

In some areas, no herbicide had been used for three or four years, but people still blamed it for every disease problem of both man and animal that appeared since then. Vietnamese physicians and veterinarians with good disease diagnostic training rarely if ever see herbicide toxicity.

Although most of the National Academy of Science report is no doubt true, I do seriously doubt the claim on herbicide toxicity and will continue to do so until more scientific evidence is present.

**Stephene E. Dille, D.V.M.**  
University of Minnesota  
St. Paul

The comments in Dr. Dille's letter are most timely in that they represent additional support for the decision by the United States Environmental Protection Agency which permits continued label registration and use of 2,4,5-T-containing herbicides for control of undesirable vegetation.

*Industrial Products Department  
Amchem Products, Inc.  
Amchem, Pennsylvania*

---

## **LABELING AND RESTRICTED PESTICIDES<sup>1</sup>**

by **Henry B. Pratt**

While we are experiencing shortages of toxicants and pesticide formulation components, we are not short of regulations. Our benevolent public servants have worked diligently to protect the environment, the consumers, their jobs, and to keep the industry well stocked with laws, regulations, and interpretations of regulations!

The Federal Environmental Pesticide Control Act of 1972, which is an amendment to the Federal Insecticide, Fungicide and Rodenticide Act, has some 27 Sections. The EPA's promulgation of regulations interpreting the 27 Sections of the Law has required a great deal of industry's time and expertise since the Law now encompasses the users and handlers of pesticides. Many trade groups, such as the National Pest Control Association, have also contributed constructive criticism on the various drafts of the regulations. The ISTC Pesticide Committee, headed by Hyland Johns, has participated in your behalf.

The classification of all pesticide formulations is scheduled to become effective October 21, 1974. However, it now appears that a final classification system, or standards, might become law by that date and the actual assigning of classification category for each label registration will follow over a period of time.

Many of you are now operating in states that require permits for purchasing those materials which the State has declared restricted. Some of you operate in states requiring testing for such permits or licenses. This testing will become more formalized and, we hope, more standardized. The same is true of the lists of restricted pesticides, although most states will be far more restrictive on formulations than the Federal Government. Section 3 of the new Act deals with registration of pesticide labels, the criteria for classification, the data required for the registration of new products, and the continued registration of old products.

The efficacy and toxicity data required on each formulation as the regulation is now proposed would dry up all pesticides registered for anything other than corn, cotton, and soybeans.

From an economic necessity, new pesticide materials are screened and developed by a few basic agricultural chemical companies. The material must have large-volume potential use to warrant the costs of developing production techniques, toxicology and efficacy data, residue studies, and environmental studies. Most of the materials you use today were developed for crop or agricultural commodity uses. Efficacy data and phytotoxicity data were

---

1. Paper presented at the 50th International Shade Tree Conference in Atlanta, Georgia, August 18-22, 1974.

expanded or extrapolated from the agriculture work to cover the uses of the nonagriculture field.

The extent of the physical, chemical, and toxicological test data required for each product with limited extrapolation from the basic data will certainly drastically reduce research and development for nonagriculture uses.

This research and development deterrent is further magnified by the proposed regulations on experimental use permits. These proposals, covered in Section 5, have been vehemently criticized by both industry and the state extension services. Hopefully, the final regulations will be scientifically meaningful rather than environmentalist pacifiers.

Related to these restrictions that will limit or reduce the products *labeled* for turf and shade tree uses is the statement that is presently on newer labels and that must appear on all labels according to Section 3, "It is a violation of Federal Law to use this product in a manner inconsistent with its labeling."

There will be thousands of uses of pesticides that are not covered by any federally approved label. All insects and diseases on the thousands of host plants can never be covered. All weeds are not specifically named on each herbicide. Yet, for using pesticides and herbicides not so labeled, even on nonfood crops where there is no residue problem, you are in violation of the federal law if you use a product inconsistent with the label on that product.

This problem has been consistently presented to EPA personnel at all levels by Land Grant Colleges, State Extension Services, the Farm Bureau, trade associations such as the National Pest Control Association, National Agricultural Chemicals Association, American Association of Pesticide Control Officials, and others.

EPA always says that it is aware of the problem and the EPA is working with the USDA to minimize minor crop registration problems. Nothing is ever said, or put into writing, that similar insects on similar host plants in similar environments to those named on a label may be legally controlled with the same product.

The structural pest control industry has requested that the administrator provide an interpretation that a pesticide, which is registered for use against a named pest or pest group within, under or in a building or other structure, may be used in the same manner against other pests occurring in the same location as the named pests and that such does not constitute use inconsistent with the label as defined in Section 12(a) (2) (g).

I believe it would be helpful for this Association to draft a similar request as it would apply to shade trees, ornamentals, flowers, and turf, and to the application of industrial herbicides.

Some optimist in our industry felt that this year's gasoline shortage had seriously damaged the credibility of the environmentalists. Thus, their influence in regulatory and legislative activities would be weakened.

Unfortunately, this has not happened. Long Island, New York has been plagued with an unusually heavy infestation of ticks. The news media even touched lightly on the relation of the tick population and Rocky Mountain spotted fever, yet environmentalists influenced the cancellation of a diazinon control program. This is but an example.

Environmentalists are still actively participating in a influencing surveys, hearings, public relations programs, etc. These surveys, hearings, and programs greatly influence the politicians and the bureaucrats who promulgate the laws and regulations the pesticide formulators and users have to live with.

As individual businessmen and as members of trade associations, you must know what is going on in your communities that will affect you. Then you must be sure that your side is heard by the authorities.

You have heard or read about the study that showed the greatest cause of pesticide pollution was from suburban use, and not the farm use, of agricultural chemicals. When we consider the vast acreage of farm land treated with pesticides and compare that area to the nonfarm suburban areas, most of which are never treated, it seems that the conclusion of the quoted report must be misleading.

But this controversy of agricultural and non-agricultural use of pesticides and which is the worst polluter is a continuing question in EPA and other regulatory bodies.

In 1972 the Office of Water Programs of the Environmental Protection Agency published a report of a survey made on the use of pesticides in suburban homes and gardens and their impact on aquatic environment. By making detailed studies of the uses of pesticides in Dallas, Texas; Lansing, Michigan; and Philadelphia, Pennsylvania; the researchers made some projections and observations on how the estimated annual 500 million pounds of pesticides are applied for noncrop uses.

This report did not try to make good guys or bad guys out of anyone but it makes interesting reading. It is so inconclusive that, like all good government projects, it is leading to another.

A research group known as Consad is about to

make a survey on the nonagriculture uses of pesticides. Pesticides used by commercial spraymen, city, county, and state agencies certainly will be counted. Dr. Herb Cole of Penn State is a consultant on the contracted EPA grant.

EPA is directed to make continuing studies on pesticide uses in accordance with the Federal Environmental Pesticide Control Act. These studies and other government agency reports directly affect pesticide legislation and regulations.

The International Shade Tree Conference and all its Chapters should actively seek the opportunities to participate in the formation of these reports.

*B.G. Pratt Division  
Gabriel Chemicals Ltd.  
Paterson, New Jersey*

# Lifting?



**Right way**



**Wrong way**



INDUSTRIAL COMMISSION OF OHIO ■ DIVISION OF SAFETY AND HYGIENE

Also courtesy Ohio Chapter ISTC