



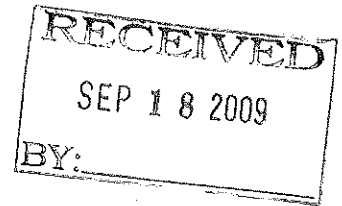
# Department of Pesticide Regulation



Mary-Ann Warmerdam  
Director

Arnold Schwarzenegger  
Governor

September 16, 2009



Mr. Norman R. Brown, President  
Delta Construction Company  
P.O. Box 277517  
Sacramento, California 95827

Dear Mr. Brown:

Thank you for your recent letter to Mary-Ann Warmerdam, Director and Dr. Gary T. Patterson, Supervising Toxicologist, regarding the external peer review of our risk assessment of methyl iodide. Before addressing your concerns regarding the external peer review of that risk assessment, I would like to clear up some possible areas of misunderstanding.

Very few issues in toxicology, risk assessment, or the protection of human health and the environment are black and white, with differing interpretations. At the Department of Pesticide Regulation (DPR), we are very careful to keep our risk assessment and risk management (regulatory) processes separate. Likewise, it is very important to separate disagreement with a risk management decision from scientific disagreement with the risk assessment. While I have not been directly involved in the scientific evaluation or regulation of diesel exhaust, the scientific studies with which I am familiar and the information evaluated by my colleagues indicate that there are scientifically legitimate health concerns associated with diesel exhaust.

For over two decades, DPR has worked under the Toxic Air Contaminant (TAC) statutory mandates. This has involved a scientific review of the ambient air components of risk assessments of several pesticides by the Scientific Review Panel (SRP). While our scientists have not always agreed with all of the conclusions of the SRP, DPR has used the conclusions and findings of the SRP as one of several significant inputs into our risk management decisions. We have found the process and the SRP to be open, transparent, scientifically rigorous, and credible.

When DPR received the complete application to register methyl iodide in 2007, we chose to conduct a risk assessment prior to making a registration decision because numerous animal studies have shown that it poses a potential risk to public health. The intent of the risk assessment is to determine potential risks to human health and the environment and the circumstances under which the product can be used if it is registered. Our risk assessment reflects California's unique geography and agricultural practices. California's many microclimates support fruits, nuts and vegetables that require hand labor, with the potential to inadvertently overexpose farmworkers to pesticides. In addition, urban development has encroached on our agricultural lands, which means buffer zones and other restrictions are often required of pesticide applicators in the agricultural-urban interface to minimize risk to the public. DPR also opted to include an external peer review of the risk assessment to reaffirm that our



Mr. Norman Brown  
September 16, 2009  
Page 2

evaluation of methyl iodide's potential risk to farmworkers and bystanders is based on scientifically valid standards. Following standard procedure, DPR's draft methyl iodide risk assessment underwent peer review by the Office of Environmental Health Hazard Assessment (OEHHA), also part of the California Environmental Protection Agency, and U.S. EPA. Their comments, as well as those submitted by Arysta, LLC, the manufacturer of methyl iodide, are incorporated into the final draft assessment.

As you noted in your letter, the external peer review panel is chaired by John Froines, Ph.D., Director of the Center for Occupational and Environmental Health at the University of California, Los Angeles. However, Dr. Froines is not the only peer reviewer. He has convened a panel of eight nationally and internationally renowned experts in various scientific fields to evaluate our work. It should be noted that this peer review, will be one of several important factors that DPR will consider in our eventual risk management conclusion. We are committed to an open, transparent, and scientifically credible process, and I believe that our efforts to date meet that commitment. We do not anticipate inappropriate biases in any of the steps of our process, but our transparent approach would readily identify any such biases should they occur.

Thank you again for writing. If you have any questions, please feel free to contact me.

Sincerely,



Marylou Verder-Carlos, DVM, MPVM  
Assistant Director for Scientific Affairs  
916-445-3984

cc: Mary-Ann Warmerdam, Director  
Dr. Gary T. Patterson, Supervising Toxicologist