November 25, 2013

United States Environmental Protection Agency
Pesticide Re-Evaluation Division
Office of Pesticide Programs

Submitted via www.regulations.gov

Docket EPA-HQ-OPP-2013-0081

RE: Registration Review for Aluminum Phosphide (0025), Magnesium Phosphide (0645) and Phosphine (7608)

Dear Madam/Sir:

The undersigned organizations are members of a broad coalition of agriculture and food stakeholders that depend upon phosphine and phosphine-generating products (hereafter, generically referred to as phosphine) for sanitation and pest control. We appreciate this opportunity to provide our perspective as major users of phosphine. Our coalition represents growers, handlers, millers, exporters and processors of grains, oilseeds, rice, nuts and dried fruit, as well as bakers, pasta manufacturers and other food processors and pest management professionals.

We believe the following comments should be useful to the Agency as it reviews the registrations for these products. We are unequivocal in our belief that phosphine compounds can be, and are, used without unreasonable adverse effects on human health or the environment.

General comments about usage
Several attributes of phosphine make it a compound that can be used effectively while still providing a rigorous element of safety for employees, downstream customers and consumers.

Phosphine has a warning odor that allows it to be detected well below regulatory action levels. The fumigant has a very short half-life and breaks down into products that are virtually harmless and do not persist in the environment. It is relatively slow acting when compared with liquid or liquefied gaseous fumigants, which greatly reduces the potential of exposure to employees and bystanders and eliminates the need for buffer zones. When used in accordance with the rigorous label requirements, no detectable phosphine will be present in foods as ready to be consumed.

After its last comprehensive evaluation of aluminum and magnesium phosphide, EPA issued revised label requirements, including the development of a Fumigation Management Plan (FMP) for each fumigation site. An FMP contains details addressing

site characterization, employee and bystander safety, sealing of the structure or container, fumigant application, site monitoring, aeration and post-fumigation measures.

The current FMP has proven to be effective as an extra measure in ensuring a safe, legal and efficacious fumigation.

Food safety and sanitation
Sanitation and pest control have always been critical for food safety. The importance of sanitation throughout the supply chain was increased even further as a result of passage of the Food Safety Modernization Act of 2011, as well as by the demands of our customers and consumers.

To achieve our sustainability goals and those of our customers, we prefer to use as few chemical pesticides as possible. Yet they are occasionally necessary. It will difficult, in the extreme, to give sanitation and food safety the attention they deserve without the use of all the tools available to an Integrated Pest Management (IPM) program. Phosphine is the most commonly used chemical tool in our IPM programs.

Replacement for other compounds
Phosphine is increasing in importance as it is a replacement/partial replacement for other fumigants that the Agency has banned, or for which it has proposed restrictions that, if adopted as written, would have the same effect as a ban.

It is common practice for raw agricultural commodities to be fumigated in storage with phosphine. Nonetheless, insects often re-infest those commodities later in the supply chain. As those commodities transit through the supply chain, time becomes increasingly valuable. Thus, methyl bromide was often used to treat re-infestations of food processing facilities because it is much faster acting.

Methyl bromide (MB) has been banned, but some quantities have been used under Agency-approved Critical Use Exemptions. Such exemptions have already been cut by more than 95 percent, with nearly all uses ending in 2014.

Sulfuryl fluoride (SF) was well on its way to act as the replacement for MB, however the Agency proposed in 2011 to revoke the tolerances for residues of SF on foods. Without legal tolerances for SF residues on foods, stakeholders will not risk the legal jeopardy of using the compound, and the marketplace will ban it just as effectively as would occur under an Agency ban.

Thus, phosphine has taken on larger roles beyond its traditional use as a fumigant of raw commodities. It is now also in service as a general space fumigant where technically feasible, and in special situations to treat pallets of materials and machinery under tarps.

Export trade
Vital grain exports are frequently fumigated with phosphine. Nearly $50 billion of the $150 billion in annual US agricultural exports consists of grains and oilseeds. Two-thirds

of the US grain and oilseed exports are fumigated with phosphine. In addition, tree nut and dried fruit exporters also utilize the fumigant for overseas markets.

Maximum Residue Levels for phosphine have been established in most export markets making it one of the easiest materials to use from a trade perspective.

Illegal usage
The incidence of phosphine poisonings is thankfully rare. Research indicates that such occurrences have been the result of intentional and illegal misuse. The coalition encourages the Agency to continue to use its substantial compliance and enforcement powers wherever phosphine compounds (or other pesticides) are misused. Having said that, we also believe that these rare misuses should not bear on the Agency's analysis or decision to reregister the compounds.

Summary
Phosphine pesticides are critical tools that can be, and are, used safely. They are the most technically and economically feasible compounds for protecting commodities in storage and are growing in importance to stakeholders further into the supply chain. The coalition believes the Agency's comprehensive analysis will bear this out, and we strongly encourage EPA to maintain their current registrations. We appreciate any consideration you may give our views.

Sincerely,

American Bakers Association
American Farm Bureau Federation
American Pistachio Growers
California Date Commission
California Dried Plum Board
California Fig Advisory Committee
California Walnut Commission
National Confectioners Association's Chocolate Council
National Pasta Association
National Pest Management Association
North American Millers' Association
Sunmaid Growers of California
Sunsweet Growers, Inc.
USA Rice Federation
Valley Fig Growers