

**TESTIMONY OF RODNEY J. BROWN, Ph.D.
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ECONOMICS
UNITED STATES DEPARTMENT OF AGRICULTURE
Before the
House Committee on Energy and Commerce
Subcommittee on Environment and Hazardous Materials
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SUMMARY

Mr. Chairman and other Members of the Committee, thank you for the opportunity to appear today. My name is Rodney Brown and I am the Deputy Undersecretary for Research, Education, and Economics in the Department of Agriculture (USDA). I am pleased to discuss the role of USDA in implementing the Food Quality Protection Act of 1996 (FQPA). We are approaching the 6th anniversary of FQPA on August 3rd which is also the statutory deadline requiring reassessment of 2/3 of all food tolerances that were in effect at the time the law was enacted. Throughout these first nearly six years of implementation, USDA has worked closely with the Environmental Protection Agency (EPA) to ensure a sound scientific basis for regulatory decisions. Sound science must be based on high quality data and providing such data to EPA has been one of USDA's principal roles.

We have also worked, in partnership with EPA, to ensure that our agricultural producers and crop production experts in the land-grant universities are active participants in the regulatory process. Through these efforts, we have helped refine EPA's risk assessments and, when required, helped craft regulatory

strategies that make sense to farmers, reduce the estimated risk, and preserve many important uses of pesticide chemicals.

Although FQPA placed a number of demands on USDA, the challenges presented to EPA are even more demanding. EPA has successfully pushed the frontiers of risk assessment science and done an impressive job of dealing with the concepts of aggregate and cumulative risk. Along the way EPA had to establish new science policies to guide state-of-the-art risk assessment methods. We appreciate EPA's efforts as well as the open and transparent processes they have used in decision-making. We look forward to a continuing partnership with EPA in implementation of the FQPA.

My written testimony addresses, in further detail, a number of actions the Department has taken in response to the FQPA and to address the needs of agricultural producers, EPA, and other stakeholders.

THE OFFICE OF PEST MANAGEMENT POLICY

The Office of Pest Management Policy (OPMP) was created in September of 1997 to help the Department respond to the demands of FQPA. OPMP has Department-wide responsibility and works across all USDA Agencies. The primary roles of OPMP are to coordinate and integrate USDA pest management-related programs and policies and to provide a central point of contact for EPA, growers, and other stakeholders. OPMP allows the Department to more quickly and efficiently respond to issues and needs arising from FQPA implementation. OPMP relies on Agricultural Research Service (ARS) and Cooperative State Research, Education, and Extension Service (CSREES) scientists and crop production experts in the land-grant university system for scientific and technical expertise.

DATA

The Department has provided high quality data to EPA in support of pesticide risk assessments. The goal of both EPA and USDA is to base regulatory decisions on the most accurate and robust risk assessments possible. Working with EPA, we have responded to the increased and changing needs for information by collecting and summarizing key pieces of real-world data.

A critical piece of information in the assessment of human dietary risk is food consumption patterns and quantities. The Continuing Survey of Food Intake by Individuals (CSFII) conducted routinely by ARS to inform the Department's

nutrition programs also provides EPA with statistically valid data for various age groups at the national level. Because the FQPA places special emphasis on ensuring adequate protection for children, USDA collected dietary consumption data on an additional 5,000 children. EPA used these data to substantially improve the confidence in children's dietary risk assessments. Working with EPA, USDA scientists also developed "recipes" that translate the food, as consumed and reported in the survey, into the basic agricultural commodities that make up the food. For example, the survey may report that a cheese pizza was consumed. The recipe translates the pizza into quantities of wheat flour, oil, tomatoes, onions, water, and milk as well as any other appropriate ingredients. The recipes mark the first time that such a detailed breakdown of foods is available to the public.

In determining the dietary exposure to pesticides, the other key piece of information needed is the amount of pesticide residue in or on food. When the daily consumption data are combined with the residue data, daily dietary exposures can be calculated. The Agricultural Marketing Service (AMS) began collecting pesticide residue data on fresh fruits and vegetables a decade ago and has successfully expanded the sampling program to include canned and frozen foods, grains, milk, meat, poultry, and, most recently, drinking water. The program is called the Pesticide Data Program (PDP) and for most commodities, samples are taken as close to the consumer as possible while still preserving the ability to identify the source. Both imported and domestic foods are tested using

extremely sensitive analytical methods. PDP data are not available for all food-pesticide combinations. Where PDP data are not yet available, EPA must rely on estimates of exposure that frequently far exceed those measured at the consumer level. Use of PDP data provides a realistic estimate of consumer exposure to pesticide residues and results in a high level of confidence in the accuracy of EPA's dietary exposure assessment.

The National Agricultural Statistics Service (NASS) collects data on the pesticides used on a variety of crops. Data are collected directly from a sample of farmers and include information on the frequency, rate, and amount of pesticides used. The surveys are designed to collect statistically valid data at the state level. NASS data are used in the risk assessment process and also provide valuable information concerning the relative benefits or importance of a particular pesticide in crop production.

The Department (USDA) is working with EPA, the Geological Survey (USGS), and pesticide manufacturers to develop better tools for estimating the potential for pesticides to contaminate surface waters. This is being done to assess levels that may be found in drinking water—a requirement in estimating the aggregate risk a pesticide may pose to humans under the FQPA. Pesticide use data are essential inputs into the current efforts to develop a predictive regression model for surface water contamination by pesticides.

USDA has also made basic agronomic and pest management data available to EPA and all stakeholders. Working with our land-grant partners, interested agricultural producers, and independent crop consultants, the Cooperative State Research, Education, and Extension Service (CSREES) and OPMP have funded and coordinated the development and publication of nearly 500 “crop profiles” that detail basic production and pest management information. The crop profiles are available on the Internet and provide information that supports risk assessment activities as well as the development of risk mitigation strategies. Crop Profiles provide realistic patterns of pesticide use rather than worst-case scenarios.

Building on the baseline information in the Crop Profiles, commodity groups and land-grant university specialists are developing Pest Management Strategic Plans to set priorities and guide research and new product registration activities. Sometimes referred to as Transition Strategies, these plans look to the future of pest management needs for the commodity and production region. The plans identify research, registration, education, and implementation priorities required to change pest management strategies in response to regulatory or consumer demands.

NEW RESEARCH PROGRAMS

Working with Congress, we developed and secured funding for three new pest management research programs in FY-1999. These programs work in concert

with the already established Pest Management Alternatives Program (PMAP) (\$1.6 Million in FY-02) that focuses on short-term alternative pest management tools.

The Crops at Risk program (CAR) (\$1.5 Million in FY 02) provides competitive research funding for pest management alternatives in crops made vulnerable by FQPA implementation. The focus is on intermediate-term solutions to major pest management problems.

The Risk Avoidance and Mitigation Program (RAMP) (\$4.9 Million in FY-02) focuses on long term competitive research funding for overall crop and pest management systems.

The Organic Transition Program (\$1.5 Million in FY-02) provides funding for development of pest management strategies that help interested growers move from traditional production practices to organic agriculture.

INVOLVEMENT OF THE AGRICULTURAL COMMUNITY

Since passage of the FQPA, USDA has sought ways to inform and involve the agricultural community in implementation. EPA has been equally concerned about involvement of agricultural producers and has worked with us to develop transparent processes that encourage participation by all stakeholders.

One very successful mechanism has been the use of external advisory committees. EPA originally chartered the Tolerance Reassessment Advisory Committee (TRAC) in 1998 and subsequently rechartered it as the Committee to Advise on Reassessment and Transition (CARAT). The Deputy Secretary of USDA co-chairs the committee with the EPA Deputy Administrator.

Working with EPA and the agricultural community, USDA ensures that grower interests are represented in all pesticide regulatory decisions. OPMP conducts meetings and conference calls on specific chemical re-registration decisions. Using these mechanisms, agricultural producers have the opportunity to address risk assessment issues, crop production practices, and help develop workable risk reduction strategies.

Pest management experts associated with the land-grant universities work through the four recently created Regional Pest Management Centers in order to more efficiently and effectively address scientific research, regulatory, and implementation issues. Pest management experts have used the Regional Pest Management Center concept and structure to improve the exchange of information, achieve greater cooperation and improve stakeholder involvement.

REGISTRATION OF ALTERNATIVE PRODUCTS

USDA's Inter-Regional Project Number 4 (IR-4) program is supported by both CSREES and ARS and remains the principal means by which products are

registered for minor uses. Generally, minor uses are specific uses in small markets where registration costs exceed potential returns to pesticide manufacturers. In these cases, the IR-4 program provides the expertise and much of the funding required to conduct field trials and prepare registration packages. Without adequate pest control measures, farmers would find it impossible to produce economically viable crops of fruits and vegetables that are absolutely critical to good nutrition and health. Loss of production could also seriously impact local farm economies and food processing interests. Pesticide manufacturers still bear the large costs of health and environmental testing required for initial registration of new active ingredients, but the IR-4 Program helps to ensure that many fruit and vegetable crops have access to these new production tools. Over the last several years, IR-4 registrations have accounted for the majority of EPA's new crop registration decisions. EPA works closely with the IR-4 program to build increased efficiency into the minor crop registration program. Since passage of the FQPA, IR-4 has aggressively pursued the registration of new and safer pest management technology.

While I believe that USDA has made significant progress and contributed appreciably to the implementation of FQPA, I also recognize that there are a number of issues that demand further attention.

Regulatory and research programs operate on very different time lines and we need to find ways to improve our ability to keep pace with rapidly changing

research and data collection needs. The CAR and RAMP programs mentioned earlier have been successful in responding to these changing needs. The Pest Management Strategic Plans, also mentioned earlier, are powerful tools that assist in anticipating research needs and we are making greater use of these planning tools in establishing the research agenda.

In some cases, implementation of alternative pest management technologies and strategies has been slow. New technology frequently demands education and training and often requires more information and more management time.

Agriculture is subject to an almost endless array of variability in weather, pest, and economic cycles. Alternative methods must be proven to work consistently outside of the confines of closely monitored trials and small-scale demonstrations. Regulation and consumer demand are driving agricultural producers to change production technologies but we also need to look for ways to provide growers greater incentive to adopt newer and safer pest management systems.

Demands for pesticide use and residue data are usually far greater than our ability to supply them and we must carefully adjust priorities. In both of these areas, USDA will continue to work closely with EPA and USGS to better anticipate and plan for future data needs.

Some of the most promising pest management research involves biotechnology, but the lack of consumer acceptance, especially in export markets, has slowed the development and adoption of innovative solutions to many pest problems. Building consumer confidence in our research and all federal regulatory programs is essential to the ultimate acceptance of biotechnology and our ability to bring a new generation of pest management strategies on-line.

The Food Quality Protection Act of 1996 changed the standards for pesticide safety and laid out a rigorous time line to complete the review of all existing food tolerances. I am pleased with the working relationship that we have established with the EPA and look forward to a continued partnership as we work through the remainder of FQPA implementation.