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June 28, 2011

Office of Pesticide Programs
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001
Submitted electronically through: <http://www.regulations.gov>

RE: Request to Require Pesticide Products to be Labeled in English and Spanish
(March 30, 2011) [Docket No. EPA-HQ-OPP-2011-0014]

Dear Dr. Keigwin,

Syngenta Crop Protection, LLC (Syngenta) appreciates the opportunity to comment on the Migrant Clinicians Network request to require that pesticide products be labeled in English and Spanish.

Syngenta is a research and development company that discovers, develops, registers, manufactures, and sells pesticides. We are a science-based company that is committed to promoting the responsible use of pesticides.

As requested, we have addressed specific questions listed in the notice. We have prefaced those questions with a brief synopsis of our position and input.

SYNOPSIS

Syngenta believes that the following portions of all pesticide end-use labels should be considered for translation to Spanish: Signal Words, Precautionary Statements, First Aid Instructions, and Agricultural and Non-Agricultural Use Requirements (addressing Personal Protective Equipment, Restricted Entry Intervals, etc.) In addition, the following statement should be included in Spanish with these translated sections - "If you do not understand the label, find someone to explain it to you in detail." For the sake of clarity, our comments are not intended to apply to (i) any labels other than pesticide end-use labels; or (ii) PIPs (Plant-Incorporated-Protectants).

To accomplish this efficiently, equitably, and accurately, it is important that (i) EPA – not companies or translation services – provide the exact Spanish translations for these standardized portions as part of the Label Review Manual; and (ii) that the States confirm that they can and will accept the EPA-mandated translations. Thus, registrants

would know the exact language that must appear on pesticide labels and state lead agencies would not need to know Spanish to enforce the label, therefore avoiding the potential for different translations and interpretations.

Translating these portions of the labels would give many Spanish-speaking applicators, handlers, support personnel, farm workers, and consumers direct access to key information in their primary language, which could potentially enhance safe practices and knowledge of potential risks. Even Spanish-speakers who do not read Spanish could potentially benefit from their colleagues who do read Spanish.

We support this limited Spanish translation because of the high percentage of Spanish-speaking applicators, handlers, support personnel, farm workers, and consumers in the US. We do not support translation to other languages at this time because of the large number of other languages spoken in the US, which together account for an estimated 1% of the agricultural workforce and which would make the labeling and translation process extremely cumbersome.

Translation to Spanish of entire labels should continue to be voluntary, depending on company preference, customer requirements/policies for their suppliers, or specific regulatory requirements for certain products (e.g. Puerto Rico labels for Restricted Use pesticides as designated by EPA or the Puerto Rico Department of Agriculture).

ANSWERS TO SPECIFIC EPA QUESTIONS:

For the General Public:

- 2. Labeling in Spanish could potentially be required for all pesticide products, for a subset of pesticide products, or for a portion of the product label as described in section II.F. If the Agency concluded that translation of a portion or portions of the label were appropriate, which portions of the pesticide label would it be most beneficial to have in Spanish, and why? If the Agency were to limit the requirement for translation to only certain products, which products should be considered, and why? (Note: Please see the sample label in the docket to consider the different sections of a pesticide label.)**

The following portions of the label should be considered for translation to Spanish: Signal Words, Precautionary Statements, First Aid Instructions, and Agricultural and Non-Agricultural Use Requirements (addressing Personal Protective Equipment, Restricted Entry Intervals, etc.) The following statement should also be included in Spanish with these translated sections - "If you do not understand the label, find someone to explain it to you in detail." The translation should not be limited to certain products.

It is important that EPA – not companies or translation services - provide the exact Spanish translations for these portions as part of the Label Review Manual, and that the States confirm that they can and will accept the EPA-mandated translations. Thus, registrants would know the standard language that must appear on pesticide

labels and state lead agencies would not be required to know Spanish to enforce the label.

According to this FR notice, the National Agricultural Workers Survey (<http://www.doleta.gov/agworker/naws.cfm>) reported that 509 of the 960 surveyed crop workers who had mixed, loaded, or applied pesticides in the previous twelve months spoke Spanish as their dominant language. Only 66 of these 509 workers reported that they read English well, while 331 reported that they read Spanish well.

Translating the specified portions would give many Spanish-speaking applicators, handlers, support personnel, farm workers, and consumers direct access to key information that could potentially enhance safe practices and knowledge of potential risks. Availability of the label is required wherever a pesticide is used, whereas general- and product-specific technical bulletins and web-based resources, even if translated to Spanish, would not always be as accessible.

3. Are there languages other than Spanish and English that EPA should consider for inclusion on pesticide labels? Which languages? Please explain your reasoning for including a language other than Spanish or English on pesticide labels, and cite documents that would further bolster your suggestion.

According to this FR notice, the National Agricultural Workers Survey (<http://www.doleta.gov/agworker/naws.cfm>) reported that only 1% of surveyed crop workers who had mixed, loaded, or applied pesticides in the previous twelve months spoke a primary language other than Spanish or English.

We support the Spanish translation of the portions of the label specified in our answer to General Public Question 2 because of the large percentage of Spanish-speaking applicators, handlers, support personnel, and farm workers. We do not support translation to other languages at this time.

For Industry:

12. Do you currently sell or distribute any pesticides with Spanish labeling (other than as required by 40 CFR 156.206)? If so, why have you decided to do so and what effects has the use of Spanish labeling had on the marketing or safety of using these products? Can you quantify or give examples of any added costs or benefits that have resulted from providing your products' labels in English and Spanish?

At one time as a pilot process, some of our Professional Product labels were translated into Spanish for marketing of certain products, but Syngenta no longer does this due to the difficulty in keeping the translation up to date and in concert with the many label amendments. The decision to translate certain labels into Spanish currently depends on government requirements (e.g. Puerto Rico labels for Restricted Use pesticides as designated by EPA or the Puerto Rico Department of Agriculture) and customer policies for their suppliers (e.g. at least one of our Supplemental Distributor partners does Spanish translation for labels in compliance with Lowe's US Bilingual Policies for

consumer products). States currently enforce only the English version.

13. What additional economic costs and/or benefits would you anticipate from having your products' labels available in Spanish as well as English? Costs might include translation, printing, or packaging. Benefits might include improved market penetration or improved customer good will. Besides any increased monetary costs, would there be other obstacles to printing bilingual labeling on your pesticide products?

The consumer labels that have been translated are much less extensive than most agricultural labels. Even so, state review of labels where translations have been done have sometimes resulted in requests for changes. This then requires changing the label text (again) at EPA, adding cost and time to the process.

Full translation of all labels to Spanish would add considerable cost associated with the translation service, printing additional pages of text (there is also an approximate 15% increase in the number of words when translating from English to Spanish), probable label template and container engineering changes, and possibly even packaging equipment modifications to insure that the second language fits in the booklet, the booklet(s) fit on the container and the container fits inside the box. These costs would be significant when the number of products and labels that Syngenta registers with EPA and the States is considered.

The greatest potential benefit of translation of the portions of the label specified in our answer to General Public Question 2 is direct access by many Spanish-speaking applicators, handlers, support personnel, farm workers, and consumers to key information in their primary language, which could potentially enhance safe practices, and understanding of potential risks.

14. How could electronic media be used to facilitate distribution of bilingual or multilingual labeling?

The challenges associated with web-distributed labeling exist regardless of language. CropLife America has outlined these potential challenges in its March 29, 2011 letter to Docket No. EPA-HQ-OPP-2010-0648.

15. Apart from bilingual labeling, what past and current efforts have you made to communicate with customers or potential pesticide users who do not speak or read English fluently? What have you found to be effective or ineffective?

We have partnered with others on stewardship outreach for Spanish-speaking populations, but have not been able to assess the effectiveness of these efforts.

Currently in Use:

A brochure on the basics of responsible pesticide use, for rural and urban pesticide users

A DVD on the Worker Protection Standard, for agricultural workers

Two pesticide safety pamphlets

Past Efforts:

Washington Orchardist IPM Education Program

Golf Worker Safety Project

A common approach to deal with language barriers is a pamphlet or manual printed in several languages. Pesticide safety educators, the internet (e.g. EPA and CA DPR), and others provide access to pamphlets, etc. in Spanish. These materials serve an important educational purpose, but it can be difficult to reach the entire target audience, and these materials often do not address product-specific information.

16. If you provide Spanish labeling, do you provide it on products nationwide or only in targeted regions? Why?

Nationwide, but only indirectly, in compliance with Lowe's US Bilingual Policies for consumer product labels sold under supplemental distributor authorization. Also, Puerto Rico requires that all labels that are designated Restricted Use pesticides by EPA or the Puerto Rico Department of Agriculture be translated into Spanish – these labels are not affixed to the containers but are only provided as paper copies via distribution channels in Puerto Rico.

17. How could EPA implement the petitioners' proposal or a version of it efficiently and equitably?

To do this efficiently and equitably, EPA should provide and require (and the States would need to accept) the exact translation of standardized language for the limited set of information listed in our answer to General Public Question 2, and allow these label additions to be made by notification.

18. Please explain whether there are any portions of a product's labeling that would not need to appear in both languages.

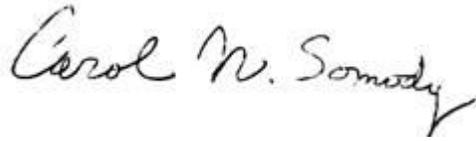
Only the information listed in our answer to General Public Question 2 should be translated. Understanding the Directions for Use and other sections would be covered by the following statement in Spanish - "If you do not understand the label, find someone to explain it to you in detail." Translation to Spanish of entire labels should continue to be voluntary, depending on company preference, specific regulatory requirements for certain products (e.g. Puerto Rico for products designated as Restricted Use pesticides by EPA or the Puerto Rico Department of Agriculture), or customer requirements/policies for their suppliers (e.g. Lowe's US Bilingual Policies for consumer products).

In summary, we fully support the translation of Signal Words, Precautionary Statements, First Aid Instructions, and Agricultural and Non-Agricultural Use Requirements (addressing Personal Protective Equipment, Restricted Entry Intervals, etc.) to Spanish for all labels, if EPA provides the exact translations for these standardized portions as part of the Label Review Manual, and the States confirm that

they can and will accept these translations.

We respectfully submit these comments for your careful consideration. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Carol N. Somody". The signature is written in a cursive style with a large, sweeping initial 'C'.

Carol N. Somody, Ph.D.
Senior Stewardship Manager
Regulatory Affairs
Syngenta Crop Protection, LLC