin  
5       with. It seems like there should be a fairly bright line  
6       between the pesticide related stuff which needs to be on  
7       the label and belongs on the label and the nonpesticide  
8       claims which just shouldn't be there.

9               MS. EDWARDS: Well, actually, what we're saying  
10       is that it is in fact a pesticidal claim. There was a  
11       concern there it might not be, but I think that it's just  
12       that a lot of people don't -- when they think of  
13       pesticide, they typically think of controlling a pest  
14       which could be a fungal pathogen, an insect, a weed, or  
15       something like that.

16               But actually, FIFRA covers what are called  
17       plant regulators. The claims that are being made on  
18       these products would fit within that plant regulator.  
19       So, they are in fact under FIFRA fitting under the  
20       pesticide claim even though they are not controlling the  
21       pests. It's something that we're authorized to regulate,  
22       in other words.

1 CAROLINE: I guess I don't understand. But I  
2 didn't think something like drought resistance was a  
3 plant regulator. I thought those growth regulators were  
4 things like making all the apples ripen at the same time  
5 and that kind of thing.

6 MS. EDWARDS: I'd like to have you speak to my  
7 attorney.

8 MR. CARLOS: Hi, I'm Bob Carlos with EPA's  
9 Office of General Counsel.

10 I think part of the confusion is that it's not  
11 a growth regulator; it is a plant regulator, which is  
12 defined both as something that regulates the growth or  
13 something that alters the behavior of a plant. So, if  
14 you're altering the behavior of the plant to make it  
15 drought resistant, that is a pesticidal claim.

16 I'll be happy to show you afterwards where in  
17 the statute it is, but it's in Section 2v, as in Victor,  
18 the definition of plant regulator. It includes  
19 substances that alter the behavior of plants.

20 MS. EDWARDS: Thank you, Bob. What would we do  
21 without the lawyers?

22 Is that you, Sue, that wants to speak?

1           SUE: I have absolutely no expertise in this  
2 area at all, but I do have a question with regard to the  
3 kind of data issue. That is, I'm very familiar with the  
4 requirements that are on registrants with regard to data  
5 quality, approved protocols, GLP requirements, that kind  
6 of thing. But what I don't know is what kind of criteria  
7 the agency requires for data that are submitted by other  
8 than registrants seeking the support of registration.

9           MS. EDWARDS: I think what we were trying to  
10 explain is that probably what you're used to, principally  
11 because you have been so involved with antimicrobial  
12 products, is that in fact the agency does require and  
13 review any data or any product that wants to make what we  
14 call a public health claim, which is, basically, for  
15 those of you who don't know this, a public health claim  
16 in our view is to control a human pathogen with a vector  
17 of a human pathogen.

18           So, mosquitos, mosquitocides, we get data,  
19 rodenticides we get data, products to control ticks and,  
20 of course, hospital disinfectants and sanitizers, and so  
21 forth. So, we think that's important enough that we  
22 actually use quite a bit of our resources reviewing those

1 data.

2 For other efficacy data, we quite simply don't  
3 require it. We have the authority to call it in, but we  
4 would need a whole lot more people and we would need to  
5 develop guidelines and so on and so forth. So, we just  
6 haven't used our resources in that way.

7 But what I did say is that we could -- if  
8 anybody wants to submit information that would indicate  
9 that these claims are in fact false and misleading, we  
10 will review that information.

11 SUE: I was really not referencing just a  
12 requirement on efficacy data, I mean I think one of the  
13 great values of the pesticide program is the value of its  
14 data because the data are of very high quality. So, what  
15 kind of data quality is there for this type of  
16 information that you're seeking or inviting?

17 MS. EDWARDS: Of course, we'll have our  
18 scientists review it. If we think it's not relevant to  
19 the situation or of poor quality, we would probably not  
20 use it. But it's going to be a little bit iterative. We  
21 haven't really looked at this kind of data much in the  
22 past. We don't know, in fact, if we're going to get

1 much.

2 Like Lois said, we very very recently got some  
3 information but we haven't had a chance to review it yet.  
4 We're planning to review it. Again, we're going to make  
5 everything very publicly available. So, the review of  
6 the data will be made publicly available.

7 MR. GREEN: Tom Green with the IPM Institute.

8 I think my biggest concern is the resistance  
9 management. I hope that someone is working on that kind  
10 of data package for me to review and persuade you to  
11 strengthen the resistance management aspects of products  
12 that have these claims and we don't have to learn this  
13 lesson after the fact.

14 I appreciate Cindy's comment about the  
15 incentive for registrants to preserve their products, but  
16 there have been cases where it appears that the strategy  
17 was to really push sales of products regardless of the  
18 resistance potential. So, I think that's a big concern.

19 Just a clarification, on slide 11, it appears  
20 that the comment has a typo in it. It should read  
21 increased use of product that such nontarget impacts are  
22 seen, including suppression of beneficial fungi that help

1 keep certain insects in check. The insect pathogens  
2 would be the beneficial fungi in that case, wouldn't it  
3 be?

4 MS. EDWARDS: I think the concept there is that  
5 the beneficial fungi are, yes, in fact keeping insect  
6 pests in check. They're pathogens of the insects.

7 MR. GREEN: Thanks.

8 MS. EDWARDS: Scott.

9 MR. SCHERTZ: Yes, I'm Scott Schertz, and I  
10 have a few comments on this.

11 First off, I am very familiar with these  
12 products as a retailer and aerial applicator. One of the  
13 big things that I think has been missing on this  
14 discussion, first of all, is the reason it is even of  
15 attention or that they had this kind of market share as  
16 it is effective.

17 There have been many many documented cases of  
18 significant yield increases from this type of product in  
19 the Corn Belt and I'm sure in other places also. Some of  
20 those results appear to be from things other than  
21 straight disease suppression. Obviously, the stroban  
22 class is primarily preventative.

1           Another issue that we have is there's a lot of  
2           variability based on variety or hybrid as far as how the  
3           disease progresses and, of course, the environment is the  
4           other part of it. So, even if you do spray it or you  
5           have a good yield increase, you don't see much disease at  
6           the end of the year. Obviously, with those variables  
7           it's hard to track were you really successful on that.  
8           But you do have a result. You cannot wait until you have  
9           sacraya leaf spot overtake the plant. I mean, this just  
10          isn't going to work.

11           One other, though, nature thing on this  
12          resistance management issue is that in the field crop  
13          arena, it is extremely rare to go over one application of  
14          this chemistry. In my case, we do track what we're  
15          doing. The only place this has even been a concern is a  
16          specialty part of it, sea corn. Obviously, we rotate  
17          types of fungicides as appropriate there.

18           But I do think it's important that this class  
19          of fungicides and growth regulators is available for  
20          field crop use. I mean, I understand the specialty crop  
21          concerns with them, but when they are labeled for field  
22          crop use, they are important tools. Obviously, these

1 yield impacts are important. In some cases, the disease  
2 situation may be where it is absolutely critical to be  
3 able to use them, even in field crop use.

4 Thank you.

5 MS. EDWARDS: Thanks, Scott. We'll just take  
6 the rest of the cards that are up and then -- because  
7 we're running a little bit over, but we will take the  
8 cards that are up.

9 Michael.

10 MICHAEL: Thanks very much, Debbie, for  
11 bringing this issue back to talk about it because it is a  
12 little complex because it's both a plant regulator and a  
13 fungicide. I don't think there would be concern here if  
14 it were just a plant regulator. I think the resistance  
15 management and the implications of the resistance  
16 management kind of do put a higher burden of efficacy, if  
17 you will, on the plant regulation claims. Given that, I  
18 think you've handled this very well.

19 My question is, is there a time line going  
20 forward for this registration? What's the process from  
21 here on out?

22 MS. EDWARDS: Products are registered. What

1 we've basically said to all of you and the public is that  
2 if anyone has any information to indicate that we need to  
3 relook at that registration due to some of these  
4 concerns, that's what we'll do. But it's not an  
5 application. It's actually registered and has been for  
6 some time.

7 MICHAEL: So, it's been registered as a  
8 fungicide but not as a plant regulator.

9 MS. EDWARDS: Both.

10 MICHAEL: When was the plant regulator?

11 MS. EDWARDS: How long ago was it -- well,  
12 there's several products. But I think the one you're  
13 talking about has been registered for at least a couple  
14 of years as a plant regulator.

15 MICHAEL: But this whole issue arose because in  
16 January they said EPA has done a brand new thing of  
17 putting plant health claims on the label. They were  
18 implying at that point, the 23rd of January, I believe it  
19 was, for registration as a plant regulator.

20 MS. EDWARDS: You're talking about  
21 advertisements by the chemical companies and I really  
22 can't speak to that.

1           MICHAEL: No. This was BSF.

2           MS. EDWARDS: I'm sure. They probably tweaked  
3 to the claim or something. There are advertisements that  
4 go out for these products all the time. But the  
5 registrations of these -- I mean, I don't know, Scott,  
6 tell us how long you guys have been able to use it, at  
7 least a couple of years, I think.

8           SCOTT: Four.

9           MS. EDWARDS: Four.

10          MICHAEL: As a fungicide.

11          MS. EDWARDS: As a fungicide but I believe the  
12 plant health claims were in place at least a previous  
13 growing season, not just this one. They're on a few  
14 other products as well. It's not just this product.  
15 But, you know, that's why we're here today. We're open  
16 to talking about the concerns that people have.

17           Julie.

18          MS. SPAGNOLI: I want to reiterate what Cindy  
19 said as to how much attention and focus the agency gives  
20 this issue because -- this is very focused and it's  
21 really looking at one specific type of product. But I  
22 think when you look at it in the context of plant health

1 claims on pesticide products as a broad category, a  
2 majority of applications made of pesticides to plants are  
3 to promote plant health.

4 I mean, that's the purpose of them, whether  
5 it's to have a healthier lawn, a better tomato plant,  
6 that's generally the purpose of a pesticide application,  
7 to promote plant health. So, there are those types of  
8 promotions, I want to say, made for products because the  
9 benefit of the pesticide use is a healthier plant.

10 Also, as far as nonpesticidal claims, in this  
11 case, it was viewed as a pesticidal claim, as a plant  
12 regulator claim. But the agency routinely allows  
13 nonpesticidal claims on pesticide products when a  
14 nonpesticidal benefit is seen, whether it's nutrients  
15 that are in a product through a combination product.

16 We have a potting soil to grown plants in.  
17 There's additional benefits there, whether it's whiter  
18 clothes or cuts grease, there's a lot of different  
19 nonpesticidal claims that are made for products, probably  
20 not as much in agriculture but obviously in other types  
21 of products. So, I think as a policy, just to say that  
22 we don't allow any nonpesticidal claims is not correct.

1 MS. EDWARDS: That's true.

2 We have one more card up, Dave Tamayo.

3 MR. TAMAYO: This is actually a fascinating  
4 problem, but one of the things -- Cindy referred to the  
5 power of the marketplace to take care of this, but maybe  
6 the major analogous situation in a nonpesticidal is with  
7 the antibiotics and how those were used for really  
8 nonantibiotic but drug stimulating effects that they  
9 have.

10 When you're decoupling -- you have two  
11 different effects that are important for a particular  
12 chemical. Then the market decides, well, we really like  
13 this nonpesticidal effect of it. Then you still have the  
14 pesticidal effects that are potentially causing  
15 resistance. Those could be very big problems.

16 I think just saying well, we'll rely on the  
17 market to figure this out is a mistake, because in the  
18 analogous situation, the market drove a really big public  
19 health nightmare for antibiotic resistance. I'm not  
20 saying that we know enough to know that that's going to  
21 happen, but this is an opportunity to look at setting up  
22 the system for maybe a little bit more proactive

1 surveillance of what is the potential for a product to  
2 have those unintended consequences like the resistance or  
3 the effects on beneficial fungi.

4 It seems a little bit passive, and I know  
5 you're just kind of beginning this, but it seems a little  
6 bit passive to say, hey, if there's a data out there.  
7 What it seems like would be helpful would be to figure  
8 out what is the best way to look at this both through a  
9 currently registered product and in the registration  
10 process from here on out.

11 We have an opportunity to prevent significant  
12 problems. I'm not saying it's always going to happen,  
13 but there's an opportunity to tweak the system to maybe  
14 forestall problems that just wouldn't be taken care of  
15 otherwise.

16 MS. EDWARDS: Thank you. I think, as we said  
17 at one point in this presentation, the agency's principle  
18 concern here, I think, is the preservation of the class  
19 of fungicides and the concerns we have of resistance. As  
20 most people here know, we actually have done mandatory  
21 things to preserve the BT products with the mandatory  
22 refuges and so forth. It has to do with preserving that

1 technology for the future because we think it's a good  
2 technology.

3 So, as I said, we've got people looking into  
4 that should we be more, as you said, proactive rather  
5 than just having voluntary resistance management programs  
6 in all cases other than BT. Maybe there's certain other  
7 circumstances where it makes sense to be a little bit  
8 more proactive or mandatory about it.

9 The end of the major sessions today. Thank you  
10 very much. We now have a short public comment session  
11 and then we'll go to Session 8 where we pretty much close  
12 out the meeting.

13 Our first public commentor is Nick Fassler  
14 (phonetic) from BASF. Come on up. I have a sneaking  
15 suspicion it's the same topic.

16 MR. FASSLER: All right, thank you very much.  
17 My name is Nick Fassler. I'm with the BASF. My job  
18 position with BASF is the technical manager for headline  
19 for the U.S. So, I just have a brief statement that BASF  
20 prepared to read through here quickly.

21 Basically, at BASF, for farmers each year it  
22 brings different challenges in the growing season to

1 maintain their business. BASF is committed to developing  
2 innovative tools to help farmers be more efficient,  
3 maximize yields, and profit on their farming operation or  
4 remain in business.

5           When Headline was developed for the corn and  
6 soybean disease control markets, yield increases were  
7 consistently observed in trials regardless of disease  
8 pressure. Farmers who adopted Headline early split their  
9 fields, did side by side comparisons.

10           From these, they observed yield increases with  
11 Headline, reported back to us that their crops were  
12 healthier, and that crops of just corn and cereal were  
13 easier to harvest and more efficient harvest at the end  
14 of the season.

15           This harvest ability benefit is especially  
16 important due to newer hybrids, increased use of minimum  
17 tillage and increased plant populations, as well as  
18 farmer operations growing. They placed a premium on  
19 insuring their crop stands well under the harvest. These  
20 are actually reports we're getting right now as harvest  
21 has begun. It's a very late fall.

22           Based on early research and grower reports,

1 BASF has committed extensive resources in investigating  
2 disease and nondisease control benefits of Headline to  
3 the extent that Headline applications of corn, cereals  
4 and soybeans are the most researched. Our research  
5 supports the three main key plant health benefits such as  
6 disease control, improved growth efficiency, and improved  
7 stress tolerance.

8 We've submitted detailed research supporting  
9 these plant health claims to the EPA, several states this  
10 year. We've also shared these results with the AGRA  
11 business community. In August, we participated in a  
12 plant health symposium at the American Phytopathological  
13 Society. We will present at the American Society of  
14 Agronomy in November. Additionally, BASF has scheduled a  
15 meeting with over 50 university pathologists and  
16 agronomists next week.

17 Stewardship of our products, not just BASF, is  
18 an overriding principle. Resistant management is a  
19 critical part of stewardship and BASF endorses the  
20 following guidelines that are prescribed by the Fungicide  
21 Resistance Action Committee. Worst case for development  
22 of resistance is based on multiple applications to an

1 established pathogen population which the entire crop in  
2 the geography is treated.

3 This scenario for fungicide applications that  
4 corn and soybeans and wheat grow in the United States is  
5 much different. Only 10 to 15 percent of the corn and  
6 soybean acreage is treated annually, and less than 5  
7 percent of this acreage receives more than one  
8 application. It should be noted that Headline  
9 applications for the timing of disease control coincides  
10 with the plant health timing.

11 Additionally, as part of her stewardship  
12 program, we're actively working with the National  
13 Agricultural Aviation Association as well as state  
14 regulatory agents to provide educational tools, proper  
15 application timings, and to ensure appropriate rapid  
16 response if any issues arise. At this time, BASF is not  
17 aware of any incidents where aphid flare ups or spider  
18 mite outbreaks have occurred due to Headline.

19 Finally, third party market research has shown  
20 that farmers primarily apply Headline for disease  
21 control, yield benefits, and, in the case of corn, such  
22 benefits is harvest efficiency. Research and grower

1 trials with Headline have demonstrated that even under  
2 low disease conditions, improved yield and other benefits  
3 such as improved harvest efficiency are often observed.

4 Applications of fungicides require a  
5 significant commitment in management, time, and money.  
6 Growers continue to make this commitment because they  
7 value the benefits they receive, healthier plants, higher  
8 yields, and improved standability.

9 Thank you very much.

10 MS. EDWARDS: Thank you.

11 Our next commentor is Fritzi Cohen with  
12 Fearless Fund (phonetic).

13 MS. COHEN: My name is Fritzi Cohen and I'm  
14 representing the Fearless Fund.

15 I observed this committee hammering out the  
16 nuts and bolts of NPDES permits to regulate the  
17 discharges of pesticides into our waterways and lots of  
18 other related issues. Although I am not a member of this  
19 committee, I do believe that I am a stakeholder in the  
20 results of these discussions.

21 I'm sure you all realize that there are  
22 stakeholders to the ultimate results of your discussions

1 who will never be at this table but who nevertheless want  
2 you to be aware of their concerns. With the U.S.  
3 Geological Survey findings of pesticide residues in  
4 perhaps all the waterways in the U.S. and NOAA, both of  
5 these agencies absent from this dialogue, and other  
6 scientific organizations warning about the mortality of  
7 our oceans, the epidemic increase in cancers, autism,  
8 Parkinson's Disease, Alzheimer's, asthma, and others, our  
9 concerns have heightened.

10 There are stakeholders like myself who believe  
11 that there is no level of pesticide residue that is  
12 acceptable. The role of the EPA is to continuously  
13 reduce the residues that now exist in the air we breath,  
14 the food we eat, the water we drink and wash in, as a  
15 means of protecting the public health.

16 I don't underestimate the difficulty of that  
17 task, but I do think it is a legitimate goal, the only  
18 appropriate goal for the Environmental Protection Agency,  
19 a necessary goal. I hope it will be reflected in the  
20 final documents. We and you owe this to future  
21 generations.

22 MS. EDWARDS: Thank you.

1           Our final commentor, I believe, is on the  
2 phone. It's Mike Kelly from Toxel. Mike, are you there?

3           (No verbal response.)

4           MS. EDWARDS: Well, I guess that was our final  
5 commentor. At this time, I'm going to ask Margie to come  
6 forward to begin Session 8. She'll be talking about the  
7 future of PPDC, including the charter renewal and  
8 membership renewal.

9           MS. FEHRENBACH: Hello. As you know, PPDC is  
10 renewed every two years. Under the Federal Advisory  
11 Committee Act, the charter has to be renewed every two  
12 years and memberships have to be redone every two years.  
13 They actually are on separate tracks.

14           Our charter, which we handed you a copy of the  
15 current draft charter, which is going through review, is  
16 very similar to the one that already exists that's up on  
17 our web site. We expect that charter to be approved.  
18 The period of time that that will cover is November 2010  
19 to November 2012, very futuristic.

20           The memberships to this group, the current  
21 membership, expire -- I have to be careful not to say  
22 that you expire. Your memberships expire in April of

1 2010. So, in a very short time, we'll be putting a  
2 Federal Register notice out to invite membership to the  
3 2010 to 2012 cycle. We're going to again seek candidates  
4 representing the same types of groups that are on it.

5 EPA values and welcomes diversity. In an  
6 effort to obtain nominations of diverse candidates, we're  
7 encouraging nominations of women and men of all racial  
8 and ethnic groups. Current members, there is a six year  
9 term limit but we can consider some exceptions. So,  
10 current members are welcome to apply for membership  
11 renewal. So, if you have any questions about it, you can  
12 let me know.

13 I also gave you another copy of FACA  
14 essentials. It's something that's been sent to you in  
15 the past. It just explains what FACA is and what your  
16 responsibilities are. I also made copies available on  
17 the registration table if anybody in the audience wants  
18 to look at that.

19 So, any questions?

20 UNIDENTIFIED MALE: If it expires in April and  
21 is renewed beginning in November, does that mean it will  
22 be --

1 MS. FEHRENBACH: No, no. The charter will  
2 continue. The charter starts -- it will be renewed this  
3 November. Then memberships will start in April to the  
4 following April. It's a slightly different track. The  
5 membership process takes a little bit longer because it  
6 goes through a more formal process of clearance.

7 UNIDENTIFIED FEMALE: Just one other question,  
8 Margie. What's the review of these? I just don't even  
9 know what the process is. So, a name gets nominated and  
10 then what happens?

11 MS. FEHRENBACH: Well, there is an internal  
12 process within the pesticide program. The senior  
13 managers review candidates and make recommendations. We  
14 don't always get as many candidates through the Federal  
15 Register process, so we try to reach out as many ways as  
16 we can.

17 Then, that process is reviewed by our assistant  
18 administrator's office. The Office of General Counsel  
19 reviews. The Office of Cooperative Environmental  
20 Management, they look at all the agency advisory  
21 committees. Then, it actually goes up to our  
22 administrator or our deputy administrator. I'm not sure

1 who is going to be signing the letters this time, but it  
2 does go all the way up to the top.

3 UNIDENTIFIED MALE: I think you said the  
4 current charter is almost identical to the new one?

5 MS. FEHRENBACH: Right.

6 UNIDENTIFIED MALE: Can you point out any  
7 differences?

8 MS. FEHRENBACH: There's some language, just  
9 minor language changes that our Office of General Counsel  
10 provided. I think also the size of the group, we're  
11 anxious to have it a little bit smaller, so I know the  
12 number we're looking to have it around 40. I can provide  
13 you the exact word changes if you'd like. They're really  
14 so minor that -- some of the description of my duties  
15 changed a little bit. I'm going to get a big gavel. No,  
16 I'm just kidding.

17 UNIDENTIFIED FEMALE: I don't know if you  
18 wanted comments on this or you're just supposed to be  
19 informed or not. But I'm going to make one quick comment  
20 since I wasn't clear what we were supposed to do.

21 One of the things that strikes me is that it's  
22 probably challenging for the agency to balance people who

1 have been here for a while and getting fresh blood and  
2 making sure you have all the different interests of  
3 stakeholders represented here. I think there is some  
4 value to having a little bit of both because -- I mean,  
5 one of the hard things is if you got all new people here,  
6 then it's the history thing or these ongoing project  
7 things that gets to be problematic. So, I would just say  
8 I think there's value in having both kinds of members  
9 here.

10 I also think there's value in making sure that  
11 national groups are represented because part of what I  
12 think, I hope, is a benefit to the agency is that those  
13 groups, then, bring you input from that whole group. So,  
14 for one person you get the benefit of getting, hopefully,  
15 input from those different stakeholders that they  
16 represent.

17 So, I think there's some unique membership  
18 things here. Some of us represent one company in  
19 addition to an industry and some of us represent an  
20 industry in a broader scope. But I think both have  
21 value.

22 MS. FEHRENBACH: You're right. We actually do

1 always include existing members that we want to renew  
2 because we do not want it just to be totally new. We  
3 also want to make sure that no representative is just  
4 representing themselves, that they really need to  
5 represent the constituency. So, those are some of the  
6 things that are looked at when the decisions are made.

7 MS. EDWARDS: Thank you.

8 I'll now ask Lois Rossi to come back to the  
9 table to make a proposal about a new work group.

10 MS. ROSSI: Okay. My proposal today is about  
11 creating a public health work group under the PPDC. I'll  
12 just take a very few moments to present what this work  
13 group probably could do and why we feel at this time it  
14 would really be very helpful to the public health  
15 pesticide effort.

16 As many of you know, back in 1996 with the  
17 passage of FQPA, the consideration of public health  
18 benefits changed a little bit and got stronger.  
19 Consultation with CDC is required. We were also required  
20 to put out a list of passive public health significance.  
21 Actually, since that time, we have been experiencing an  
22 increase in public health pests and disease vectors and

1 the diseases that they vector.

2 Some examples are an increase in the West Nile  
3 virus, Lyme disease and then most recent that we've been  
4 dealing with and actually had a very well attended summit  
5 last April was bed bugs. So, we feel that there are a  
6 lot of issues that we are dealing with.

7 I think we feel that it's only going to  
8 increase. There is a need to be able to come to a core  
9 group of people that have somewhat specialized knowledge  
10 in public health issues, as public health uses often  
11 differ from agricultural uses.

12 So, what we are proposing would be a subgroup  
13 of the PPDC, a work group, that would focus just on  
14 issues specific to pesticides that control pests that  
15 vector diseases. We see that it would increase the  
16 efficiency and ease of gaining expertise in this area. I  
17 think it would increase the quality of the decisions and  
18 the initiatives that we are trying to do to assure that  
19 there are effective safe products that are available for  
20 public health uses.

21 I think, as always, having a multi-stakeholder  
22 work group would increase the transparency of our

1 process. I think we would be able to draw in public  
2 health departments, community and environmental justice  
3 organizations, proponents of children's health, as well  
4 as our other federal partners. There's just a lot of  
5 advantages to this.

6 Some issues that I think we could have them  
7 start working on in the very near future would be -- as  
8 many of you know, we are trying to work internationally  
9 to promote the development of newer public health  
10 pesticides and encourage data sharing initiative on that  
11 regard. We had two work shops this year alone, one in  
12 May and one in September, that the sole focus was to look  
13 at regulatory obstacles and barriers towards the  
14 development of new tools.

15 Label improvement specific to public health  
16 uses, currently ongoing. We proposed repellent label  
17 changes. We also have quite a long list of follow-up  
18 items from the bed bug summit that we have begun to  
19 tackle. But, certainly having input from a work group  
20 would help that. Efficacy issues and I'm sure there are  
21 other activities.

22 So, the proposal is to create this group. It

1 probably would meet not regularly and a lot of it could  
2 be done by teleconference or even video conferencing.  
3 So, I don't think it would require a lot of traveling.  
4 It could also meet in the margins of these meetings for  
5 any of those people who would overlap in that work group.  
6 It would be as issues come up and projects come up that  
7 we would want advice on.

8 That's it. Thanks.

9 MS. EDWARDS: We have a few minutes. We'd like  
10 to hear some feedback on this. We'll start with Julie  
11 and then go backwards and then go on down the table.

12 JULIE: I would strongly support the formation  
13 of such a work group. I think there has been a lot of  
14 issues. Even though you said pests that vector disease,  
15 I think it does -- public health actually goes beyond the  
16 disease vectors because as we know, bed bugs aren't  
17 actually a disease vector, but they certainly have public  
18 health implications, the same for fire ants, spiders,  
19 some of those other types of pests. I think  
20 harmonization and consistency and all of those things are  
21 very good goals.

22 MS. EDWARDS: Thank you.

1 Carl.

2 MR. EDLUND: I'd strongly support this proposal  
3 as well and would be happy and honored to work with it.

4 MS. EDWARDS: Thank you.

5 Tom.

6 DR. GREEN: I think this is a great idea and I  
7 really support it. It's just a very hot topic. IPM and  
8 housing in relation to cockroaches and asthma, there's  
9 some great interagency stuff going on there now. I think  
10 it would be a really exciting work group to take part of.

11 MS. EDWARDS: Thank you.

12 Sue.

13 SUE: Am I correct in assuming that you're not  
14 including antimicrobial public health? You are? Okay.  
15 The one thing I would suggest that it would be probably  
16 helpful to have is an observer member from the  
17 antimicrobial community just to make sure we don't run  
18 into unintended consequences.

19 MS. EDWARDS: Dr. Roberts.

20 DR. ROBERTS: I would support the formation and  
21 I'd be interested in being involved in it. My question  
22 would be, as I look around the room, I think we have two

1 clinicians, Matt and myself, within the PPDC. I do know  
2 that some of the other work groups that we've had have  
3 included other folks from outside the PPDC as members.  
4 So, that just might be one thing to consider.

5 MS. EDWARDS: I think, actually, that's the  
6 intent, to use as much expertise as we have here but  
7 actually broaden it and focus the topic.

8 Dr. Keiffer.

9 DR. KEIFFER: I also support the development of  
10 the group and I'd be willing to serve as well.

11 MS. EDWARDS: Thank you.

12 Amy.

13 MS. LIEBMAN: I strongly support the work  
14 group. I wouldn't be willing to serve on it, nor do I  
15 think I would be appropriate. But I do think -- I'm glad  
16 to hear that you're interested in bringing people from  
17 the outside because I think there are some really good  
18 people who deal with these issues all the time and also  
19 would be very helpful with their viewpoints on that work  
20 group.

21 MS. EDWARDS: Thank you.

22 Joe.

1 MR. CONLON: I, too, strongly support it and  
2 would be most happy to participate. I think it would  
3 allow us a good venue to get in on the ground floor with  
4 some concepts of what vector control does. It might  
5 forest all issues arising in registration regulatory  
6 actions later on. So, I think it's a great idea and long  
7 overdue.

8 MS. EDWARDS: Thank you.

9 Bob.

10 MR. ROSENBERG: Well, I guess ditto. I mean, I  
11 think historically some of these things like bed bugs and  
12 thromitocides and public health products have been a  
13 little bit of a back water, little bit of a boutique. I  
14 applaud the agency's recent focus on that and appreciate  
15 the opportunity.

16 MS. EDWARDS: Thank you.

17 Dennis.

18 MR. HOWARD: States would support formation of  
19 this group and would -- I can think of a number of people  
20 who would be really excellent to participate.

21 MS. EDWARDS: Sue.

22 SUE: I'd actually be very interested in being

1 part of this. In a previous life, I did quite a bit of  
2 parasitology work and public health insecticide,  
3 ocaricide applications. So, it's a personal interest to  
4 me and I think I have some experience in it. So, I'd be  
5 very interested in being a part of it.

6 MS. EDWARDS: Beth.

7 MS. LAW: I think it's a terrific suggestion  
8 and certainly would be very interested in working on the  
9 group. I think that this whole area is one which I think  
10 is really ripe for concentrated efforts. So, we'll be  
11 happy to -- CSPA would be happy to provide any assistance  
12 we can, including my sweat equity.

13 MS. EDWARDS: I think it's a go. Well, thank  
14 you all. I really appreciate that feedback. Margie will  
15 get back to you with an actual formal solicitation for  
16 those of you that are interested. It looks like there's  
17 going to be a large group of you and the knowledge of  
18 Lois' championship of these issues in the past years. It  
19 was actually her idea to bring this forward to this  
20 group. So, I really appreciate that. So, anyway, we'll  
21 be in touch. I think it's going to be an excellent work  
22 group.

1 UNIDENTIFIED FEMALE: Also, some of you said  
2 that you may know -- Dennis, I think you specifically  
3 said that you may know other people that might be  
4 interested. That would be really helpful, too, because I  
5 think we do need outside help on this.

6 MS. EDWARDS: All right, we're at the point  
7 where we plan a little for the next meeting. Let me make  
8 a few remarks about what I'm thinking it will look like.  
9 The work of the work groups has been tremendous. I think  
10 we've heard a lot of comments about that recently.

11 I think in some form or fashion, not  
12 necessarily a panel every time, but you want to hear back  
13 from your work groups because the work group's work has  
14 to come through -- somebody mentioned it earlier --  
15 through the committee. So, we're going to need to  
16 continue to bring back work group work. We are actually  
17 going to have another one now, so that's kind of  
18 exciting.

19 My guess is people will want to hear more about  
20 NPDS, how that's rolling out. It's been a very high  
21 profile topic for pesticides, obviously. Endangered  
22 species, we're very hopeful to make some real progress in

1 the coming months and years there. We definitely have  
2 our political folks engaged at a very high level in all  
3 three, two service agencies and EPA.

4 I'm guessing there's a chance you'll want to  
5 hear and I have a little discussion after the proposed PR  
6 notice comes out for spray drift. You may want to have  
7 some conversation there. That remains to be seen. And  
8 also possibly surrounding the ANPR that will be out soon  
9 on inerts disclosure. So, those are some areas that I  
10 was thinking you might want to consider, or we might want  
11 to consider. Actually, you're advising us and we get to  
12 pick the topic sometimes that we want advice on.

13 Another area, though, is we do welcome  
14 suggestions. In fact, the plant health session today was  
15 a result of a suggestion from one of this group, Dr. Fry.  
16 So, we appreciated that and I think it was a good  
17 session. Helped us quite a bit.

18 So, at this point, I think I will open it up  
19 for additional comments before we actually close out the  
20 meeting.

21 Scott.

22 MR. SCHERTZ: Of course, the NPDS issue is a

1 huge developing one and I just wondered if there were  
2 additional stakeholder opportunities on your in-office  
3 water, some formulation process, the permit process.

4 MS. EDWARDS: I'm going to be talking to Steve  
5 Owens and I assume he'll be talking to his counterparts.  
6 We heard loud and clear that people would like to have  
7 more public involvement in that area. So, we're not  
8 planning to wait until the next PPDC, obviously. That's  
9 not going to be the main venue.

10 Jennifer.

11 DR. SASS: Well, I went to my Montgomery County  
12 Beekeeper Association meeting last night at our  
13 clubhouse. That reminded me that we haven't heard from  
14 the beekeepers in a while or an update. I know that you  
15 guys are doing a lot of research. I know it's a couple  
16 of the agencies. So, I'd love to hear an update on that.

17 Also, to bring back a suggestion that's come up  
18 several times by some of the beekeepers that have come to  
19 speak, to think about putting someone on the PPDC. It  
20 made me think about whether -- well, it sort of goes to  
21 what you were saying, actually, about different interests  
22 and representing different -- how big the groups are,

1 because there's a lot of commercial beekeepers.

2 They have different interests than the hobby  
3 beekeepers, which actually have huge amounts of hives,  
4 40, 50, 60, 70 hives that they are carrying. But they  
5 are hobby beekeepers not commercial beekeepers. So, the  
6 way they push their colonies and stress them is  
7 different, their interests are different when they're not  
8 commercial. So, I don't know from a PPDC and pesticide  
9 use perspective it's something to think about.

10 But anyway, an update on your research and  
11 strategies would be great.

12 MS. EDWARDS: Thanks.

13 Caroline.

14 CAROLINE: I would be interested at the next  
15 meeting in hearing an update and having some discussion  
16 about the new initiatives that are just starting about  
17 more disclosure of inert ingredients.

18 MS. EDWARDS: Thank you.

19 I didn't mean to miss you, Dave. Go ahead.

20 MR. TAMAYO: Well, I thought I had my card up  
21 and I blew it, I'm sorry. One is, I'm looking at Bob  
22 here and I'm wondering if there's any consideration of

1 whether people who are particularly disruptive or  
2 unproductive as members of the committee are going to be  
3 considered in the renewing memberships.

4 But, on a more serious note, and it's not all  
5 that serious, it's just an observation and really not so  
6 much on EPA. Just looking around the room the other day,  
7 I realized there's very much a lack of diversity. I  
8 would just encourage member organizations to maybe look  
9 to see if you might be able to help in increasing the  
10 diversity, basically ethnic and racial diversity around  
11 this table. I'm not ascribing any ill intent on anybody  
12 or I don't really sense any. I just think that would be  
13 helpful if people would keep that in mind.

14 Also, I wanted to say I really respect people's  
15 expertise and their willingness to share their opinions  
16 here. I learn a lot. So, it's not a comment on  
17 anybody's particular, I guess, perspective, but I just  
18 think we would benefit from increased diversity. Thanks.

19 MS. EDWARDS: Thank you. Appreciate that.

20 Dr. Keiffer.

21 DR. KEIFFER: I just wanted to say that I  
22 really enjoy being a part of this. This is a great

1 meeting. It's a lot of fun. I learn a lot every time I  
2 come.

3 The one barrier, or at least one barrier that I  
4 encounter every time I come, are the acronyms that I  
5 don't understand. There are a mess of them. So, I'm  
6 sort of excluded from some of the things because I'm too  
7 proud to raise my hand and say, what does that mean. So,  
8 it would really be nice if we either had a running  
9 dictionary of what the acronyms mean, or we could project  
10 it, we could include it in our folders, or something, but  
11 each speaker who uses an acronym be responsible for  
12 defining their acronym when they use it.

13 MS. EDWARDS: Thank you. That's an excellent  
14 comment.

15 Jay.

16 MR. VROOM: Thank you. I wanted to go back to  
17 yesterday's brief updates. I know that you asked us not  
18 to speak about these at that time but I presume that that  
19 gag order has expired or the microphone will  
20 automatically shut off on me.

21 But I really do think of the six topics, there  
22 was something substantial in each one of those that would

1 benefit the agency and the intent of this committee had  
2 we had a little time to be able to have some dialogue  
3 about them. I thought the presentations were succinct  
4 and, by and large, pretty straightforward.

5 The one that I wanted to just raise up for the  
6 record here is our concern with regard to the public  
7 process for new registrations. Around the rubric of the  
8 administrator's charge to agency leadership of having  
9 everything guided by the rule of law, transparency and  
10 sound science, I guess I get one third of that here which  
11 is the interest in having more transparency and sound  
12 science.

13 But, at least on behalf of CropLife, we have  
14 absolutely no idea what the process was that led to this  
15 important policy change. In particular, we find it in  
16 conflict with the concept of the administrator's  
17 commitment to follow in the rule of law because we're not  
18 aware of the due process or any due process that went  
19 into this policy change.

20 As was referenced in your presentation, Debbie,  
21 there are obviously impacts with regard to PRIA  
22 deadlines. We know that administratively you're trying

1 to find a way to make these things happen as you catch up  
2 to them simultaneously so that perhaps future PRIA  
3 deadlines aren't materially harmed. But we've heard a  
4 lot of other offline commentary about that as well. It  
5 really felt like a rush to judgement to us.

6 We're not necessarily abjectly opposed to this,  
7 but the lack of process that we felt surrounded this  
8 change of policy -- in particular, I'm really concerned  
9 about how this comports with I think it was in 2004 the  
10 consent agreement in the District Court case that we were  
11 a party to that was subject to the issue of human testing  
12 at that time. That consent agreement resulted in a  
13 policy on policies policy which this seems to be in  
14 direct violation of.

15 So, I know we don't have time to go into all of  
16 that today, but we will be submitting additional written  
17 thoughts to you and Steve Owens about all that.

18 MS. EDWARDS: Look forward to that.

19 Amy.

20 MS. LIEBMAN: I know the agency is holding a  
21 meeting, I believe, early November on nanoparticles,  
22 nanotechnology, nanosilver, and I'd very much like to

1 hear the results of that if there's anything substantial  
2 that comes out of that.

3 MS. EDWARDS: Okay, thank you.

4 UNIDENTIFIED FEMALE: Similarly, an update on  
5 the SAP, the volatilization drift issue, because the SAP  
6 meeting will be happening in December.

7 MS. EDWARDS: All right, thank you.

8 UNIDENTIFIED MALE: I just think Dave Tamayo is  
9 right. I think people with thinning hair are  
10 overrepresented. No, maybe a little bit like what Jay  
11 said.

12 I found myself -- I know it's difficult to do  
13 this. I found myself most wanting to talk about the  
14 things that we couldn't talk about. I really wanted to  
15 talk about inerts and transparency, the registration  
16 process, and climate change, and spray drift. I know  
17 it's impossible to set these kind of agendas and it takes  
18 a lot of planning and you can't decide today what will be  
19 talked about next week. There's a longer time line.

20 But if there wasn't some ongoing agenda setting  
21 process so that maybe three weeks ago or a month ago if  
22 we could have seen those things on the horizon, maybe we

1 might have had some opportunity to vote on some of our  
2 preferences, understanding at the end of the day it's  
3 your decision.

4 MS. EDWARDS: Let me speak to that just a  
5 minute because I hear you. Actually, we would have liked  
6 to hear from you on some of these, although there are  
7 several of these actually going to be scientific advisory  
8 panel meetings or formal public comment processes and so  
9 forth.

10 But as you've also seen, it's a challenge to do  
11 this in a day and a half with the topics that we do  
12 select. What I learned pretty quickly on after I started  
13 chairing this meeting was that if I'm going to ask what  
14 you think, I have to save a minimum of 40 minutes to an  
15 hour on each topic because I have no intention of not  
16 giving at least everyone one opportunity to say  
17 something.

18 So, I think if we have agenda setting a month  
19 before -- and maybe the voting idea is a good idea with  
20 us obviously having final say because again, it is a FACCA  
21 to the agency. But just if we even did all the ones  
22 you're talking about here with anything other than us

1 talking, you wouldn't talk back. There used to be PPDC  
2 meetings like that where we tried to do so much that we  
3 didn't hear from you. It felt like an absurd exercise  
4 sometimes to do that. So, we're trying to balance that.

5 Like I said, I hear you but what is the answer?  
6 Longer meetings? More meetings? But anyway, think about  
7 that all of you, please, how to best get that kind of  
8 feedback in maybe various different ways. That's one  
9 reason why I like to say, and many of you said, the work  
10 groups have been a fabulous opportunity to really delve  
11 deeper into many of these topics.

12 Mark.

13 DR. WHALON: Sorry, I didn't know that Rob was  
14 not done. This may be a philosophical kind of issue.  
15 That is, we do a lot of focusing on micro kind of issues,  
16 but I think every once in a while it's good to back up  
17 and look at a macro issue. I mean, EPA does have macro  
18 issue legal responsibility, like long term ecological  
19 transformation as associated with impacts and the  
20 environment.

21 So, I was just trying to put together -- some  
22 of the things that EPA has done in water are really

1 pretty amazing in terms of classifying streams and  
2 looking at water across the U.S. That's ongoing. But  
3 EPA has been right out there and done a nice job on  
4 that.

5 So, when I look at the endangered species  
6 situation, climate change and its impacts on agriculture  
7 and on public health, things like that, pest  
8 transformation like we've talked a lot about, resistance  
9 and resistance management here, the impact of invasives  
10 and trade travel, those kinds of scope things, and also  
11 on land transformation, not so much anymore agricultural  
12 land transformation but the reinvasion of agricultural  
13 lands with sprawl and the development of patch effects on  
14 pest status and its impact on agriculture and human  
15 health, et cetera, along with issues of runoff and their  
16 impact --

17 Amy mentioned nanotechnology, I'm really  
18 interested in nanomachines and how they may impact the  
19 system in time. Finally, the more long term kind of look  
20 at transformation about us. It's a little bit like  
21 trying to avoid rearranging the chairs on the Titanic  
22 kind of thing, taking a broader look.

1           You can waste a lot of time doing that, so it  
2           has to be at the same time structured. But it's a really  
3           important thing I think for a FACA like this to have some  
4           kind of input in that kind of process that EPA is doing.  
5           We all get really focused in minutia. Sometimes it's  
6           good to come up and take a much broader look.

7           MS. EDWARDS: Thank you.

8           I guess I'll take the cards that are up and  
9           then move to closure.

10          UNIDENTIFIED FEMALE: A couple of years ago I  
11          served on the WPS subcommittee. The folks that were on  
12          that worked really hard to submit very detailed comments.  
13          Then it just kind of went away. I've recently tried to  
14          contact various folks to find out the status of what's  
15          happening with that and have been successful somewhat but  
16          haven't been able to find out actually what comments from  
17          that work group like what it's actually going to look  
18          like.

19          So, even if it's one of your 10-minute updates  
20          that you do, I would love to hear what's happening with  
21          the WPS, why is it being delayed, what's the process, and  
22          just keeping us informed so that we can make sure that we

1 stay on top of that as well.

2 MS. EDWARDS: Okay, we'll see what we can do  
3 with that.

4 Caroline.

5 CAROLINE: I just wanted to say that I thought  
6 after considerable hard work that you guys really have  
7 got the right balance in terms of the number of issues we  
8 talk about and the depth of the discussion and so on.  
9 It's amazing what you've been able to do with this huge  
10 group at this meeting. If people think it's easy to  
11 manage a group like this, they should try it sometime.  
12 It's really hard. So, I really want to commend you for  
13 that.

14 I think you've really done a remarkable job of  
15 coming up with the right mix of discussion and length and  
16 all those kinds of things. We could always have a little  
17 bit of disagreement about whether some topic or other was  
18 missed, but we can always talk about it the next time as  
19 well. So, I really want to commend you and I think you  
20 guys have done a great job in putting this meeting  
21 together.

22 MS. EDWARDS: Thank you.

1 Carl.

2 MR. EDLUND: I want to also thank -- I haven't  
3 been in this meeting before but this was very productive  
4 and also just the tone. It was articulate and I think  
5 productive and positive.

6 I would like to make a suggestion for a topic  
7 in the future, and that is international harmonization  
8 and potential deharmonization. In particular, I think  
9 for the context in which we're talking here, discussion  
10 of the European hazard based pesticide standards would be  
11 very interesting for many of the people in this group.  
12 For the long haul, how does that lead to either  
13 integration or deintegration of registration of  
14 pesticides across the world.

15 MS. EDWARDS: Thank you. That's interesting.

16 Julie.

17 MS. SPAGNOLI: Before we adjourn, I just can't  
18 let us adjourn without recognizing Margie and all of her  
19 hard work. I know she puts so much work into getting us  
20 prepared for this meeting. I just can't let us adjourn  
21 without thanking Margie.

22 MS. EDWARDS: You stole my thunder.

1 (Applause)

2 MS. EDWARDS: I think there is one more card  
3 up. Go ahead, Kristie.

4 MS. SULLIVAN: I just wanted to second Amy's  
5 suggestion for some information about the nanomaterials  
6 issue, especially maybe in the context of OMB's research  
7 strategy that they've just put out. Hearing about that  
8 would be really great.

9 MS. EDWARDS: Thank you.

10 UNIDENTIFIED FEMALE: I would just like to  
11 bring up an issue that we did talk about somewhat during  
12 this meeting and I think it's going to hit all of us  
13 substantially, especially with the NPDES permits. That  
14 is to have a definition from EPA as to what IPM means.

15 I think around the table there were a lot of  
16 indications that it means a lot of different things to  
17 different people. It appears that EPA is going to start  
18 regulating based on it. So, I would like to have that as  
19 a more general discussion strictly on it.

20 MS. EDWARDS: Thank you. Yes, we definitely  
21 need to do that.

22 UNIDENTIFIED MALE: Just on nanoparticles and

1 agriculture, I serve on the Ag Advisory Committee for the  
2 administrator. At our meeting in late August, we agreed  
3 to a paper to go to Lisa Jackson that attempts to kind of  
4 set the stage for not only what OPP is doing with regard  
5 to regulation of pesticides with nanotechnology but the  
6 kind of broader horizon of other possibilities with  
7 regard to products that could be based on nanotechnology  
8 that may come along for agriculture that could have some  
9 interest with regard to EPA regulations.

10 So, Alecia Keyser (phonetic) was here  
11 yesterday. If you would check with her, I don't know if  
12 that letter has been actually submitted to the  
13 administrator yet or not, but it would be of interest, I  
14 think, to the members of PPDC. Thanks.

15 MS. EDWARDS: Okay, thank you.

16 It's time to close the meeting and do some  
17 thank yous here. First of all, I'd like to thank some of  
18 the people that have helped make this meeting possible  
19 behind the scenes. They are Doris Mack, Millie Glauster,  
20 Deborah Brown, and Susan Leigh over here on overhead.  
21 Thank you very much.

22 (Applause)

1 MS. EDWARDS: I'd like to thank the EPA staff  
2 and in particular the presenters and in particular the  
3 work group chairs. They worked very hard throughout the  
4 year in addition to doing their other work to get all  
5 this done. I think they do an excellent job.

6 I'd like to thank those of you who are members  
7 of these work groups. It's enough, I know, to  
8 participate in this meeting twice a year, but many of you  
9 are on conference calls, you're doing projects through  
10 these work groups. I think we've all found it to be very  
11 successful and we really really appreciate your  
12 involvement and hope you'll continue to bring your energy  
13 to those work groups.

14 I'd like to thank the panel as a whole. This  
15 is an advisory panel to this agency and you do provide a  
16 lot of advice. We listen very carefully and we  
17 appreciate it. So, thank you very much for that.

18 I'd like to thank the public for coming. I'd  
19 like to thank the public commentators. This is a public  
20 meeting so it's good to see the public here.

21 Finally, and once again, I'd like to thank  
22 Margie because there's no way we could pull this meeting

1 off without Margie. So, thanks all of you and have a  
2 great rest of your day.

3 Dates, we always do this in April. I don't  
4 think it's set yet, but we'll get back to you.

5 (Whereupon, the meeting was  
6 concluded.)

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