The chemical industry has been trying to get rid of the Delaney law since 1959,[7] but Congress has always been reluctant to substitute "a little bit of cancer-causing chemicals in your processed food" for the Delaney standard of "no approved cancer-causing chemicals in your processed food." The administration seems to have broken that reluctance. Since the administration urged Congress to get rid of Delaney, a bill to do that (H.R. 1627) has gained nearly 200 sponsors in the House of Representatives and a bandwagon effect is apparent as we go to press. As of this moment, Delaney seems doomed.

My personal observation is that some of the so-called "pesticide reform group" of environmentalists in Washington, D.C., have accepted the demise of Delaney as inevitable and perhaps even desirable because the administration wants Delaney killed. The D.C. environmental community has been "on the outs" for a dozen years and is so eager to become "a player" once again that some groups don't seem to care what game they're invited to play. In the presence of two dozen national environmental leaders last May, I heard the head of a major environmental organization announce to EPA chief Carol Browner, "You are our general. We are your troops. We await your orders." The result of such boot licking is now becoming apparent.

### Risk Assessment Now Guides All U.S. Regulation

President Clinton quietly signed Executive Order 12866 on September 30, 1993, officially embedding risk assessment in the U.S. "philosophy of regulation." All federal regulatory agencies will now be guided by a "regulatory philosophy" that explicitly includes risk assessment. Vice-President Dan Quayle had tried to accomplish something similar during the Bush administration but had failed.[8]

Risk assessment is a mathematical technique intended to determine the probability of certain kinds of damage to humans and the environment from chemical exposures. Unfortunately, because so little is known about the way chemicals exert their toxic effects, and because science has no way of assessing the effects of multiple chemical exposures, risk assessment can be used to reach nearly any conclusion that a risk assessor wants to reach. As former EPA chief William Ruckelshaus once said, "A risk assessment is like a captured spy. Torture it enough and it will tell you anything."

The chemical industry has been working relentlessly since 1975 to expand the use of risk assessment throughout government. Executive Order 12866 is arguably the culmination of their efforts. From the viewpoint of anyone who wants to spread chemicals into the environment, risk assessment is a marvelously useful technique: Because it is based in mathematics, most people can't even understand it, much less participate in it, so it immediately excludes most of the public from decisions. Furthermore, because it is mathematical, the result gains an aura of certainty and precision, even if it is based on "data" that are nothing more than guesses. Before he became chief of U.S. EPA, William Reilly wrote, "The National Research Council concluded in a 1984 report that fewer than 2 percent of the chemicals currently used for commercial purposes have been tested sufficiently for a complete health hazard assessment to be made. Adequate information to support even a partial hazard assessment is available for only 14 percent of the chemicals; for 70 percent, no information is available. Moreover, these percentages refer only to human health hazards. In general, environmental hazards are even less well understood."[9] Never mind that there are no data. This has never stopped a dedicated risk assessor from calculating risks to the third decimal place, presenting the results as factual and reliable, then using the results to support a political decision to impose unknown risks on the public.

### Cutting EPA's Budget

Under the administration's 1994 budget, EPA will have less money than it had in 1993 for controlling pesticides, toxic substances, water quality and drinking water. "The cut in EPA's budget is..."
evidence of the low priority given environmental protection funding by the President,” said Marc Smolonsky, a budget analyst in Washington. [1] “There will be scant resources for pollution prevention activities, such as waste minimization. Without funds for prevention now, future clean up costs will skyrocket, leaving the impression that the Clinton administration is penny-wise but pound-foolish on environmental protection programs,” he said.

"EPA's pesticide program is unable to ensure the safe use of pesticides and respond efficiently to evidence of high-risk pesticides," Smolonsky said. "At a time when the administration has announced a plan to reform federal pesticide policy, it is overseeing a cut in funding for the EPA pesticide program, which will be reduced by approximately 15 percent."

--Peter Montague


[5] EPA recently issued a new list of approved "inert" ingredients; to get the list, phone Clare Grubbs at EPA: (703) 305-5805.


[8] Thorne G. Auchter, TOWARD COMMON MEASURES; RECOMMENDATIONS FOR A PRESIDENTIAL EXECUTIVE ORDER ON ENVIRONMENTAL RISK ASSESSMENT AND RISK MANAGEMENT POLICY. (Washington, D.C.: Federal Focus, Inc., 1991). This report to Vice President Dan Quayle by a conservative think-tank, provided justification for, an Executive Order they hoped President Bush would issue. Mr. Bush demurred and the order was never signed.


Descriptor terms: delaney clause; pesticides; congress; carcinogens; food safety; risk assessment; regulation; executive order 12866; epa; budget; negligible risk; inert ingredients; hr 1627; dan quayle; george bush; william ruckelshaus;