



MEMORANDUM

Via E-Mail

DATE: August 28, 2006

TO: Firm Clients and Friends

FROM: Bergeson & Campbell, P.C.

RE: NCAP and New York Publish Article on Unidentified Inert Ingredients

On August 18, 2006, *Environmental Health Perspectives (EHP)* released an *EHP*-in-Press article entitled “Unidentified Inert Ingredients in Pesticides: Implications for Human and Environmental Health,” which argues that, to enable independent research and risk assessment, inert ingredients should be identified on pesticide product labels. The article is co-authored by Caroline Cox, Northwest Coalition for Alternatives to Pesticides (NCAP), and Michael Surgan, Office of the Attorney General of New York. As reported in our August 8, 2006, memorandum, on August 1, 2006, a state coalition, including New York, petitioned the U.S. Environmental Protection Agency (EPA) to amend its rules governing the disclosure of inert ingredients on pesticide product labels. Both NCAP and New York have participated in lawsuits against EPA regarding the disclosure of inert ingredients. The article, which has been peer reviewed and accepted for publication in *EHP*, is available on the Internet at <http://www.ehponline.org/members/2006/9374/9374.pdf>.

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), active ingredients must be identified on pesticide product labels, but, except for minimum risk, FIFRA-exempt products, FIFRA does not require the identification of inert ingredients. According to the article, independent assessment of the safety of pesticide products “is stymied by the lack of public access to product-specific information about inert ingredients.” The article states: “Our experience is that the current process for identifying ingredients involves substantial bureaucratic delay and, in some instances, litigation.”

The article briefly reviews research that, it argues, “indicates that some inert ingredients in pesticide formulations can have a significant impact on the human health and environmental impacts of these products.” The article provides examples for the following claims:



Memorandum to Firm Clients and Friends
August 28, 2006
Page 2

- ***Inert Ingredients Can Increase Toxicity of Pesticide Formulations:***
Numerous studies indicate that inert ingredients may enhance the toxicity of pesticide formulations to the nervous system, the cardiovascular system, mitochondria, genetic material, and hormone systems.

- ***Inert Ingredients Can Increase Exposure to Pesticide Formulations:***
Inert and active ingredients can interact to diminish the protective efficacy of both clothing and skin, reduce the efficacy of washing, and increase persistence and off-target movement of pesticides.

- ***Inert Ingredients Can Increase Ecotoxicity of Pesticide Formulations:***
The severity of varied toxic effects of pesticide active ingredients in non-target plants, animals, and microorganisms can be enhanced by the inert ingredients with which they are formulated.

According to the article, because inert ingredients are rarely identified, studies comparing the effects of the active ingredient, the inert ingredients, and the formulation are uncommon. The article states that full assessment of exposure to pesticide formulations is similarly “impeded by the lack of information” about the concentration of individual inert ingredients. The article concludes that, to remedy this situation, “all pesticide ingredients should be identified on product labels and pesticide registration should be based on full assessments of formulations as they are sold and used.”

* * * * *

We hope this information is helpful. As always, please call if you have any questions.