



# BEYOND PESTICIDES

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October 10, 2006

Human Studies Review Board  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Re: Chromium ROAT; EPA-HQ-ORD-2006-0798

Dear HSRB Members:

Beyond Pesticides believes there is clear and convincing evidence that the Forest Products Research Laboratory's (FPRL) hexavalent chromium repeated open application test (ROAT) is unethical. We respectfully requests the Human Studies Review Board to take into account the following regarding the research in question.

***The study does not provide benefits to society and the benefits of the study do not outweigh the risks.*** The study is unnecessary as alternatives are readily available. There is no adequate justification for exposing human subjects to hexavalent chromium, a toxic substance. This is a violation of the Nuremberg Code, an international ethical standard that prevailed at the time the research was conducted: "The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature."

- *Alternatives exist and are widely used.* EPA recently approved FPRL's application to sell the hexavalent chromium-based wood preservative Acid Copper Chromate (ACC) for a number of industrial and building-related uses. Although EPA has previously granted an ACC registration to the wood treatment company Osmose, this company has stopped distributing the product and asked to cancel the registration. In fact, the wood preservative industry as a whole has shifted toward alternative products, which contain neither chromium nor arsenic. There is no need for a hexavalent chromium-based preservative. The existence and industry use of alternatives illustrates there is no societal benefit derived from FPRL's ROAT.
- *Hexavalent chromium is linked to serious health effects, posing potential risks to human test subjects.* Hexavalent chromium is a very real health threat, which has been made infamous through such incidents as Erin Brochovich's experience in California. According to EPA, hexavalent chromium is a known carcinogen via inhalation. Exposure to hexavalent chromium is also known to cause non-cancer

respiratory ailments, kidney and liver damage, and serious allergic reactions of the skin.

- *The research may primarily benefit FPRL.* HSRB should also be mindful that while there is no societal benefit to be derived from the study, FPRL could benefit from such research. Exposing human subjects to a toxic substance in order to facilitate the advancement of FPRL's own product is ethically unacceptable. Again, there are many chromium-free alternatives already on the market, but FPRL continues to lobby EPA for a broader registration, which would enable ACC-treated wood to be used for residential uses such as decks, picnic tables, fences and playground equipment, etc.

Beyond Pesticides asks that HSRB does not approve the use of data from the hexavalent chromium repeated open application test (ROAT) on the grounds that there is clear and convincing evidence that the study is unethical due to the unnecessary nature of the hexavalent chromium research FPRL has carried out on human subjects.

Thank you for your consideration.

Sincerely,

Laura Hepting, Special Projects Coordinator