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Christine Todd Whitman, Administrator
Environmental Protection Agency
Ariel Rios Building (1101A)
1200 Pennsylvania Ave. NW
Washington, DC 20460



PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS

HEADQUARTERS
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Re: Comments on the HPV test plans for methyl 4,6,6,6-tetrachloro-3,3-dimethylhexanoate and methyl 3,3-dimethyl-4, pentenoate

Dear Administrator Whitman:

The following are comments on two test plans for the HPV program, for methyl 4,6,6,6-tetrachloro-3,3-dimethylhexanoate (CAS no. 64667-33-O) and methyl 3,3-dimethyl-4, pentenoate (CAS no. 63721-05-1), prepared by FMC Corporation. These comments are submitted on behalf of People for the Ethical Treatment of Animals, the Physicians Committee for Responsible Medicine, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These animal, health and environmental protection organizations have a combined membership of more than ten million Americans.

These test plans are absolutely unsatisfactory. They consist solely of a single sheet, with a list of the tests that are and are not proposed. Details of previous studies are provided in the summaries, but no justification is given as to which tests should be conducted. We therefore ask the EPA to require the preparation and resubmission of a complete test plan.

We must point out that FMC has submitted similarly incomplete HPV test plans on at least four occasions in the past, for methallyloxyphenol (<http://www.epa.gov/chemrtk/methyall/c13458tp.pdf>), cyclopropanecarboxylic acid 3(2,2-dichloroethenyl)-2,2-dimethyl, methyl ester (<http://www.epa.gov/chemrtk/cyclopro/c13457tp.pdf>), 2,3-dihydro-2,2-dimethyl-7-benzofuranol (<http://www.epa.gov/chemrtk/7benz/c12874tp.pdf>), and 3-chloro-2-methylpropene and 2,3-dihydro-2,2-dimethyl-7-benzofuranol (<http://www.epa.gov/chemrtk/methal/c12875tp.pdf>) and that our comments on those test plans are applicable here as well. It is therefore critical that the EPA make it clear to FMC that submission of test plans of this standard is not acceptable as it not only violates the October 1999 animal welfare agreement but is contrary to the original HPV framework agreement. Although we are of course willing to critique test plans, it is the EPA's responsibility to filter out plans that cannot be critiqued due to a complete lack of information provided.

Our final point is that the test plans propose chromosomal aberration tests. We expect and hope that these will be conducted *in vitro*, but the test plans do not state whether this is the case, and we would therefore appreciate clarification on this point.

Thank you for your attention to these comments. We can be reached via e-mail at RichardT@peta.org.

Sincerely,

Jessica Sandler, MHS
Federal Agency Liaison
People for the Ethical Treatment of Animals

Richard Thornhill, PhD
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