

The American Mosquito Control Association (AMCA) has reviewed **Pesticides; Implementation of Globally Harmonized System;** docket identification (ID) number OPP-2004-0205 and is pleased to submit the following comments:

1. GHS label changes should be integrated into registration process. A question arises as to whether existing labels will need immediate revision or will GHS be folded into the reregistration process. If immediate revision is required, costs to registrants may be excessive. How will the EPA determine which GHS classification criteria it will adopt?
2. Changes to existing labels to comport with GHS will be binding. If EPA disagrees with proposed aquatic testing protocols, can the Agency opt out of the labeling revision entirely?
3. GHS pictograms of dead fish/tree are unduly emotive and serve no compelling purpose. If pictograms are meant to provide useful information to end-users either unwilling or incapable of reading the label, then the entire label becomes moot. The red border on the pictogram is emotive by design. It would seem that the emotive nature of the pictograms would serve as a red flag to activist groups seeking to portray pesticides in the most negative light.
4. How do the proposed label changes from the recent **DRAFT PESTICIDE REGISTRATION (PR) NOTICE 2004 -XX** "Labeling Statements on Products Used for Adult Mosquito Control" dovetail with the GHS proposal? The hazard statements, in particular, are problematic.
5. Re-application intervals proposed in the recent label change draft may potentially conflict with hazard criteria.
6. If the GHS label criteria change in the future, US registrants may be required to comply to meet the binding requirements of harmonization unless there are provisions to obviate. If EPA is required to comply with incremental and shifting classification priorities that may be part of the "building block" process once the Agency has opted for inclusion into the GHS system, US registrants may ultimately be placed in untenable positions unforeseen at the outset. The extent to which signatories (EPA) must comply with GHS specifications is unclear. AMCA's reading is that EPA need not expand the scope of its requirements to comply with all elements of GHS. How will this scope be determined?
7. What GHS classification will be given to products with oral/dermal LD50's above 5000, given that the maximum GHS classification of Category 5 does not address this? Do products less toxic than that receive any classification at all?
8. The GHS system uses "Danger" w/skull and crossbones for products up to 300 LD50 as opposed to OPP designation of 50 LD50 as the "Danger" threshold. Changing to the GHS system effectively classifies more products as "extremely toxic". This could be used by anti-pesticide activists to attack the use of products

such as Naled. If the toxicity profiles of a product are significantly different for differing routes of exposure, which LD50 will be used to establish the hazard? AMCA cannot understand why the use of “Danger” w/skull and crossbones need apply to more than one category (Category 1-3). In addition, it is unclear of the purpose underlying the inclusion of 3 separate categories under the same symbol. In light of this grouping, there is a question as to what purpose the extra categories serve. There should be a more consistent coupling of category with signal word if they are to convey meaningful information.

9. Would the GHS designation of “Warning” for skin irritants regardless of degree preempt current OPP use of “Caution” for moderate irritants? The GHS use of “Warning” w/exclamation point to designate skin sensitizers appears to go much further than current OPP policies and doesn’t appear to serve a useful purpose.
10. Separate GHS categories for acute or chronic aquatic toxicity are confusing and don’t appear to shed light on potential harm to aquatic biota. The use of separate categories would seem to imply an additive risk element for those chronic toxins as opposed to short-lived acute exposures. This classification makes little sense except within a risk management paradigm.
11. Considering that the GHS is not meant to address risk, do current label hazard statements regarding actual use of the product become moot or are they still in effect if GHS is adopted?
12. When will the rulemaking take effect if accepted?

Thank you for the opportunity to comment on **Pesticides; Implementation of Globally Harmonized System**. Our membership feels that implementation of the labeling measures recommended herein to be fully consistent with our respective missions of promoting public and environmental health.

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