

From: [Valerie Bengal](#)
To: [CDPR dpr22005](#)
Subject: Proposed 1,3-D regulation
Date: Thursday, May 25, 2023 5:39:54 PM

EXTERNAL:

To the Department of Pesticide Regulation:

The Department of Pesticide Regulation must rewrite the environmentally racist regulation of 1,3-dichloropropene provided for public review. This proposed regulation of the cancer-causing fumigant 1,3-dichloropropene uncritically accepts Dow Chemical's cancer risk level, 50 mcg per day (0.56 ppb), instead of (maximum) 3.7 mcg per day (0.04 ppb), the protective level set by the California Office of Environmental Health Hazard Assessment (OEHHA). The Dow Chemical risk assessment is not based on scientific evidence nor the public health standard of care. In contrast, the OEHHA established the Proposition 65 safe harbor level based on public health, public safety, and toxicological research.

As a family physician in the Salinas and Pajaro Valleys for 34 years, I cared for farmworkers and families who worked in and lived near the agricultural fields. They were exposed acutely and long-term to poisonous agricultural chemicals. Many malignancies, childhood developmental problems, asthma, and other chronic illnesses have been documented in these communities. Health disparities and health inequities in these communities are unjust and must be remediated, starting with policies that emphasize prevention.

Farmworker communities will continue to suffer far more exposure than OEHHA considers safe if this regulation is implemented as proposed by Dow Chemical. The Dow regulation is a stark and egregious example of separate and unequal protection under the law. Those most harmed are overwhelmingly Latino and Indigenous. This is environmental racism.

The lives of people in my community are not worth 14 times less than those in non-agricultural communities.

Sincerely,

Valerie Bengal MD FAAFP