

# **New Limits on Pesticide Uses Will Protect Salmon**

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## **FOR IMMEDIATE RELEASE**

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**WASHINGTON** – EPA has announced plans to place additional limitations on the use of three organophosphate pesticides — chlorpyrifos, diazinon and malathion — to protect endangered and threatened salmon and steelhead in California, Idaho, Oregon and Washington.

Anticipated changes to product labels include the addition of pesticide buffer zones; application limitations based on wind speed, soil moisture and weather conditions; and fish mortality incident reporting requirements. New, enforceable labels could be available as early as the 2010 spring growing season.

“These limitations, developed as a result of the Endangered Species Act formal consultation process, will protect Pacific salmon and steelhead while providing for appropriate pesticide use,” said Steve Owens, assistant administrator for EPA’s Office of Prevention, Pesticides and Toxic Substances. “These new limits are especially significant because they mark the first time that EPA and National Marine Fisheries Service (NMFS) have completed the consultation process under the Endangered Species Act in more than 20 years. This is a major step forward for both EPA and NMFS in meeting the requirements of the law. This process has been broken for too long.”

The limitations will apply to surface waters encompassing each of 28 salmon and steelhead species in the four states. EPA plans to work with NMFS to design a monitoring study assessing the effectiveness of these protections. The agency also will seek to require manufacturers to fund and carry out the monitoring study.

Chlorpyrifos, diazinon and malathion – whose primary manufacturers are Dow Chemical Company, Cheminova, and Makhteshim Agan of North America, respectively – are currently registered for use on a number of agricultural and non-agricultural sites.

EPA is requesting the manufacturers to voluntarily adopt the new limitations on labeling for these pesticides. If the manufacturers decline this request, EPA will pursue regulatory action to impose the limitations.

The Endangered Species Act requires EPA to ensure that a pesticide is not likely to jeopardize endangered or threatened species, or to adversely affect the species' habitat. If EPA determines that a pesticide may affect listed species or critical habitat, the agency must consult with the National Marine Fisheries Service or the U.S. Fish and Wildlife Service.

The new use limitations are the result of consultations that EPA initiated with the National Marine Fisheries Service in 2002, 2003, and 2004, and will replace interim limitations put in place by the U.S. District Court for the Western District of Washington in 2004. Under the Obama Administration, EPA and NMFS are currently in discussions about ways to accelerate the consultation process and make it more efficient.