

**ISSUE:** Appropriate methodology is needed to assess the risk of potential pesticide exposure to threatened and endangered species from the use of public health pesticides for mosquito control.

**Background:** The Endangered Species Act (ESA) is intended to protect and recover imperiled species and their critical habitats. However, its implementation can affect the ability of mosquito control programs to protect people and other animals, including wildlife, from mosquitoes that can adversely impact their health and welfare.

When initially registering a pesticide, the U.S. Environmental Protection Agency (EPA) conducts a comprehensive risk assessment of a pesticide's potential environmental and ecological effects, including effects on non-target organisms. Public health pesticides used in mosquito control are being subjected to ESA evaluations that rely on models and assumptions that are based on agricultural and forestry uses of a pesticide, *not* mosquito control uses. The current models are exaggerating the potential exposure from mosquito control applications which leads to ESA evaluations that can overstate the risks to listed species. The distortion of ESA evaluations has cascading consequences throughout the regulatory chain because they can result in the EPA determining that a mosquito control material can "adversely affect" a listed species. When it is determined a species may be adversely affected, the ESA evaluation is passed on to the US Fish & Wildlife Service and/or the National Marine Fisheries Service, who are charged with developing label recommendations to protect the species. Based on the EPA's flawed evaluation, the Services may issue excessively restrictive label conditions for the EPA to implement in its pesticide review process. Those conditions could either eliminate or limit the use of a pesticide in such a way that it is no longer viable for use in a mosquito control program.

**Discussion:** It is fully recognized that the EPA needs to determine whether pesticide use can adversely affect endangered and threatened species. However, in carrying out that review, the EPA should use the best available data and develop the appropriate methodology that reliably assesses the potential risk to the species. The EPA cannot rely on methodology and assumptions that may be applicable for evaluating agricultural uses of a chemical. Agricultural uses far exceed the amount of product employed for mosquito control. **EPA, in consultation with mosquito control representatives, needs to invest the time, personnel, and resources necessary to create reliable ESA models that reflect a pesticide's use in a mosquito control program.** This can help ensure outcomes that are protective of species and public health.

**NEEDED  
ACTION:**

**The FIFRA Interagency Working Group should be encouraged by Congress to assist the EPA in the development of appropriate ESA models for mosquito control. EPA should be strongly encouraged to develop these models in conjunction with Public Health Registrants and Mosquito Control Program Stakeholders such as AMCA.**