

## Curbing the EPA

*A legislative update from  
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Recent developments in the House of Representatives indicate that Congress has not waited for the President-elect to take office before exercising the November mandate. On Dec. 4, Congress passed a bill which gives it the right to veto future federal pesticide regulations, and also provides for new scientific review procedures for use by government regulators.

The bill, H.R. 7018, was approved in the House by a 334 to 13 margin shortly after its approval in the Senate, and now only needs President Carter's signature to become law. H.R. 7018 extends authority for appropriations to carry out the Environmental Protection Agency's (EPA) pesticide-control programs through Sep. 30, 1981. The bill also provides for a two-house congressional veto of EPA regulations dealing with pesticides and further directs EPA to set up formal procedures for "peer review" by independent scientists on major scientific studies used as the basis for EPA regulatory actions.

The bill, with its key riders, was sponsored in the House by Rep. Kika de la Garza (D-Tex.) and Rep. William C. Wampler (R-Va.). "The House action means that we will finally be putting into effect the recommendations of the National Academy of Sciences and the General Accounting Office for independent scientific peer review in cases involving changes in pesticide regulations," Wampler stated. "Such reviews have not previously been required in all cases, and the change will lead to improved decisions."

Wampler is the ranking Republican on the House Agriculture Committee, and is expected to play a leading role on agricultural and environmental matters next year.

### Science for agriculture

In February Representative Wampler will reintroduce his "National Science Council Act," according to an aide. The bill, on which Wampler hopes to set hearings in March, calls for the establishment of a National Council of distinguished scientists to "decide questions of scientific fact which arise in agency adjudications involving restricting the use of certain substances. . . ." The Food and Drug Administration's ban

on the use of diethylstilbestrol (DES) in livestock is a case in point. The FDA falsely based its ban on findings that the daughters of women who had used DES contracted vaginal cancer. However, as agricultural experts note, DES is nonresidual in the tissue of livestock.

The Council, to be established within the federal Office of Science and Technology Policy, would have absolute authority in disputed matters, and is aimed at putting regulatory decisions on a uniform and consistent scientific footing.

In recent years the EPA has come under severe criticism by consumers, scientists, and industry. The "guilty until proven innocent" policy of the EPA has drastically increased the cost of developing and producing new, safe chemicals for use in agriculture and elsewhere.

At the same time, the banning of various chemical substances has followed no rigorous methodology. In fact, many observers contend that if there has been any consistency at all to the whole process, it has been consistently bad.

### EPA blunders

Two of the best examples of the miscarriage of the EPA's regulatory process are the banning of the chemicals 2,4,5-T and the more infamous case of DDT. The herbicide 2,4,5-T has been used for over 30 years with an unexcelled safety record.

On March 1, 1979, the EPA issued a ban on several uses of the chemical. The EPA now admits that the evidence upon which the ban is based is invalid, but has refused to rescind it, and, in fact, is holding hearings on making it total. It is estimated by the U.S. Department of Agriculture that the ban could reduce rice yields by as much as 40 percent.

The 1972 DDT ban was even more reckless, and, as EPA chief William Ruckelshaus admitted privately at the time, totally political—not based on science. "I am told that when EPA personnel briefed the U.S. Senate Agriculture Committee staff on the DDT cancellation," said Mississippi State Agriculture Commissioner Jim Buck Ross at a meeting of the Southern Legislative Conference for the Council of State Governments in Washington last week, "it was justified by a dead fish in a Louisiana bayou that had some DDT in its fatty tissue. When I asked if the DDT had killed the fish, they did not know, but assumed it had because it was present."

As Ross pointed out in emphasizing the urgency of putting science in control of EPA decision-making, DDT not only prevented malaria but it was the most effective insecticide for the control of the boll weevil and boll worms in cotton, and is still being used safely in almost every other part of the world.