

# ASSOCIATION NEWS

## PRESIDENTIAL ADDRESS

ROBERT M. ALTMAN

Thirty-first Meeting of the American Mosquito Control Association  
Atlantic City, New Jersey

March 12, 1975

In selecting a topic for today I chose one of concern to most of us, the regulation of pesticides. Before beginning, I want to emphasize that I am not addressing my remarks toward individuals, but toward a concept that has evolved. For the last few years, and especially since 1970, all persons engaged in mosquito control have experienced the adverse effects of the ever increasing federal and state regulation of pesticides. This trend has influenced our activities profoundly, a development that we share with others who must use pesticides in their work.

I have had an excellent vantage point from which to observe the events as they developed. Following some twenty years of involvement with various aspects of entomology at local, national, and international levels I returned to Washington, D. C. in 1968 and became intimately associated with the major changes regarding the regulation of pesticides that began developing. For two years I was the Executive Secretary of the Armed Forces Pest Control Board and represented the Department of Defense on the Federal Committee for Pest Control (later reorganized as the Federal Working Group on Pest Management). In 1971 I moved to my present position as State Entomologist, Maryland Department of Agriculture, where I supervise the State Mosquito Control Program, the Pesticide Applicators Law, the Maryland Plant Protection Program, the Gypsy Moth Control Program and the Apiary Inspection Program. These diverse responsibilities have enabled me to be deeply involved in varied aspects of pest control and pesticide uses at a

different level. I wish that those in federal regulatory positions could also experience the realities of being directly involved in resolving practical pest problems at the local level. Should they do so, I am confident they would change their attitudes because many of the recent regulatory decisions have been emotionally and politically motivated rather than based on scientific data and practical experience.

During the early 1960's, the federal government became concerned about the possibly adverse environmental effects of pesticide uses. In 1963 the report, "Use of Pesticides" of President Kennedy's Science Advisory Committee was published. This report outlined some needed improvements in pesticide regulation, registration and encouraged some desirable changes in pest management. The report further contained recommendations for achieving these changes in an orderly fashion. Excellent progress was made in accomplishing these improvements.

Soon after President Nixon's election there was a change in policy regarding the role of the federal government. It became more dominant in its relations with the States and a somewhat dictatorial posture developed. The tragic developments revealed by the Watergate hearings, and the subsequent resignation of President Nixon dramatically revealed the extreme misuse of executive authority that was reached. An atmosphere of suspicion and distrust was prevalent through many branches of the federal government. The Bureau of Budget became the Office of Management and Budget and was given unprecedented powers. An effort was

made to downgrade the U.S. Department of Agriculture to agency level. Abuses of authority by the CIA, the FBI, the Attorney General, the IRS and other agencies are still being revealed. President Nixon also came under the influence of the extreme environmental groups, forming the Council on Environmental Quality and appointed Russell Train as the Director. Apparently because Train insisted on giving scientific, rather than political advice, the President dismissed his scientific advisor and abolished the Office of Science and Technology.

In 1971 the Environmental Protection Administration was formed by taking certain laboratory and regulatory personnel and facilities from the Department of Interior, DHEW and the USDA. This placed the majority of the regulatory and environmental monitoring activities under one head and eliminated the checks and balances at the federal level. EPA was given broad authority on environmental matters. I thought this was a mistake and subsequent developments have confirmed my apprehension.

There has been much confusion and turmoil in EPA. Experienced employees have been transferred. New employees have been hired at all levels to fill newly created positions. The mortality rate at the upper echelons has been high. Responsibilities have been shifted frequently. Poorly qualified persons have been hired to fill key positions. The authority and responsibilities of the ten regions and the central office have not been clearly defined and there is considerable variation in the interpretation of regulations between the regions. These, and other matters, have adversely affected the enforcement of the programs. If all facts were revealed we would probably be amazed that any progress has been made. It has become clear, however, that in the final analysis the lawyers and the enforcement division have dominated the agency.

Guided by the largely false premise that pesticides were being grossly misused and were causing unacceptable pollution prob-

lems, the EPA made a series of questionable decisions regarding pesticides that have had profound effects, not only in this country, but throughout the world.

DDT and other persistent pesticides had been under fire for some time. EPA began a number of hearings and investigations regarding the use of these materials concentrating initially on DDT. The Administrator appointed a DDT Advisory Committee that was composed of eminently well-qualified scientists from throughout the nation. Their report of September 9, 1971 stated in part:

"a. The present reported annual usage level of DDT does not present an imminent hazard to human health in terms of individual bodily functions and safety.

"Although the Committee has agreed that DDT represents an imminent hazard to human welfare because of the quantities of this substance currently present in the environment, it believes that either immediate suspension or rapid and continuous decrease in the use of DDT will achieve essentially the same results." The Committee further recommended that "the polychlorinated biphenyl compounds, the PCB's, because of their analytical similarity to DDT have in the past been confused with DDT and some of its metabolites. These substances are also widespread environmental pollutants and could have been responsible for some of the reports of the wide distribution of DDT in the environment."

Alarmed about the disastrous consequences of banning DDT, the Food and Agricultural Organization issued a strong plea that this valuable product be retained.

In 1971 exhaustive hearings were held by EPA to determine the fate of DDT. At the request of the USDA it was my privilege to testify in support of the continued use of DDT for certain essential purposes. Hearing Examiner Sweeney ruled that the existing limited uses of DDT did not constitute an unreasonable risk to man or the environment. DDT was defined as essential to the public welfare and should not be cancelled. Despite

these findings, the Administrator of EPA decided to cancel most uses.

Following exhaustive hearings, the Federal Insecticide, Fungicide, and Rodenticide Act was amended in October 1972. While it contains some questionable parts, the amended FIFRA or the Federal Environmental Pesticide Control Act, is a reasonable law. Most of us readily agree that there is a need to improve pesticide use, to reduce the quantities of pesticides that are used and to improve training and pest management. I am convinced, however, that it was the intent of the Congress that these improvements be made in a reasonable manner. Unfortunately, this has not always been the case.

EPA did not publish regulations when scheduled, which created confusion. Even more serious, on a number of occasions the agency created hostility by attempting to exceed their authority in promulgating regulations. A punitive attitude developed and still exists. This is illustrated by a section extracted from the Pesticide Programs Regional Operation Guidance for FY 1976.

"Pesticides Enforcement Division (PED) is currently implementing a program which will: 1) inform EPA of instances of pesticides misuse; and 2) provide for a case-by-case review of certain instances so that a consistent national policy regarding pesticide misuse can be developed.

"FIFRA does not specifically empower EPA to perform on-site inspections of pesticide use. Because of the limited inspection authority and the difficulties inherent in monitoring such a widespread activity as a pesticide use, PED has initiated a response-oriented program of pesticide use enforcement and is currently implementing a program to receive information regarding incidents of misuse by enlisting the cooperation of other Federal and State agencies which share an interest in the area of pesticide use, as well as of user organizations, public interest groups, and the public at large.

"Toward this end, by the beginning of

FY 76 EPA has or expects to have entered into cooperative agreements for the exchange of enforcement information with the following agencies or groups:

- a) Food and Drug Administration, DHEW
- b) Bureau of Sport Fisheries and Wildlife, USDI
- c) Federal Aviation Administration, DOT
- d) Occupational Safety and Health Administration, DOL
- e) Consumer Product Safety Commission
- f) Animal and Plant Inspection Service, USDA
- g) National Farmworker Information Clearinghouse

"Instructions and guidelines implementing each Memorandum of Agreement will be issued by each Agency and exchanged by each Agency. These will identify interagency contacts and liaison representatives and set forth pertinent operating procedures to be followed. In the case of the Agencies listed above, Regional offices will be expected to develop local working procedures based upon the national agreements. Consideration must be given to the need for interagency training sessions in order that: 1) reasonable accurate decisions can be made by extra-EPA personnel as to the existence of FIFRA violations; 2) EPA inspection personnel can recognize violations of other statutes which EPA will assist in the enforcement of, under the terms of the Memorandum of Agreement; and 3) enforcement/inspection information forms are currently prepared and routinely exchanged.

"Regions will also be receiving information concerning pesticide episodes from the Pesticide Accident Surveillance System (PASS). Some of these episodes will necessarily be the result of pesticide misuse. Although Regions will be expected to investigate all instances of alleged pesticide misuse, the enforcement follow-up will be separate and distinct from any PASS investigation.

"In addition, the PED is currently en-

gaging in a national public information program on the emphasis EPA is placing on enforcement against pesticide misuse. A toll-free telephone line will be used for information-gathering in the misuse enforcement program and PED is funding a grant-in-aid to the National Farmworker Information Clearinghouse (NFIC) to establish and monitor this telephone line. The agency will be advertising the availability of this line to farmworker organizations as well as to the public interest and citizen groups and other government agencies with an interest in or knowledge of pesticide use. Information on possible misuse will be turned over to Regional Offices within 24 hours of receipt by the NFIC and Regions will be expected to investigate all such reported instances of misuse."

All this to regulate the use of products that are vitally needed!

Despite their opposition to the required certification program, most states are reluctantly developing plans for certifying applicators to use restricted pesticides. EPA has estimated that several hundred thousand commercial applicators and two million private applicators must be certified. Imagine the manhours and resources that will be spent on this effort. Could not this energy be used to better advantage in other more productive segments of our economy? I think so.

The points that I have mentioned are only a part of the problems caused by EPA in enforcing FIFRA. An attitude of antagonism and misunderstanding has developed between industry and EPA. Increasingly strict criteria and regulations for registering pesticides have been developed and are revised abruptly. This, combined with inflation and other factors, has caused chemical firms to switch from the manufacture of pesticides to other more promising products. Some firms are spending large sums for pesticide research, but the funds are used to obtain data on old products rather than to develop information for new ones. The end result has been that few new pesticides

have been registered since 1970. According to Dr. Thomas K. Shockwell only 33 in 1972, 1973 and the first half of 1974, of which only 15 could be termed significantly promising. Other enforcement actions are also affecting the supply of pesticides. Rather than undergoing the expense of developing and installing systems to clean plant effluent so that EPA standards can be met, some companies are closing plants where base chemicals are manufactured.

Because of regulatory restrictions and improved markets in foreign countries, some companies are shipping products out of the United States thereby creating additional shortages. Some commercial firms that still have marketable pesticides have changed their business practices. Prices have increased drastically. Financial terms have been changed and dealers must pay for their products sooner. Inventories are low. Allocation systems based on 1973 and 1974 purchases are common, to name a few. The end results will be higher prices and less satisfactory pest control. The situation will become even more critical when manufacturers must re-register pesticides under the new regulations. Products that have been used for years cannot be re-registered because of a lack of data that are required. The cost of producing these data are so expensive, and the probability of EPA acceptance is so low, that many products will be discontinued.

Many persons have become alarmed over the extremes that have developed regarding the protection of our environment. The December 16, 1974 *Wall Street Journal* contained an article by Irving Kristol entitled, "The Environmentalist Crusade," which illustrates this concern.

"Is the environmentalist movement now in danger of being transformed into such an immoderate and ultimately self-defeating crusade? It certainly is beginning to look that way. It is a reform movement which began with a massive reservoir of public sympathy, since there is no doubt that a competitive economic system does

create noxious 'externalities'—general effects on our lives that are beyond the purview or control of any single enterprise, since an effort by any single enterprise to take them into account would put it at an immense competitive disadvantage. The only way to cope with such 'externalities' is by legislation and regulation, and there can be little question that the public has been, and to a goodly extent still is, supportive of such efforts. But there is now considerable evidence that the environmentalist movement has lost its self-control—or, to put it bluntly, is becoming an exercise in ideological fanaticism. It is mindlessly trying to impose its will—sometimes in utterly absurd and self-contradictory ways, and very often in unreasonable ways—on a reality that is always recalcitrant to any such imposition by anyone."

Dr. John J. McKetta, Chairman of the National Air Quality Management Committee of the National Academy of Science, recently presented similar views in an address entitled, "Beware of the Environmentalists Who Cry Wolf too Often," which was delivered to members of the American Institute of Chemical Engineers at a meeting in San Francisco. Some excerpts from his address are as follows:

"You have been reading that we are depleting the oxygen in the atmosphere and replacing it with toxic substances such as carbon monoxide.

"I have always been taught that oxygen in our atmosphere is supplied by photosynthesis. Plants take in carbon dioxide and through activation by sunlight combine  $\text{CO}_2$  with water to make starches and cellulose and give off oxygen. In this way the whole chain of plant and animal life is sustained by energy from the sun. When the vegetable or animal materials thus produced are eaten, burned, or allowed to decay, they combine with oxygen and return to the carbon dioxide and water whence they came. We all know this. Then what is the surprise?

"The surprise is that most of the oxygen

in the atmosphere doesn't come from photosynthesis. The evidence is now overwhelming that photosynthesis is inadequate to have produced the amount of oxygen that is present in our atmosphere. The oxygen produced by photosynthesis is just enough to convert the plant tissue back to carbon dioxide and water from which it came. In other words, the net gain in oxygen due to photosynthesis is extremely small.

"The oxygen in the atmosphere had to come from another source. The most likely possibility involves the photodissociation of water vapor in the upper atmosphere by high-energy rays from the sun and by cosmic rays. This process alone could have produced about seven times the present oxygen in the atmosphere. The significance is that the oxygen in the atmosphere is virtually unlimited. It is not threatened by man's activities in any significant way.

"As you know, the most toxic component of automobile exhaust is carbon monoxide. Each year man adds 270 million tons of carbon monoxide ( $\text{CO}$ ) to the atmosphere. Most of this comes from automobiles. The scientists are concerned about the accumulation of this toxic material because they know that it has a life in dry air of about three years. For the past several years, monitoring stations on land and sea have been measuring the carbon monoxide content of the atmosphere. Since the ratio of automobiles in the northern and southern hemispheres is nine to one respectively, it was expected that the northern hemispheres would have a much higher concentration of atmospheric carbon monoxide. The measurements show, however, that there is no difference in  $\text{CO}$  amounts between the hemispheres and that the overall concentration in the air is not increasing at all. In fact they've found higher concentrations of  $\text{CO}$  over the Atlantic and Pacific oceans than over land.

"Here lies another surprise. The  $\text{CO}$  content of cigarette smoke is 42,000 ppm. The  $\text{CO}$  concentration in any smokefilled

room grossly exceeds the safety standards we allow in laboratories. I don't mean that 35 to 50 ppm CO should be ignored, but that many of us subject ourselves to CO concentrations that are greater than those of our worst-polluted cities, without any catastrophic effects."

The examples I have cited are paralleled by similar ones regarding pesticides. There is no evidence that Amitrol has increased cancer following over 20 years of intensive use, yet it is still restricted for many uses. The same is true for 24D and 245T, yet they are still under fire. The evidence for continued use of DDT far outweighs that against it, as is true for Chlordane, Aldrin, Dieldrin and Heptachlor. For years EPA has conducted an excellent nationwide monitoring program that has failed to reveal significant pesticide problems. Despite these data, EPA pursues the same blind cause of attempting to destroy the use of these various products.

Obviously it is time for a change and there are some indications that we may be moving back to a more balanced approach. On November 27 President Ford issued an executive order which can briefly be summarized as follows: He directed that all legislative proposals, regulations and rules coming from the executive branch contain a statement which prefaces that the inflationary impact of such actions on the nation has been carefully considered. The Department of Labor, OSHA, and EPA are not included. A Federal Appeals Court recently ruled against an EPA requirement that the nation's oil companies reduce the amount of lead in gasoline by January 1, 1977.

The Food and Drug Administration acknowledged recently that there is no

way to get rid of all the poisonous and deleterious substances in food and there are limits to how much their levels can be reduced without disrupting the food supply. With that, the FDA published proposed regulations in the Federal Register that would set small tolerance levels for lead in evaporated milk, mercury in fish and Aflatoxin in peanuts, corn and other grains. Last week Russel Train admitted that the catalytic correctors on automobiles were causing problems.

The examples cited are a promising start, but many more changes are needed before industrial products, including pesticides, are again viewed in an objective manner. Methods for moderating EPA must be developed. More authority must be returned to the States. The authority of the regions should be reduced. In the meantime, we who are engaged in mosquito control must learn to conserve our resources for truly important areas and critical situations. Pest management will be more important than ever before.

#### *Literature Cited*

- Hilton, James G., et al. 1971. Report of the DDT Advisory Committee (Appointed by the Administrator, U. S. Environmental Protection Agency).
- Sweeney, Edmund M. 1972. Consolidated DDT Hearings, U. S. EPA, Hearing Examiner's Recommended Findings, Conclusions and Orders, April 25, 1972.
- McKetta, John J. 1974. "Beware of the Environmentalists Who Cry Wolf Too Often." Speech delivered to meeting of American Institute of Chemical Engineers in San Francisco, California.
- Anonymous. Pesticides Enforcement Division (USEPA). 1975. Pesticide Programs Regional Operational Guidance of FY 1976 (Draft).
- Kristol, Irving. 1974. The Environmentalist Crusade. The Wall Street Journal, December 16.



President Robert M. Altman chats with President-Elect Harold C. Chapman at the Atlantic City meeting.