

PPC

PESTICIDE POLICY COALITION

A Coalition Working for Sound Pest Management Policies

February 23, 2024

Francesca Grifo
Scientific Integrity Official
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001

Submitted via regulations.gov

Re: Docket EPA-HQ-ORD-2023-0240; Scientific Integrity Policy Draft for Public Comment

Dear Dr. Grifo:

The Pesticide Policy Coalition (PPC) respectfully submits comments on the Environmental Protection Agency's (EPA or the Agency) Scientific Integrity Policy Draft for Public Comment.

The PPC represents agriculture, food, fiber, public health, pest management, landscape, environmental, and related industries, including small businesses/entities, which are dependent on the availability of pesticides. Our coalition supports the development and implementation of public policies and laws that utilize the best available science and technology to ensure protection of human health and the environment.

PPC members include national and regional trade associations; commodity, specialty crop, and silviculture organizations; cooperatives; food processors and marketers; pesticide manufacturers, formulators, and distributors; pest and vector-control applicators and operators; research organizations; state departments of agriculture; equipment manufacturers, and other interested stakeholders. The PPC serves as the unifying voice for the review, discussion, development and advocacy on pest management regulation and policy that is based on the best available science.

The public is confronted with increasing pest pressure, resistance management concerns, and disease threats introduced into the United States via trade, weather, and other factors. It is through pest control products, used by farmers, ranchers, public health officials, and other pesticide applicators; and produced by pesticide manufacturers, that we can address and mitigate these threats. These products are essential tools for users to protect not only America's food, fiber, and biofuel; but also, to protect public health from vector-borne disease, safeguard our

infrastructure from the damage caused by pests, and mitigate the increasing threat to the environment from invasive species.

The PPC appreciates the opportunity to comment on the Environmental Protection Agency's (EPA or the Agency) Scientific Integrity Policy Draft (draft policy). PPC members are pesticide registrants and users that have a strong interest in EPA upholding and consistently applying the rigorous standards of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) along with the Agency producing scientific products for use in regulatory decisions that are based on the best available science.

The PPC supports the use of sound science and transparency in regulatory decision making along with a strong culture of scientific integrity at the Agency. While we support a scientific integrity policy, the draft policy raises some specific questions on how this policy will be implemented and administered. We also support the recognition of professional credentials and the continued professional development of EPA scientific staff. The use of the best available science and ensuring high quality scientific decisions require that EPA scientists at all levels be encouraged towards state-of-the-science training and credentialing.

Based on the draft policy, most of the work products from EPA's Office of Pesticide Programs (OPP) could be defined as scientific documents or other specific "scientific products." Regarding scientific documents, the draft policy states that "career EPA employees make the final determination concerning changes or suggested changes to scientific documents or other scientific products in response to external comments."

As currently written, the draft policy broadly discourages the participation of political leadership in scientific decisions, even if they are technically competent. The draft policy must not promote Agency scientists functioning independently from the structural accountability that is vital to our system of government. Yet, this Policy appears to do this with provisions to "insulate" program evaluations from political leadership and by proposing to grant a right of last review to Agency scientists. This Policy must be balanced and nuanced in its design to ensure that it prevents the loss of scientific integrity due to political interference, while simultaneously preventing the misuse of the Policy to advance personal agendas.

Additionally, it is unclear why the increased protections in this policy for EPA scientists are necessary given the existing No Fear Act and the Merit Systems Protection Board. Without clearer definitions, the Policy could invite ambiguity, inconsistent application, and inequity. We therefore recommend that EPA seek additional comment.

Furthermore, during the pesticide registration process the pesticide industry and other relevant stakeholders provide substantive and vital feedback, including extensive data on the chemistry and information on pesticide usage data and application patterns. We would request clarity on if and how this draft policy would apply to engagement with external stakeholders on OPP decisions, including pesticide registration decisions.

The draft policy also included extensive information on using Federal Advisory Committees (FACs) in reviewing science. The policy included guidance on the selection process for FACs. How, if at all, will this draft policy change the current operating structure and selection process of scientific advisory panels authorized by Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Sec. 25(d)?


For the effective date and amendments to this policy, the draft policy mentions that “future revisions will be communicated to the Director of the Office of Science and Technology Policy and posted to EPA’s public website no less than 30 days prior to their implementation.” We would request an opportunity for notice and comment if there are additional revisions made to a final scientific integrity policy.

The PPC supports a strong scientific integrity policy and a culture of scientific integrity that is practiced and promoted by all levels, both political and career, within the Agency. While we agree with a scientific integrity policy that protects the scientific process, as written, it is unclear how the draft policy will be implemented while continuing to recognize the role of appointees. Before finalizing this policy, EPA should provide further clarity to ensure that the policy will successfully achieve its stated purpose of enhancing and promoting a culture of scientific integrity.

Thank you for your serious consideration of these comments. If PPC members can be of assistance in any way, or if you have questions, please do not hesitate to contact us at shensley@cotton.org or (703) 475-7716 and Megan Provost at mprovost@pestfacts.org or (202) 570-3551.

Thank you for considering our views. If PPC members can be of assistance in any way, please do not hesitate to contact us.

Sincerely,



Steve Hensley
Chair, Pesticide Policy Coalition



Megan J. Provost
Vice Chair, Pesticide Policy Coalition