Message

From: Knorr, Michele [knorr.michele@epa.gov]
Sent: 11/5/2019 7:20:10 PM
To: Perlis, Robert [Perlis.Robert@epa.gov]
CC: Huskey, Angela [Huskey.Angela@epa.gov]
Subject: FW: Press responses for your immediate review: BNV - Treated Seeds

Importance: High

Here it is. I have no time for this.

Michele L. Knorr, Attorney
Pesticides and Toxic Substances Law Office
Office of General Counsel
202-564-5631

From: Hernandez, Connie <Hernandez.Connie@epa.gov>
Sent: Tuesday, November 05, 2019 2:16 PM
To: Dyner, Mark <dyner.mark@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Huskey, Angela <Huskey.Angela@epa.gov>
Cc: Chumble, Prasad <Chumble.Prasad@epa.gov>; Borges-Silva, Quentin <Borges-Silva.Quentin@epa.gov>
Subject: FW: Press responses for your immediate review: BNV - Treated Seeds
Importance: High

Good afternoon OGC,

Adam Allington, a chemicals and pesticides reporter from Bloomberg Environment, has sent a list of questions regarding the Treated Seed petition sent to OPP in 2018. The Center for Food Safety petitioned to amend or formally re-interpret 40 CFR 152.25(a) to remove the exemption of coated seeds (treated seeds) from FIFRA registration and labeling requirements.

OPP has answered the questions below and we would like your review before proceeding with a phone interview with Mr. Allington. The responses to Mr. Allington's questions are due out of OCSPP IO around noon tomorrow, **November 6, 2019**.

Let me know your thoughts, comments, questions, or concerns at your earliest convenience.

Thank you,
Connie Hernandez, Environmental Protection Specialist
Policy and Regulatory Services Branch
Field and External Affairs Division
Office of Pesticide Programs
US Environmental Protection Agency
(703) 305-5190

From: Borges-Silva, Quentin <Borges-Silva.Quentin@epa.gov>
Sent: Tuesday, November 05, 2019 1:48 PM
To: Hernandez, Connie <Hernandez.Connie@epa.gov>
Cc: Chumble, Prasad <Chumble.Prasad@epa.gov>

Subject: Press responses for your immediate review: BNV - Treated Seeds
Importance: High

Hi Connie.

Please review and comment if necessary on my draft responses below to this Bloomberg reporter. Questions 1, 2, and 3 are relevant to the treated article petition while 4 & 5 are for EFED/PRD (I'm reaching out to them in a separate thread). If you have a contact in OGC you've been working with on the petition, can you have him or her review as well?

This is due out of OCSPP IO around noon tomorrow, so please try to get your comments/concurrence back to me by 4pm today.

Thanks,

Quentin Borges-Silva
EPA's Office of Pesticide Programs
"Protecting Human Health & the Environment"

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Tuesday, November 5, 2019 9:05 AM
To: OPP FEAD CSB <OPP_FEAD_CSB@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>
Cc: Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>
Subject: OPP - BNV - Treated Seeds

BNV
ADAM ALLINGTON
DDL WEDNESDAY 6 NOVEMBER

Good morning all,

Should we talk about how to handle this inquiry? Should we loop ORD in at any stage?

Thanks, R.

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Hello Robert,

I hope all is well at your end.

So, I'm been working on investigative story about EPA's regulation of pesticide seed treatments for awhile. I now am in a position where I can present you with a complete list of the questions I have. Given the complexity and the amount of questions I have, I would ideally like to conduct a phone interview, both so I have the chance to completely understand the nature of the answers, but also have an opportunity to ask individual follow ups questions based on the responses. AND also to ensure EPA has the chance to adequately defend any specific criticisms from other groups.

I think we could address most of these questions in a 15-20 minute phone call.

Some of the questions I have are as follows:

1. A number of scientists, and environmental groups say that treated seeds treated seeds fit the legal definition of and are explicitly marketed as pesticides, and therefore should be regulated

under FIFRA. What is the Agencies position? Do treated seeds not meet the bar to be considered pesticides?

EPA response: Ex. 5 - ACP, DPP

Ex. 5 - ACP, DPP

2. Has the dramatic increase in the use of pesticide coated seeds over the last decade indicate that it may be time to revisit the treated article exemption, which currently exempts treated seed from registration and labeling requirements?

EPA response: Ex. 5 - ACP, DPP

Ex. 5 - ACP, DPP

3. Some also claim that pesticide-coated seeds possess unique pesticidal and environmental fate properties that must be regulated under FIFRA to ensure adequate protection of the environment and public health. If EPA disagrees, what steps have they taken to ensure adequate protections from the specific risks posed by seed-coatings?

EPA response: Ex. 5 - ACP, DPP

Ex. 5 - ACP, DPP

4. There is an increasing body of scientific studies that are pointing to broader environmental impacts of from neonic-coated seeds (besides pollinators). Is this something that is concerning from a risk analysis POV? Is EPA factoring these new studies into the re-registration review for neonics?

EPA response: Ex. 5 - ACP, DPP

Ex. 5 - ACP, DPP

5. Is there any concern that the massive use of treated seeds (particularly corn, soybeans and wheat) have led to the overuse of pesticides, and that this might exacerbate problems such as endangered species exposure, or weed resistance?

EPA response: Ex. 5 - ACP, DPP

Ex. 5 - ACP, DPP

Ex. 5 - ACP, DPP

Again, I know these aren't cut-and-dry type answers. If you'd prefer to answer each individual questions directly via email, that is fine with me. But, as I said, a phone call with the relevant subject matter expert seems like it might be the easiest. I'm shooting to have responses for this by COB on Wednesday.

Many thanks, Robert.

Best,
Adam

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Adam Allington
Chemicals and Pesticides Reporter

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