

THE BELL RINGER

The Newsletter of the Philadelphia Conference of the Central Atlantic States
Association of Food and Drug Officials

Winter 2008



THE PRESIDENT'S MESSAGE

I would like to begin by saying thanks to all of you for your participation in the December 5th training meeting. The Executive Board is continuing to work on providing informative training sessions and increasing membership. It is important to mention that we cannot accomplish these tasks without your participation and support. Although we are facing economic issues, CASA will continue to provide highly informative training sessions at low cost. We view it as our mission to provide valuable training opportunities.

Jack Welte, our Education Committee Chair, is always available and open to ideas for new topics. You, the members, are the backbone of our organization. We would not exist without you. We need to know your interests, ideas and concerns to assist us in the development and implementation of training sessions which cover topics that you feel are pertinent. I encourage you to take an active role in our organization.

We will continue to accept donations for those in need, at every training meeting. Pat Taylor will continue to coordinate this program.

The Annual Conference will be held in Philadelphia, beginning with the Drug Seminar Monday May 11th. The meetings begin May 12th at 8am through May 14th at noon. Our own Lynn Bonner is helping to plan the conference with Mama CASA. I encourage you to forward your ideas to her and volunteer to help.

Respectfully,
Palak Raval-Nelson, PhD, MPH



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Wanted: Environmental Fugitives/ Federal government launches first-ever environmental crimes fugitive web site

Release date: 12/10/2008

Contact Information: Mary Simms, 415-947-4270, simms.mary@epa.gov

(SAN FRANCISCO -- 12/10/2008) A new Web tool is available to enlist the public and other law enforcement agencies in tracking down fugitives accused of violating environmental laws and evading arrest.

“Putting this information on the EPA’s Web site will increase the number of ‘eyes’ looking for environmental fugitives,” said Granta Y. Nakayama, assistant administrator for EPA’s Office of Enforcement and Compliance Assurance. “Two EPA fugitives were captured this year, and this Web site could help us find more fugitives in the future.”

The Web site includes photos of the accused, summaries of their alleged environmental violations, and information on each fugitive’s last known whereabouts. The alleged violations include smuggling of ozone-depleting substances, illegally disposing of hazardous waste, discharging pollutants into the air and water, laundering money and making criminally false statements.

One of the 23 current fugitives is Mauro Valenzuela, 39, a former mechanic for Sabertech. Among his several charges, Valenzuela is alleged to have illegally transported hazardous materials on a commercial aircraft. In 1996, Valenzuela allegedly transported waste oxygen generators onboard ValuJet flight 592 without proper markings and other safety measures. The jet crashed, killing all 110 passengers and crew onboard. Valenzuela

failed to appear in federal court nine years ago.

The Web site also lists EPA’s captured fugitives. Earlier this year, EPA found two men on the run. David Allen Phillips escaped prison four years ago after being convicted of Clean Water Act crimes in Montana. He fled to Mexico, was turned over to authorities by the Mexican government last March, and awaits further sentencing. David Ortiz fled after the appeal of his conviction for Clean Water Act crimes in 2004. He remained at large for almost four years until his capture last March in Colorado and is currently in prison.

Anyone who encounters a fugitive should notify EPA by submitting the “Report a Fugitive” form on the Web site. The information will be electronically sent to EPA’s national criminal investigation office in Washington, D.C. The public may also choose to report the information to their local police or, if outside the United States, to the nearest U.S. Embassy. Some fugitives may be armed and dangerous, and EPA warns the public against trying to apprehend them.

Many of the alleged violators listed on the Web site have fled the country. EPA depends on cooperation with Interpol and other international law enforcement agencies to locate their whereabouts.

The FBI, U.S. Secret Service and the Bureau of Alcohol, Tobacco and Firearms also maintain web sites featuring fugitives from the law. but EPA is the first federal law enforcement agency to feature an environmental crimes fugitive web site.

Criminal charges are only allegations of misconduct. Individuals who have been

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charged with environmental crimes are presumed innocent.

Information on EPA's Most Wanted Web site: <http://www.epa.gov/fugitives>

For more information on EPA's Criminal Enforcement program: <http://www.epa.gov/compliance/criminal/index.html>

EPA takes action against Bali Hai Villas Ltd. to protect coastal waters / \$63,000 fine for stormwater violations is second in four years

Release date: 12/11/2008

Contact Information: Dean Higuchi, 808-541-2711, higuchi.dean@epa.gov

(12/11/08) HONOLULU -- The U.S. Environmental Protection Agency recently accepted a settlement with Bali Hai Villas Ltd., including \$63,000 in penalties for failing to comply with Clean Water Act stormwater control requirements at its condominium construction project in Princeville, Kauai.

The company failed to adequately and completely implement stormwater pollution controls outlined in its stormwater pollution control plan at the construction site. Construction work has since been completed at the site.

"As this company was previously cited for similar violations, they are paying a significantly larger penalty this time," said Alexis Strauss, Water Division director for the EPA's Pacific Southwest region. "Construction projects must have pollution controls in place. Erosion and sedimentation cause severe pollution problems for our coastal waters, coral reefs, and marine ecosystems."

In September 2007, EPA inspectors found the company had failed to install adequate control measures to prevent soil and sediment-filled stormwater from running off the site. Specifically, the inspectors cited deficiencies with the site's sediment trap, silt fences, litter control and other measures to control stormwater runoff.

The EPA then issued an order in January 2008 that required the company to install soil stabilization and erosion and sediment controls at all locations of exposed soil and at locations where stormwater runoff could leave the project site. The company also needed to repair its silt fence, protect soil stockpiles from runoff, provide a contained and lined concrete wash area, and clean up litter on the site. The company has complied with EPA's enforcement order.

In 2004, EPA and Department of Health inspectors found similar violations at the site, and the company agreed to correct the violations and paid a fine of \$15,000.

For more information on stormwater discharges please visit: <http://www.epa.gov/region09/water/npdes/stormwater.html>

EPA announces Hawaii environmental enforcement accomplishments for 2008 / Water pollution, pesticide cases and investigation into illegal dumping highlight year

Release date: 12/04/2008

Contact Information: Dean Higuchi, 808-541-2711, higuchi.dean@epa.gov

(12/04/08) HONOLULU -- The U.S. Environmental Protection Agency's 2008 enforcement actions in Hawaii included actions for water pollution and pesticide

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violations, and an investigation into alleged illegal dumping on Oahu.

“EPA enforcement actions in the State of Hawaii will result in a reduction of over 2.6 million pounds of pollution and the clean up of over 1000 cubic yards of contaminated soil and water,” said Wayne Nastri, the EPA’s administrator for the Pacific Southwest region. “In addition, over \$300.9 million will be invested in pollution control and environmental clean-ups.”

Nationally, the agency took civil and criminal enforcement actions requiring regulated entities to spend an estimated \$11.8 billion on pollution controls, cleanup and environmental projects, a record for EPA.

Hawaii enforcement highlights for 2008 include:

Hazardous Waste cases:

Hakimo Road:

The investigation into alleged illegal dumping on a Hakimo Road property on Oahu resulted in the EPA ordering the owner and operator of the property to clean up and remove hazardous substances found during a search.

Del Monte: The Del Monte Fresh Produce Co., a Kunia, Oahu, fruit grower, was found to have hazardous waste storage, handling, and used oil management violations. EPA inspectors found open and unlabeled containers of hazardous waste at the facility and evidence of a release of used oil. The company was fined \$190,000.

Pesticides cases:

ABC Corp. The company was found distributing an antimicrobial disinfectant that failed effectiveness testing, a violation of federal pesticide laws. Test results found the product Fresh and Clean was ineffective

against *Pseudomonas aeruginosa* and did not meet its labeling claim of being suitable for hospital use. Once notified of the failure, ABC stopped distributing the product and was fined \$52,000.

Fines to Syngenta in Hawaii: A settlement with Syngenta Seeds, Inc. of Kekaha, Kauai, for pesticide work protection violations. The violations included failing to store all personal protective equipment separate from clothing and apart from pesticide-contaminated areas, and failing to post the spraying of the pesticide Liberty at its Central Notification Site. The company was fined \$17,550.

Vector Tobacco:

The company misused six pesticides and failed to comply with federal pesticide worker safety laws. Vector Tobacco, a subsidiary of Vector Tobacco Group of Durham, NC, allegedly misused the pesticides Terramaster 4EC, NemaCur 3, Lorsban 4E, Prowl 3.3EC, Devrinol 50DF, and Ridomil Gold EC during their application at its agricultural research facility in Kekaha, Kauai, in 2005 and 2006. On 93 occasions, Vector Tobacco failed to follow label directions intended to protect workers from exposure to pesticides, and was fined \$65,040.

Water Cases:

Hamakua Wetlands Fines: Frank Coluccio Construction Co. and Castle Family LLC. was found filling sensitive wetlands adjacent to Hamakua Stream in Kailua, Oahu without federal permits. The company was ordered to restore the wetlands and paid a \$68,000 fine.

Mauna Loa LCC: The company failed to close three large capacity cesspools by April 2005 at its Hilo facility on the Big Island. In August 2007, more than two years after EPA’s regulatory deadline, the company

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completed work to close and replace its large capacity cesspools with a state-approved wastewater system. Mauna Loa was fined \$75,000.

Crouching Lion: Lion Pacific Investments, LLC, and other former owners of the Crouching Lion Inn, were fined \$42,000 for failing to close large capacity cesspools at the Kaaawa, Oahu restaurant.

Bali Hai Villas: EPA ordered Bali Hai Villas, Ltd. to comply with the Clean Water Act requirements at its residential construction project in Princeville, Kauai. The company failed to implement stormwater pollution controls outlined in its stormwater permit at the Princeville area construction site. The order requires the company to install soil stabilization and erosion and sediment controls at all locations of exposed soil and locations where stormwater runoff could leave the project site.

Air Cases:

West Hawaii Landfill: Waste Management of Hawaii, Inc. and the County of Hawaii agreed to spend at least \$184,400 for a beneficial environmental project after violating the Clean Air Act at the West Hawaii Landfill at Waikaloa. The supplemental environmental project will address the ongoing smoldering conditions at the closed Kona Landfill by conducting heat mapping of the site for a future landfill-wide fire suppression program. Fines of \$33,500 were also assessed.

Please go to <http://www.epa.gov/region09/enforcement/results/08/index.html> for a full description of the EPA's enforcement cases throughout California, Arizona, Nevada, Hawaii and the Pacific Islands in 2008.

The report, U.S. EPA OECA Fiscal Year (FY) 2008 Accomplishments Report: Protecting Public Health and the

Environment, is available on-line at <http://www.epa.gov/compliance/resources/reports/accomplishments/oeca/fy08accomplishment.pdf>

More information on EPA FY 2008 enforcement and compliance results: <http://www.epa.gov/compliance/resources/reports/endofyear/eoy2008/fy2008.html>

Protecting The Public From Pesticide Residues In Food

Resources

Questions On Pesticides?
[National Pesticide Information Center \(NPIC\)](#) 1-800-858-7378

As part of its program to regulate the use of pesticides, EPA is responsible for ensuring that the public is protected from unreasonable health risks posed by eating foods that have been treated with pesticides. An important component of that effort involves setting "tolerances," which are the maximum amount of pesticides that may legally remain in or on food and animal feed. This fact sheet provides a summary of EPA's process for protecting the public from pesticide residues in food, including the special efforts taken to protect infants and children.

Studies Required Regarding Pesticides in Food

In setting tolerances, EPA must determine the maximum levels of pesticides likely to be found in food. EPA accomplishes this by requiring pesticide manufacturers to submit data that answer basic questions about what residues are present in food and in what quantities. Among these are field trial data, which are studies of residues found on crops grown in the **field** when pesticides are applied using the highest rate allowed by the pesticide product label. Manufacturers must also provide information on residues found

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in many processed foods, such as apple juice or tomato paste. Data on residues in animal products, such as milk or meat, are also required if livestock are exposed to pesticides directly or through residues in their feed.

In re-evaluating the safety of existing pesticides, EPA also uses monitoring data that show the levels of pesticide residues actually occurring in foods as they are harvested, processed, marketed, and prepared to be served. EPA sometimes requires pesticide manufacturers to perform monitoring studies. Monitoring data often are also available from FDA, USDA, and state agencies.

Studies Required Regarding Pesticide Health Effects

EPA also requires a battery of toxicity tests in laboratory animals to determine a pesticide's potential for causing adverse health effects, such as cancer, birth defects, and adverse effects on the nervous system or other organs. Tests are conducted for both short-term (acute) and long-term (chronic) toxicity. For chronic effects other than cancer, laboratory animals are exposed to different doses of a pesticide to determine the level at which no adverse effects occur. This level is divided by an uncertainty or "safety" factor (usually 100) to account for the uncertainty of extrapolating from laboratory animals to humans and for individual human differences in sensitivity. The resulting figure, termed the Reference Dose, is the level of exposure that EPA judges an individual could be exposed to on a daily basis for a lifetime with minimal probability of experiencing any adverse effect. For cancer risks, EPA evaluates multi year tests of laboratory animals to estimate levels unlikely to pose more than a negligible risk. Tolerances are only approved if the expected exposure is below these health concern levels.

Several of the types of studies that EPA can require are designed specifically to assess risks to infants and children. These include developmental toxicity studies, which examine risks to developing fetuses that result from exposure of the mother to pesticides during pregnancy; developmental neurotoxicity studies, which specifically examine the risks to the developing nervous system; and two-generation reproduction studies, which provide information about the possible effects on the health of both the individual and its offspring resulting from pesticide exposure.

Assessing Dietary Risks to Infants, Children and Others

EPA recognizes that the diets of infants and children may differ substantially from those of adults and that they consume more food for their size than adults. As a result, they may be exposed to proportionately more pesticide residues. EPA addresses these differences by combining survey information on food consumption by nursing infants, non-nursing infants, and children with data on pesticide residues to estimate their dietary exposure. EPA also uses this process to estimate exposure for other age groups, as well as several different ethnic groups and regional populations.

Information about pesticide exposure to infants, children and other subgroups is then combined with toxicity information to determine the potential risks posed by pesticide residues. If risks are unacceptable, EPA will not approve the tolerances.

Some of EPA's recent important regulatory decisions were based on concerns about childhood or infant exposures, such as the elimination of the use of aldicarb on bananas [EBDCs](#) on a number of fruits and vegetables.

EPA believes that the tolerance process is protective of human health because it is based on extensive testing and on a combination of conservative assumptions

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and risk assessment practices developed using current scientific knowledge. At the same time, the Agency is working to make federal standards more protective of infants and children and to better understand the potential risks of pesticides. These efforts include addressing the recommendations of the [National Academy of Sciences](#) 1993 report entitled [Pesticides in the Diets of Infants and Children](#).

EBDCs are fungicides containing chemicals known as dithiocarbamates.

Blog Question of the Week

Drugs and pharmaceutical products include powerful chemicals that have saved or improved countless lives. But even small amounts of drugs need to be disposed of carefully so they don't pollute the environment or harm human health and wildlife. In early 2007 the government set guidelines for proper disposal of prescription drugs: http://www.whitehousedrugpolicy.gov/drugact/factsht/proper_disposal.html

This week's question:
What do you do with unused over-the-counter or prescription drugs?

Federal Guidelines:

- Take unused, unneeded, or expired prescription drugs out of their original containers and throw them in the trash.
- Mixing prescription drugs with an undesirable substance, such as used coffee grounds or kitty litter, and putting them in impermeable, non-descript containers, such as empty cans or sealable bags, will further ensure the drugs are not diverted.

- Flush prescription drugs down the toilet only if the label or accompanying patient information specifically instructs doing so.
- Take advantage of community pharmaceutical take-back programs that allow the public to bring unused drugs to a central location for proper disposal. Some communities have pharmaceutical take-back programs or community solid-waste programs that allow the public to bring unused drugs to a central location for proper disposal. Where these exist, they are a good way to dispose of unused pharmaceuticals.

Release date: 12/08/2008 Contact Information: Media Contact (**for media only**); please leave responses as comments on the blog instead of sending email: Jeffrey Levy, (202) 564-4355 / levy.jeffrey@epa.gov.



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From the Editor

Happy Holidays! The winter season is finally upon us. Don't you just love it? Here is another season to celebrate and share our many gifts with our friends and loved ones. Take full advantage of the opportunity.

As always we are continuing our efforts to encourage participation in the Bell Ringer, so if you have a story idea, an announcement, or information, please email it to me at Rodney.rice@phila.gov. Also, feel free to provide feedback on the articles in the issues or write a letter to the Editor. Lastly, **space is available for advertising in the Bell Ringer**, simply send me the information in an email and I will contact you. I look forward to your feedback and participation. Have a safe and happy holiday season.



Rodney D. Rice, MBA

CASA Conference Tentative Agenda

May 12, 2009 - May 14, 2009

Monday Evening, May 11th Welcome
Tuesday, May 12th 8:00am Meetings begin
Thursday, May 14th 12:00 Conf. ends

**Make sure to
register your email
on the CASA
website:
[http://www.casafdo.
org/](http://www.casafdo.org/)**

**Hey, do you know some one that
would make a great CASA
member?**

**Bring them to a meeting!
Next Training Meeting
March 2009
Get them to join!**