

113TH CONGRESS
1ST SESSION

H. R. 1496

To require the Administrator of the Environmental Protection Agency to withdraw the proposed order published in the January 19, 2011, Federal Register (76 Fed. Reg. 3422) pertaining to the pesticide sulfuryl fluoride.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2013

Mr. GRAVES of Georgia (for himself, Mr. SCHRADER, Mr. DUNCAN of South Carolina, Mr. BISHOP of Georgia, Mr. POE of Texas, Mr. WESTMORELAND, Mr. LAMALFA, Mr. CRAWFORD, Mr. LATTA, Mr. AUSTIN SCOTT of Georgia, Mr. SOUTHERLAND, Mr. STUTZMAN, Mr. YOHO, Mr. VALADAO, and Mr. BROUN of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Administrator of the Environmental Protection Agency to withdraw the proposed order published in the January 19, 2011, Federal Register (76 Fed. Reg. 3422) pertaining to the pesticide sulfuryl fluoride.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 The Act may be cited as the “Pest Free Food Supply
5 Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) The food and fiber supply in the United
4 States is the safest and most abundant and afford-
5 able bounty in the world due to efficient application
6 of science-based technologies through the Nation's
7 enduring heritage of farming and ranching.

8 (2) The Environmental Protection Agency
9 ("EPA") supported the transition from methyl bro-
10 mide as a fumigant for pest eradication in 2005
11 under the Montreal Protocol.

12 (3) Sulfuryl fluoride was tested and found to be
13 a safe and viable broad-spectrum post-harvest alter-
14 native to methyl bromide.

15 (4) In 2002, EPA presented the maker of sul-
16 furyl fluoride with a Stratospheric Ozone Protection
17 Award.

18 (5) Sulfuryl fluoride has evolved into the indus-
19 try standard and is critical to elimination of pest
20 contamination on foods and further processed food
21 products derived from peanuts, cotton seed, cocoa
22 beans, wheat, rice, corn, oats, oilseeds, nuts, dried
23 fruits, and many agricultural commodities.

24 (6) Sulfuryl fluoride is also an important fumi-
25 gant to control pests in various food and agricultural
26 processing facilities.

1 (7) On January 19, 2011, EPA published in
2 the Federal Register a proposed order to revoke the
3 previously approved food uses for the fumigant sul-
4 furyl fluoride.

5 (8) EPA issued the proposed order not because
6 it would have any meaningful effect on public health,
7 but because of the presence of excessively high levels
8 of naturally occurring fluoride in certain drinking
9 water systems.

10 (9) Sulfuryl fluoride is the smallest contributor
11 to total fluoride exposure, and even EPA admits
12 that “the elimination of sulfuryl fluoride does not
13 solve, or even significantly decrease, the fluoride
14 . . . exposure problems”.

15 (10) The EPA has stated that, if sulfuryl fluo-
16 ride is “phased-out from use, industry will be left
17 with few viable sanitation alternatives”.

18 **SEC. 3. DIRECT WITHDRAWAL OF JANUARY 19, 2011, FED-**
19 **ERAL REGISTER NOTICE PERTAINING TO**
20 **SULFURYL FLUORIDE.**

21 The Administrator of the Environmental Protection
22 Agency shall withdraw the proposed order published in the
23 January 19, 2011, Federal Register (76 Fed. Reg. 3422)
24 pertaining to the pesticide sulfuryl fluoride.

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