Message

**From**: Dennis, Allison [Dennis.Allison@epa.gov]
**Sent**: 2/25/2021 1:25:30 AM
**To**: Freedhoff, Michal [Freedhoff.Michal@epa.gov]
**CC**: Messina, Edward [Messina.Edward@epa.gov]; Ozmen, Shamus [Ozmen.Shamus@epa.gov]; Siedschlag, Gregory [Siedschlag.Gregory@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Tyler, Tom [Tyler.Tom@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]
**Subject**: RE: For Michal: E&E News; Anvil/PFAS; ASAP
**Attachments**: FW: Quick question -- Inert Finder/PFAS (deadline: 11 am EST, 12/8)

# Ex. 5 Deliberative Process (DP)

*Currently, all registered pesticides and those pending registration do not have chemical structures – or physical or chemical properties –similar to PFAS. Not all substances that appear in EPA's InertFinder App are used in currently registered pesticide products. To reduce confusion, EPA has been working to remove the entries for these two legacy substances from the App since they are not in any currently registered products.*

*The registrant, Clarke Mosquito, confirmed that PFAS are not active or inert ingredients in the mosquito control product named Anvil 10+10 ULV. EPA has detailed information on the components of this formulation and can confirm that no ingredients in the approved formulation are PFAS....*

-Allison

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**From:** Freedhoff, Michal <Freedhoff.Michal@epa.gov>
**Sent:** Wednesday, February 24, 2021 6:50 PM
**To:** Dennis, Allison <Dennis.Allison@epa.gov>
**Cc:** Messina, Edward <Messina.Edward@epa.gov>; Ozmen, Shamus <Ozmen.Shamus@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
**Subject:** RE: For Michal: E&E News; Anvil/PFAS; ASAP

6. ***Regarding EPA's Inert Finder, are companies meant to use that as a baseline for what inert ingredients are permitted?***

The InertFinder is a tool for helping stakeholders determine which inert ingredients are approved (or not approved) for use in pesticide products. However, inclusion of an inert ingredient on the approved list does not constitute approval for use in any particular pesticide product. Each pesticide product submitted for registration is evaluated considering all the ingredients in the product, including both active and inert ingredients. In addition, tolerances or tolerance exemptions are required for all ingredients, including inert ingredients, present from use of pesticides on food and feed. Those tolerances and exemptions can be found in the Code of Federal Regulations. In the case of nonfood use inert ingredients, EPA maintains a database of nonfood use limitations and approvals.

Ex. 5 Deliberative Process (DP)

Thank you.

Michal Freedhoff, Ph.D.
Acting Assistant Administrator
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
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**From:** Dennis, Allison <Dennis.Allison@epa.gov>
**Sent:** Wednesday, February 24, 2021 5:15 PM
**To:** Freedhoff, Michal <Freedhoff.Michal@epa.gov>
**Cc:** Messina, Edward <Messina.Edward@epa.gov>; Ozmen, Shamus <Ozmen.Shamus@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
**Subject:** RE: For Michal: E&E News; Anvil/PFAS; ASAP

Correction: Please review this version.

Below for your review is the response to an E&E News inquiry regarding the PFAS in pesticide packaging. The response was also reviewed by OGC.- Allison

1. ***Who manufactures the barrels in question? What can you tell us about the levels of PFAS EPA found in the barrels?***

Ex. 5 Deliberative Process (DP)

EPA is investigating the fluorination process used by the company that manufactures the high-density polyethylene (HDPE) containers used to store and transport pesticides.

In the coming weeks, EPA is planning to release data providing insight into PFAS compounds and levels found in the identified product and present in/on fluorinated containers as well as other information.

3. ***Is this issue limited to pesticides used in Southeastern Massachusetts, or is EPA worried about other products or other geographies where this may be the case?***

At this point, EPA does not believe the issue is specific to any geographic area. EPA is using its authorities under FIFRA and TSCA to obtain more information about the potential scope of this contamination and to evaluate whether other regulated products may be affected.

4. ***What can you tell us about what other products might be contained in these barrels? Based on EPA's coordination with USDA and FDA, can you tell us if there are any food products you are concerned about and which ones?***

EPA understands that roughly 20-30% of all rigid agriculture chemical packaging in North America is fluorinated HDPE. Fluorinated polyethylene and HDPE are used for numerous applications such as food packaging and containers for chemical storage, including pesticides. EPA is working to understand the extent and significance of the potential for PFAS contamination and continues to be in close communication with the Food and Drug Administration (FDA) and the United States Department of Agriculture (USDA).
For information on food and PFAS, contact FDA.

5. ***Is EPA working with any trade groups or organizations on this issue to communicate with pesticide manufacturers? Are there any plans to do widespread testing of other pesticides that are transported in the barrels?***

EPA is actively working with industry and trade organizations to raise awareness, set clear expectations for product stewardship and to uncover possible contamination issues. For example, in January 2021, EPA issued a TSCA subpoena to the company that fluorinates the containers for information. Additionally, EPA is continuing to test different brands of fluorinated containers from a variety of container vendors to determine whether they contain PFAS and learn the conditions affecting leaching.

6. ***Regarding EPA's Inert Finder, are companies meant to use that as a baseline for what inert ingredients are permitted?***

The InertFinder is a tool for helping stakeholders determine which inert ingredients are approved (or not approved) for use in pesticide products. However, inclusion of an inert ingredient on the approved list does not constitute approval for use in any particular pesticide product. Each pesticide product submitted for registration is evaluated considering all the ingredients in the product, including both active and inert ingredients. In addition, tolerances or tolerance exemptions are required for all ingredients, including inert ingredients, present from use of pesticides on food and feed. Those tolerances and exemptions can be found in the Code of Federal Regulations. In the case of nonfood use inert ingredients, EPA maintains a database of nonfood use limitations and approvals.

7. ***Are there any PFAS listed in the finder? If so, how has EPA been able to rule them out as a potential source of the contamination?***

Inert Finder may contain legacy chemicals not currently approved for use in pesticide products. The most up-to-date tolerances and tolerance exemptions are found in the electronic CFR. Occasionally, EPA receives inquiries about specific chemicals listed in the Inert Finder and follows up on those inquiries as received.

EPA is exploring all possibilities and continues to gather data on the PFAS compounds and levels that may be found in the identified product and containers.

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**From:** Ev Crunden <ecrunden@eenews.net>
**Sent:** Monday, February 22, 2021 5:38 PM
**To:** Drinkard, Andrea <Drinkard.Andrea@epa.gov>; awittenberg@eenews.net; Press <Press@epa.gov>
**Subject:** Re: PFAS in pesticide barrels--E&E News

Hi Andrea,

Thanks for the update! We realized we have a lot of questions as we try to get a grasp on all of this, so just wanted to collect them below in one place for you, if written responses work best.

We are wondering:

- Who manufactures the barrels in question?

- What can you tell us about the levels of PFAS EPA found in the barrels? Were the measurements in ppt, ppb?

- Is this issue limited to pesticides used in Southeastern Massachusetts, or is EPA worried about other products or other geographies where this may be the case?

- What can you tell us about what other products might be contained in these barrels?

- Based on EPA's coordination with USDA and FDA, can you tell us if there are any food products you are concerned about and which ones?

- Is EPA working with any trade groups or organizations on this issue to communicate with pesticide manufacturers? Are there any plans to do widespread testing of other pesticides that are transported in the barrels?

- Regarding EPA's Inert Finder, are companies meant to use that as a baseline for what inert ingredients are permitted?

- Are there any PFAS listed in the finder? If so, how has EPA been able to rule them out as a potential source of the contamination?

Sorry for the onslaught but just want to make sure we get everything. Thanks so much.

Best,
Ev