May 31, 2023

Julie Henderson, Director
California Department of Pesticide Regulation
Via email: dpr22005@cdpr.ca.gov

Re: DPR’s Proposed Modification to the Draft Regulation for 1,3-Dichloropropene

Dear Director Henderson:

The undersigned 110 environmental justice, health, environmental, educational and labor organizations and individual health professionals, lawyers and professors call on you to rewrite the Department of Pesticide Regulation’s draft regulation for the cancer-causing fumigant pesticide 1,3-dichloropropene (1,3-D).

Despite extensive prior public comment by impacted residents and other stakeholders, the Department persists in proposing a regulation that would create a separate and unequal cancer risk standard for residents of farmworker communities, who are predominantly Latino and Indigenous.

The 1,3-D lifetime cancer warning exposure level for all California residents, established by the Office of Environmental Health Hazard Assessment (OEHHA) last June, is 3.7 micrograms per day – the equivalent of breathing air with an average 1,3-D concentration of 0.04 parts per billion. While OEHHA’s 1,3-D cancer warning level target and DPR’s regulatory target are exactly the same, at one extra cancer per 100,000 people, DPR has chosen to allow for 14 times more 1,3-D, a concentration of 0.56 parts per billion, for a regulation that predominantly impacts farmworker communities living near where this hazardous chemical is used.

1,3-D is banned or not approved in 34 countries, but is the third most used pesticide in California, at more than 11 million pounds in 2021. It is applied in 33 California counties overall, with 57% of 1,3-D use concentrated in the nine Latino-majority counties (Fresno, Merced, Kern, Monterey, Tulare, Madera, Imperial, Kings, and San Benito). The impact of DPR’s proposal, to
create a separate and 14 times weaker standard of protection for Latino and Indigenous farmworker communities where most 1,3-D is applied, is racist.

DPR must create a 1,3-D regulation that will limit air concentrations to 0.04 parts per billion, the safe harbor level established for all Californians by OEHHA.

Sincerely,

Jane Sellen and Angel Garcia, Co-Directors, Californians for Pesticide Reform
Crystal Gonzalez, Program Coordinator, American Friends Service Committee, Roots for Peace
Christina Hildebrand, President, A Voice for Choice Advocacy
Katie Huffling, Executive Director, Alliance of Nurses for Healthy Environments
Andrew Behar, CEO, As You Sow
Haleemah Atobiloye, Program Manager, Breast Cancer Action
Rainbow Rubin, Science Director, Breast Cancer Prevention Partners
Tom Rankin, Vice President, California Alliance for Retired Americans
Thomas Helme, Coordinator, California Environmental Justice Coalition (CEJC)
Steve McDougall, Vice President, California Federation of Teachers
Vanessa Forsythe RN MSN, Registered Nurse, California Nurses for Environmental Health and Justice
Elizabeth Oseguera, Assistant Director of Policy, California Primary Care Association
Larry Hanson, President, California River Watch
Anne Katten, Pesticide and Work Health and Safety Specialist, California Rural Legal Assistance Foundation
Nick Lapis, Director of Advocacy, Californians Against Waste
Adam Scow, Co-founder, Campaign for Organic and Regenerative Agriculture
Hazel Davalos, Co-Executive Director, CAUSE
Marven Norman, Policy Coordinator, Center for Community Action and Environmental Justice
Kaya Allan Sugerman, Director of Illegal Toxic Threats, Center for Environmental Health
Ann Aurelia Lopez PhD, Executive Director, Center for Farmworker Families
Grecia Orozco, Staff Attorney, Center on Race, Poverty and the Environment
Kevin D. Hamilton, Executive Director, Central California Asthma Collaborative
Nayamin Martinez, Executive Director, Central California Environmental Justice Network
Sarait Martinez, Executive Director, Centro Binacional Para El Desarrollo Indigena
Oaxaqueño
Willow Katz M.S., Retired Public Health Nutritionist, Chicago Nutrition Education Center
Suzanne Hume, Educational Director and Founder, CleanEarth4Kids.org
Bobbi Wilding, Executive Director, Clean + Healthy
Andria Ventura, Policy Director, Clean Water Action
Renee Donato Nelson, President, Clean Water and Air Matter
Lupita Sanchez, Organizer, Coalition Advocating for Pesticide Safety- Tulare
Teresa Gomez, Community Organizer, **Coalition Advocating for Pesticide Safety 805-Ventura**
Rita Medina, Deputy Director- Policy & Advocacy, **Coalition for Humane Immigrant Rights**
Anabel Marquez, President, **Comité Por Un Shafer Mejor**
Diana Mireles, Interim President, **Comité Progreso de Lamont**
Estela Escoto, President, **Committee for a Better Arvin**
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Erick Orellana, Senior Policy Advocate, **Community Water Center**
Olga Lidia Medina, Certified Health Promoter, **Creando Comunidad from Ventura County**
Angie Ngoc Tran*, Professor of Political Economy, CSU Monterey Bay
Brianna Schaefer, Program Director, **Daily Acts Organization**
Lupe Martinez, President, **Delano Guardians**
Mary Beth Brangan, Co-director, **Ecological Options Network**
Dan Silver, Executive Director, **Endangered Habitats League**
Dr.Devra L. Davis, Founder and President, **Environmental Health Trust**
Bill Allayaud, California Director of Govt. Affairs, **Environmental Working Group**
Lendri Purcell, President, **Families Advocating for Chemical and Toxics Safety**
Sallimatou Diaby, Community Coordinator, **Families for Freedom**
Shanti Sandosham, Member, **Fierce Vulnerability Network- Ventura**
Dr. Martita Martinez-Bravo, Executive Director, **Friends of Fieldworkers**
Heather Podoll, Advocacy and Partnership Coordinator, **Fibershed.org**
Kendra Klein, Deputy Director of Science, **Friends of the Earth**
Michelle Perro MD, Executive Director, **GMOScience.org**
Erika Alfaro, Chapter President, **Golden Gate/ SF Bay Area National Association of Hispanic Nurses**
Casey Carlson, President, **Greater Santa Cruz Federation of Teachers Local 2030**
Bradley Angel, Executive Director, **Greenaction for Health and Environmental Justice**
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Michael Freund, Attorney, **Michael Freund and Associates**
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Catherine Crockett, Board President, **Monterey Peace and Justice Center**
Kathleen Mulligan, Executive Director, **National Association of Environmental Medicine**
Kim Kente, Founder, **Non-toxic Neighborhoods**
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Autumn R. Gonzalez, Board Member, **NorCal Resist**
Susan JunFish, Director, **Parents for a Safer Environment**
Abigail Thomas, Environmental Employee Engagement, **Patagonia**
Karen Araujo, Co-director, **People’s Oral History Project**
Asha Sharma, Organizing Co-director, Pesticide Action Network
Martha Dina Argüello, Executive Director, Physicians for Social Responsibility - Los Angeles
Padi Selwyn, Chair, Preserve Rural Sonoma County
Patty Mayall, Director, Protect Our Watershed San Mateo County
Taryn Obaid, Strategist, Protect Wild Petaluma
Oussama Mokeddem, Director of State Policy, Public Health Advocates
Sandra Curtis, Principal Investigator/Program Director, Public Health Institute
Nelly Vaquera-Boggs, President, Pajaro Valley Federation of Teachers (PVFT) Local 1936
Mackenzie Feldman, Director, Re:Wild Your Campus
Michael Dimock, Director, Roots of Change
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Diego Bravo, Policy Manager, Safe Passages
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Crystal Doan Stephens*, Doctor, San Diego Family Care
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Barbara Magana Dominguez, Community Health Coordinator, Saticoy Food Hub
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Michael Gasser, Steering Committee Member, Science for the People
Martin Wolf, Director, Sustainability and Authenticity, Seventh Generation
Miriam Limov, Farm Institute Associate, Sierra Harvest
James Sandoval, SMART Local 0023 General Chairperson, SMART TD Union
Jack Eidt, Co-founder, SoCal 350 Climate Action
Lydia Poncé, Climate Justice Director, Society of Native Nations
Megan Kaun, President, Sonoma Safe Agriculture/Safe Schools
Karen Amigon, Grassroots Lobbying Director, Stand Up California
Kari Aist, Chapter-leader, Standing Up for Racial Justice (SURJ)-Ventura County
Janet Johnson, Co-coordinator, Sunflower Alliance
Herman Barahona, Lead Community Organizer, The Sacramento Environmental Justice Coalition
Colyn Messecar, Communications Coordinator, UFCW 770
Efrain Aguilera, Union Representative, UFCW Local 5
Johanna Teissere, Farm Director, Uncommon Good
Mibs McCarthy, Chair, Social Justice Committee, Unitarian Universalist Church of the Monterey Peninsula
Hector H. Azpilcueta, Secretary Treasurer, UNITE HERE Local 483
Bianca Lopez, Co-Founder, Valley Improvement Projects
Diana Kubilos, Co-Chair, Ventura County Community Healing Collaborative
Janice Schroeder, Core Member, West Berkeley Alliance for Clean Air and Safe Jobs
Debra A. Farmer, President and Chief Executive Officer, Westside Family Health Center
Stephen Knight, Executive Director, Worksafe

*Signing on as an individual. Affiliations provided for identification only.