

December 3, 2009

Administrator Lisa Jackson  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dear Administrator Jackson:

We, the undersigned 42 organizations, are writing to urge you to take immediate action to cancel all remaining uses of the antiquated organochlorine pesticide endosulfan.

This action is long overdue. In 2002, the Environmental Protection Agency reregistered endosulfan on the condition that companies complete a developmental neurotoxicity study.<sup>1</sup> This study was not submitted until 2006,<sup>2</sup> and in response the Agency released revised risk assessments and proposed new mitigation measures in late 2007.<sup>3</sup> During this delay, endosulfan continued to be used.

Since then, the Agency has received petitions requesting the cancellation of all endosulfan uses from Pesticide Action Network North America (PANNA) and the Natural Resources Defense Council.<sup>4</sup> Additionally, PANNA and co-plaintiffs, represented by Earthjustice and Farmworker Justice, have challenged endosulfan's continued registration in federal court.<sup>5</sup> Since 2007, the Agency has invited 270 days of public comment on endosulfan, and in response has received substantial comments requesting its prohibition.<sup>6</sup>

As 2009 comes to a close, the Agency's assessment drags on. EPA has announced no decision on endosulfan's fate, has issued no response to the petitions, and has not even implemented the mitigation measures proposed in 2007.

In contrast, the Stockholm Convention on Persistent Organic Pollutants (POPs) is taking decisive international action on this harmful pesticide. On October 16, 2009,

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<sup>1</sup> U.S. EPA. "Endosulfan RED Facts" EPA-738-F-02-012, November 2002.

[http://www.epa.gov/oppsrrd1/REDS/factsheets/endosulfan\\_fs.htm](http://www.epa.gov/oppsrrd1/REDS/factsheets/endosulfan_fs.htm).

<sup>2</sup> Gilmore, R.; Sheets, L.; Hoss, H. "A Developmental Neurotoxicity Study with Technical Grade Endosulfan in Wistar Rats." Project Number: 201563, 05/D72/YF. September 26, 2006.

<sup>3</sup> 72 FR 64624, November 16, 2007.

<sup>4</sup> 73 FR 49194, August 20, 2008.

<sup>5</sup> *Pesticide Action Network North America et al. v. United States Environmental Protection Agency*, US District Court for the Northern District of California, San Francisco Office, filed July 24, 2008, case 3:2008vc03542. The complete list of plaintiffs represented by Earthjustice and Farmworker Justice is: Pesticide Action Network North America, United Farm Workers, Natural Resources Defense Council, Teamsters Local 890, Beyond Pesticides, Pineros Y Campesinos Unidos Del Noroeste, Center for Environmental Health, Farm Labor Organizing Committee, AFL-CIO, and Alaska Community Action on Toxics.

<sup>6</sup> 72 FR 64624, November 16, 2007 – 60 days; 73 FR 186, January 2, 2008 – 30 days; 73 FR 49194, August 20, 2008 – 60 days; 74 FR 19558, April 29, 2009 – 60 days; 74 FR 20942, May 6, 2009 – 60 days.

the Convention's panel of scientific experts, the Persistent Organic Pollutants Review Committee (POPRC), decided that endosulfan "is likely, as a result of its long-range environmental transport, to lead to significant adverse human health and environmental effects, *such that global action is warranted*" (emphasis added).<sup>7</sup>

In deciding that endosulfan is a persistent organic pollutant requiring global action, the POPRC considered scientific assessments of endosulfan from the United States and countries around the world, as well as the latest peer-reviewed scientific literature. The Committee's decision took into account submissions and interventions from a broad array of stakeholders including governments, NGOs, and the pesticide industry. It is the most thorough and up-to-date assessment of endosulfan's environmental fate ever conducted.

The United States has a special responsibility to protect Indigenous Peoples in the Alaskan Arctic whose native foods are contaminated by endosulfan as a consequence of its ability to travel long distances through the environment. In addition, like any other country, the United States has a responsibility to ensure that activities within our borders do not cause damage to the environment of other nations.

In light of the POPRC's historic decision and the threat that endosulfan poses to Americans and people throughout the world, we call on the Environmental Protection Agency—as the Agency charged with protecting the environment and regulating pesticides—to implement the POPRC's call for action on endosulfan and immediately to cancel all remaining uses of this antiquated, dangerous pesticide.

Sincerely,

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<sup>7</sup> Stockholm Convention on Persistent Organic Pollutants. "Decision POPRC-5/[ ]: Endosulfan (Advance)." <http://chm.pops.int/Convention/POPsReviewCommittee/hrPOPRCMeetings/POPRC5/POPRC5Followupcommunications/EndosulfanAnnexFadversehumanhealtheffects/tabid/655/language/en-US/Default.aspx>.

On behalf of:

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