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Arnika Association - Czech Republic ** Asociacion Argentina de Medicos Por el medio
Ambiente ** Associação de Consciência à Prevenção Ocupacional - Brazil
Center for International Environmental Law ** Commonweal
Environmental Health Fund ** International POPs Elimination Network
International Society of Doctors for the Environment ** Italian Society of Doctors for the
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France ** National Toxics Network - Australia ** Perzent Center **
Pesticide Action Network - Germany ** Pesticide Action Network North America
Pesticide Action Network UK ** Physicians for Social Responsibility - Kenya
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November 4, 2005

Luke Trip, Commission for Environmental Cooperation
393, rue Saint-Jacques Ouest, Bureau 200
Montréal (Québec) Canada H2Y 1N9

Dear Mr. Trip,

The undersigned 23 public interest organizations from 15 countries submit these comments in response to the draft *North American Regional Action Plan (NARAP) on Lindane and Other Hexachlorocyclohexane (HCH) Isomers*. Many of our groups are active participants in international networks of nongovernmental organizations, including Pesticide Action Network International, the International POPs Elimination Network (IPEN), and the IPEN Pesticide Working Group. Most of us have been actively involved for several years in the development, and now implementation, of the Stockholm Convention on Persistent Organic Pollutants. We are acutely aware of the international nature of the threat associated with persistent chemicals like HCH/lindane.

We support the governments of North America in their efforts to take action on HCH/lindane through the regional Action Plan process. Unfortunately, the Action Plan falls far short of taking responsible action to address the dangers of this pesticide. We applaud the Mexican government for its commitment to a rapid phase-out of all uses of lindane. We also encourage Canadian officials to resist the current corporate challenge to Canada's phase out of agricultural uses of lindane, and to move forward with a ban on the remaining pharmaceutical uses in that country.

We are appalled that the United States government will continue to support all current uses of lindane. According to the Action Plan, the U.S. uses far more lindane than its two neighboring countries combined (65-106 metric tons per year in the U.S., compared with six kilograms in Canada and 19 tons in Mexico with a commitment to phase out). The NARAP also

confirms that the U.S. is in fact considering an expansion of lindane seed treatment use with the pending registration for canola, and plans to continue allowing use of an estimated 1,000 kilograms of lindane per year in pharmaceutical products. The U.S. decision to continue and possibly expand lindane use is irresponsible. It disregards substantial evidence that lindane and the other HCH isomers have significant adverse effects on human health and ecosystems at every stage of the chemical's lifecycle.

Lindane production is an exceptionally dirty process, creating 9-12 tons of waste for every ton of lindane produced, as noted in the NARAP. The attached report from our colleagues in India ("*Lindane's Dirty Secret: Indian Facilities Dump Toxic Waste*") details the impacts of this production on local communities and the potential for international migration of the tons of waste created in lindane production. We note that while the U.S. government claims that all lindane used in the U.S. is imported from Romania, export records from India show that in 2003/2004 the U.S. imported lindane from plants in that country.ⁱ Information about the conditions of the production facility in Romania are not included in the NARAP, and while the U.S. describes plans to monitor and promote improved disposal practices production facilities in India and China, the production facility in Romania is not included in this project. We note that the company that is currently producing lindane in Romania for export to the U.S. and other countries (Inquinosa) was previously the target of protests and government action in Spain due to dirty production and irresponsible waste handling.ⁱⁱ Eliminating use of lindane in the U.S. would be an important step in reducing the problems associated with lindane production worldwide.

At the other end of the life cycle, lindane threatens the health and livelihood of communities in the Arctic region where the chemical accumulates. Lindane and its isomers are the most common contaminant in the Arctic environment, and have been measured in the blood and breastmilk of indigenous peoples in the region.ⁱⁱⁱ These threats are well documented in the NARAP itself, and disregarding this evidence by failing to take action to eliminate these risks is unacceptable.

The production and use of lindane and the migration of the pesticide and its isomers means that HCH is a global threat to human health and the environment. The most recent data from the U.S. Centers for Disease Control found beta-HCH in the blood of more than half of the subjects sampled, with the highest levels found among women of childbearing age.^{iv} IPEN partner groups recently conducted a global study of persistent chemicals in free-range chicken eggs in 17 countries around the world. This survey found lindane and beta-HCH in all 30 samples taken, with particularly high levels in India and Senegal.^v These are just two of the many existing studies documenting HCH isomers in human blood and breastmilk as well as food around the world.^{vi}

As is noted in the NARAP, lindane is currently one of five candidate chemicals being considered by the Scientific Review Committee for an international phaseout under the Stockholm Convention.^{vii} Lindane is already listed under the Rotterdam Convention on Prior Informed Consent^{viii} and the Long Range Transboundary Air Pollutants.^{ix} Lindane has been on Pesticide Action Network International's "Dirty Dozen" list of dangerous pesticides since the early 1980s, and has been banned in more than 50 countries around the world. A phaseout of

lindane in North America is long overdue and the U.S. must take advantage of the opportunity offered through the regional Action Plan process to move forward with a ban of this dangerous organochlorine pesticide.

Sincerely,

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Cc: Mr. Stephen Johnson, Administrator USEPA
Mr. Andrew Von Eschenbach, Commissioner, USFDA

ⁱ Director General of Foreign Trade (DGFT), New Delhi, 2005 as cited in *Lindane's Dirty Secret: Indian Facilities Dump Toxic Waste*, May 2005, available at <http://www.panna.org/campaigns/docsLindane/lindaneDirtySecret.pdf>.

ⁱⁱ José A. Domínguez "Inquinosa, diez años de Historia" Art. 9 Junio 1999. RedQuercus. Servicios Informativos Ambientales S.L.; Arts de Ma. Luisa Toribio. Boletín Informativo de Greenpeace España. Primavera 89, Verano,89 Otoño 89, Otoño 90, Verano 91, Heraldo de Aragón March , 04, 2003. Ma. José Villanueva articles, [ht//tpprensa.aragondigital.net](http://tpprensa.aragondigital.net) .

ⁱⁱⁱ See numerous sources cited in the draft *North American Regional Action Plan on Lindane and other Hexachlorocyclohexane (HCH) Isomers*, October 2005.

^{iv} National Center for Environmental Health, U.S. Centers for Disease Control and Prevention, Second National Report on Human Exposure to Environmental Chemicals, January 2003; and Third National Report on Human Exposure to Environmental Chemicals, July 2005, <http://www.cdc.gov/exposurereport> and see also Schafer, K.S., Reeves, M., Spitzer, S., Kegley, S.E. (2004) *Chemical Trespass: Pesticides in Our Bodies and Corporate Accountability*, Pesticide Action Network North America, www.panna.org.

^v Blake, Ann *The Next Generation of POPs: PBDEs and Lindane*, International POPs Elimination Network, April 2005. Download at <http://www.oztoxics.org/ipepweb/egg/Sampling%20Report%201.html>.

^{vi} See www.nrdc.org/breastmilk for a summary of global studies on lindane in breastmilk.

^{vii} See www.pops.int for documents supporting the addition of lindane to the Stockholm Convention target list for elimination.

^{viii} See www.pic.int.

^{ix} See <http://www.unece.org/env/lrtap/welcome.html>.