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How Scientifically Unjustified EPA Action on Dioxin Will Impact Ag Production and Processing

EPA's draft dioxin risk reassessment has pended within the agency for over 30 years. Consistently, each draft produced by the agency has been found to be deficient in contemporary science.

In 2004-2006, USDA, FDA and EPA, operating through a White House Interagency Working Group, contracted with the National Academy of Sciences (NAS) for a full review of the draft reassessment. That review found a lack of contemporary science and the use of an inappropriate risk exposure model. EPA is now required to respond to the NAS recommendations and the agency's draft response and contemplated action on the overall draft reassessment is before the EPA's Science Advisory Board (SAB).

The Food Industry Dioxin Working Group is concerned that if EPA's draft dioxin risk reassessment is published in its current flawed form, the reassessment will be accompanied by a repetition of erroneous agency statements about alleged risks of foodborne contamination that are unsupported by facts. These statements will create consumer concerns unless FDA and USDA take extraordinary steps to reassure the public of the safety of the food supply.

Consider the following:

- There has been a 90% reduction in dioxin exposure in the environment since the 1980s, corroborated by results of USDA/FSIS and FDA testing. FSIS and FDA sampling and testing found extremely low or zero dioxin levels in meat, poultry, animal feed or feed ingredients, and only sporadic presence of dioxin-related compounds.

- Scientifically unjustified EPA actions on the draft dioxin reassessment could negatively impact food and agriculture production, product availability and consumer food prices. Given dioxin is an air-borne contaminant, it can be present at inconsequential risk levels on food/feed crops and grasses, including grains, oilseeds, fruits, vegetables and other products. While EPA states the most common pathway of human exposure is through diet, particularly consumption of meat, poultry, dairy and eggs, the Agency fails to point out that internationally recognized scientific data (including FDA and FSIS testing) clearly show dramatic decreases in dioxin levels in foods similar to environmental level reductions. And in the case of feed and feed ingredients, FDA has ceased sampling for dioxin because of these reductions.

- If, despite flawed science and ongoing scientific debate, EPA categorizes dioxin as a "known carcinogen," USDA and FDA will be required by various federal mandates to review the report and potentially implement "remediation" steps, forcing them to effectively attempt to prove a negative. We are also concerned about EPA's lack of understanding of production agriculture and processing; the agency previously suggested to our coalition that "planting crops less likely to take up dioxin" or "harvesting after a rainfall" as potential remediation actions. Both of these notions are totally impractical and unnecessary based upon risk. FDA previously suggested actions it might take include ending animal byproduct use in feeds and routine crop/ingredient/feed/roughage testing, etc. Such actions are not supported by contemporary science and ignore the cost/benefit of consuming reasonable amounts of animal products as part of a healthy daily diet.

- Foreign trade would be affected adversely. Because the contemplated EPA standard is far below the standard endorsed by the WHO, and regulatory levels in the EU, U.S. import requirements could lead to restrictions on imports that are not supported by science from recognized world health authorities. That, in turn, could set off possible trade wars.

- The impact of a flawed EPA dioxin risk reassessment also could have direct impact on farmers and ranchers, potentially requiring periodic – and expensive – soil testing as a possible remediation step.