UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In re FIFRA Section 3(c)(2)(B) Notice of Intent to Suspend Dimethyl Tetrachloroterephthalate (DCPA) Technical Registration	)	
AMVAC Chemical Corporation; Grower-Shipper Association of Central California; J&D Produce; Ratto Bros., Inc.; and Huntington Farms, Petitioners.	)	**Docket No. FIFRA-HQ-2022-0002**

VERIFIED WRITTEN STATEMENT OF AMVAC FACT WITNESS JON C. WOOD

January 9, 2023

I, Jon C. Wood, declare and state as follows:

1. The following statements are true and correct to the best of my knowledge and belief and are based on my personal knowledge.

Background and Curriculum Vitae

2. I received a Bachelor of Science degree in Zoology in 1980 from California State University, Long Beach and a Master of Business Administration in 1994 from California State Polytechnic University, Pomona.

3. Prior to joining AMVAC Chemical Corp ("AMVAC,"), from 1980 to 1995, I worked for the Union Oil Company of California ("UNOCAL") in the Agricultural Research Group. During my employment with UNOCAL, I was promoted from a Chemical Research Technician, to a Quality Assurance Manager, to a Senior Research Scientist while serving as the company's Registration Manager from 1987 to 1995. Following my employment with UNOCAL, from May 1995 to May 1996, I worked as a Registration Manager for the agricultural chemical company ENTEK International. From May 1996 to February 1998, I worked as an Independent Contract Consultant specializing in federal and state pesticide registrations.

4. I worked at AMVAC from 1998 to 2022. From 1998 to 2012, I worked as a Regulatory Manager for the company. From 2012 to 2016, I served as AMVAC's Director of Registrations. Most recently, from 2016 to 2022, I worked as AMVAC's Senior Regulatory Product Manager.

5. In these roles, I worked in the research, development, and registration management of agricultural chemicals (mostly crop protection products) for over forty years. This work included the successful navigation of the U.S. Environmental Protection Agency's ("EPA") Reregistration and Registration Review programs for several chemicals including

Dimethyl Tetrachloroterephthalate ("DCPA").

6. In my roles as AMVAC's Director of Registrations and Senior Regulatory Manager, I was directly involved in AMVAC's response to the Data-Call In ("DCI") that is the subject of the Notice of Intent to Suspend ("NOITS") AMVAC's DCPA Technical Registration received by AMVAC on April 27, 2022 that is the subject of the proceeding.

7. Specifically, in September 2016, I replaced Julie Porter of AMVAC as the primary AMVAC employee interfacing with EPA on the DCPA DCI response. In that role, I was directly involved in work and communications relating to the AMVAC Residue and Field Accumulations Studies as discussed below, as well as the rest of the response to the DCI.

8. I retired from AMVAC in April 2022.

The Residue and Field Accumulations Studies

9. AMVAC worked closely with EPA to develop label amendments for DCPA that would obviate the need for certain studies discussed in this section (Guidelines 860.1300, 860.1340, 860.1480, and 860.1900).

10. Interactions with EPA related to these studies prior to those described below are set forth in the witness statement of my former colleague Julie Porter.

11. AMVAC submitted these proposed label amendments beginning in 2017, and all amendments were submitted by May of 2019, as set forth in more detail below. I understand that EPA has been reviewing these proposed label amendments since they were submitted.

12. On February 17, 2015, EPA's Office of Pesticide Programs, Health Effects Division ("HED") drafted a written response to AMVAC's position concerning the 860.1900 data requirement. Joint Exhibit ("JX") 32.

13. AMVAC, however, did not receive the February 17, 2015, HED response

document, JX 32, until March 27, 2017 when HED transmitted the document to AMVAC via email. JX 36.

14. In the February 17, 2015, HED response document, HED concluded that specific crop rotational restrictions are appropriate and that rotation to a crop with an established tolerance for residues of DCPA could be permitted with a minimum plant-back interval ("PBI") of 8 months. According to HED, rotation to any other crop could not be permitted. HED concluded that all labels for DCPA use on agricultural crops should be modified to reflect the specific identified rotational crop restrictions. Further, HED stated that if the described label modifications were made, additional field rotational crop data would not be needed, and the 860.1900 data requirement would be considered fulfilled. JX 32.

15. On March 17, 2017, AMVAC and EPA met on a teleconference to discuss the status of the DCPA DCI.

16. On March 17, 2017 and March 27, 2017, EPA emailed AMVAC two summaries and sets of action items resulting from the March 17, 2017, call. JX 33 (attachment to JX 34); JX 35 (attachment to JX 36).

17. The March 27, 2017, email (JX 36) also provided three EPA response documents (dated March 21, 2014; February 17, 2015; and June 27, 2016) (JX 37-39) that had not previously been sent to AMVAC.

18. The March 17, 2017, and March 27, 2017, emails and accompanying documents (JX 33-39) indicate that EPA had outstanding action items at this time related to the AMVAC Residue and Field Accumulations Studies.

19. On April 7, 2017, Jordan Page, Chemical Review Manager with the Pesticide Re-Evaluation Division ("PRD"), followed up with AMVAC regarding the March 17, 2017, call.

Page requested clarification concerning the timetable for AMVAC's submission of certain label amendments and usage data. Page also set out the conditions that EPA asserted would have to be met to support waiver requests for the Guideline 860.1300, 860.1340, and 860.1480 data requirements. JX 40.

20. On May 10, 2017, AMVAC submitted revised DCPA label language to address HED's required use terminations. JX 41.

21. On May 19, 2017, AMVAC and EPA held a phone conference to further discuss EPA's requested changes to the label amendments and exchanged related correspondence. JX 42.

22. Immediately following the phone conference held between AMVAC and EPA on May 19, 2017, AMVAC emailed EPA a revised proposed label for DCPA Technical. JX 43 (email); JX 44 (attachment).

23. On June 8, 2017, AMVAC submitted amended DCPA end use product ("EUP") labels to address EPA comments. JX 45.

24. On May 23, 2019, AMVAC resubmitted the amended DCPA Technical label to address EPA comments. JX 46.

25. On October 16, 2020, PRD Director Elissa Reaves corresponded with AMVAC concerning the status of the DCI data requirements. JX 21.

26. The October 16, 2020, correspondence from Reaves stated that in regard to the Guideline 860.1300, 860.1340, 860.1480, and 860.1900 data requirements, the "Study Status" was "In review" and that "label amendments [have been] submitted to satisfy [the requirements]." JX 21. This communication addressed the status of all data requirements that EPA stated were outstanding at that time.

27. I provided an acknowledgement and a response as requested, after requesting (and

receiving) a minor extension of the 30-day time limit for a response. JX 22 (response); PAX 38 (email concerning extension).

28. On February 1, 2021, PRD wrote AMVAC and stated that EPA had questions regarding specific use parameters for DCPA. JX 47.

29. On February 9, 2021, AMVAC provided information to EPA addressing EPA's February 1, 2021, questions regarding DCPA use patterns. JX 47 (email); JX 48 (attachment).

30. On March 8, 2021, the EPA Environmental Fate and Effects Division ("EFED") posed several follow-up questions regarding AMVAC's DCPA use pattern information. EPA asked whether AMVAC would be willing (1) to commit to putting maximum annual use rates on the DCPA label and (2) for use on ornamentals, to clarify the number of applications per year and the total amount of active ingredient applied per acre per year. JX 47.

31. On March 23, 2021, AMVAC responded to EPA's March 8, 2021 questions by stating that the revised label amendments that AMVAC submitted to the EPA Registration Division ("RD") in 2017 and 2019 should be sufficient to address the maximum use restrictions proposed by EPA in its March 8, 2021, email. JX 47.

32. On March 24, 2021, EPA acknowledged receipt of AMVAC's March 23, 2021 response. JX 47.

33. On March 23, 2022, Jill Bloom from PRD contacted AMVAC by phone to request copies of submission documents for AMVAC's applications to amend DCPA EUP labels.

34. On March 25, 2022, in response to the March 23, 2022, call, AMVAC provided PRD with a compilation of prior correspondence concerning AMVAC's EUP DCPA label amendment requests that demonstrate that AMVAC had requested amendments to the relevant

EUP labels to address all concerns previously identified by EPA. JX 50 (email); Petitioner AMVAC Exhibit ("PAX") 37 (attachments).

35. With respect to guideline study data requirements 860.1300, 860.1340, 860.1480, and 860.1900, AMVAC made numerous revisions and submissions of DCPA labels to address all questions, concerns, and requirements outlined by EPA. These submissions have been under review by EPA since 2017, and AMVAC had timely responded to EPA's comments and requests with additional information when requested, as outlined above.

36. EPA's statement in the NOITS that "AMVAC has neither submitted data to satisfy [these data requirements] nor amended its product labels," JX 1 at 18-22, misses the point with regard to the discussions between AMVAC and EPA concerning the need for these studies. AMVAC has been waiting on EPA for several years to confirm that *proposed* label amendments are acceptable and will obviate the need for the studies. The proposed label amendments were prepared by AMVAC following direction from EPA with intent to address the need for the studies and have been under review by EPA for 3-5 years.

I, Jon C. Wood, declare under penalty of perjury under the laws of the United States that the statements contained in the written statement above are true and correct to the best of my knowledge. Executed this 9th day of January, 2023.

/s/ *Jon C. Wood*
Jon C. Wood

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Verified Written Statement of AMVAC Fact Witness Jon C. Wood**, was served on the following parties today, January 9, 2023, as indicated below.

/s/ *Hume M. Ross*
Hume M. Ross

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