



January 31, 2007

Linda Irokawa-Otani  
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CA Department of Pesticide Regulation

**Re: DPR's proposal to designate sulfuryl fluoride as a toxic air contaminant (TAC).**

Fluoride Action Network (FAN) and Beyond Pesticides appreciate the opportunity to comment on the proposed rule concerning sulfuryl fluoride. While FAN and Beyond Pesticides are in favor of the proposal to list sulfuryl fluoride as a toxic air contaminant (TAC), we are concerned that there are no controls or 'teeth' attached to the TAC designation, and that it will be business as usual. In fact, we are surprised that sulfuryl fluoride is still approved for any use. Consider the following comments on sulfuryl fluoride:

- Sulfuryl fluoride is acutely toxic. In March 2005, Linh Da Williams, a mother of five children, died from a Vikane® fumigation in San Diego, California. In the documents prepared for the TAC designation, only the incident reports for 1999-2004 fumigations were included. Thus, the pesticide poisoning death of Linh Da Williams was not included in the TAC documents. While other deaths have been reported from fumigations using sulfuryl fluoride, there is no national registry for either incident/accident/or deaths. See [FAN's compilation of deaths](#) that we submitted to USEPA in December 2005. U.S. data that is not available or accessible to the public includes:
  - The number of human deaths as a result of fumigation with Vikane® in the U.S.
  - The number of people who became sick, but didn't die, from exposure to sulfuryl fluoride.
- On January 11, 2007, the California Department of Pesticide Regulation issued this press release: [DPR AIMS FOR ZERO MAJOR INCIDENTS](#). We recommend that the state ban the use of the highly toxic sulfuryl fluoride because it is inevitable that many "incidents" and more deaths will occur.
- In its health risk assessment, performed for the TAC process, risks were only assessed for exposure to Vikane® (non-food fumigant), and no assessment was performed for ProFume®, the sulfuryl fluoride fumigant used on food.

- Use of sulfuryl fluoride is unnecessary, as less toxic alternatives exist and are effective. Heat treatments and liquid nitrogen are effective in controlling termites and carpenter ants that have minimum and maximum temperature thresholds beyond which they cannot survive. Electrical current technology, such as Electrogun, can be used to kill insects that nest in the walls of a structure. Additionally, boric acid, diatomaceous earth, and silica aerogels offer less toxic pesticide alternatives.
- Fumigation workers need better protection in using Vikane® and ProFume®.
  - The permissible exposure limit for the worker to 5 ppm sulfuryl fluoride is too high and it should be reduced to 1 ppm.
  - The U.S. EPA and DPR should require short-term follow-up with workers using sulfuryl fluoride that include testing for fluoride levels in their blood and urine prior to, and directly after, a fumigation job.
  - The U.S. EPA and DPR should require long-term follow-up with workers involved in sulfuryl fluoride fumigation that include tests for cognitive, respiratory, and kidney function.
  - The U.S. EPA and DPR should require a health care funding mechanism that would pay for all workers that suffer short and long-term adverse health effects.

In summary, while Beyond Pesticides and FAN thank California DPR for taking action and listing sulfuryl fluoride as a TAC, we ask that DPR ban the use of the highly toxic fumigant sulfuryl fluoride.

Sincerely,

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