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Michael O. Leavitt, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building (1101A)
1200 Pennsylvania Ave., NW
Washington, DC 20460



PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS

HEADQUARTERS
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Re: Comments on the HPV test plan for phosgene

Dear Administrator Leavitt:

The following comments are on the HPV test plan for phosgene (CAS no. 75-44-5) prepared by the American Chemistry Council (ACC). These comments are submitted on behalf of People for the Ethical Treatment of Animals, the Physicians Committee for Responsible Medicine, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These animal, health and environmental protection organizations have a combined membership of more than ten million Americans.

The American animal protection community did not originally submit comments on this test plan as the ACC had appropriately concluded that no additional testing is necessary under the HPV Chemical Challenge and the EPA concurred with the ACC's assessment. This conclusion was based mainly on two considerations. First, a considerable amount of animal toxicity data is already available, as presented in the test plan and robust summaries. Secondly, phosgene is so highly reactive that its toxicity is almost exclusively limited to the site of entry, which is usually the lungs and airway. We would add that there is also a large amount of human toxicity data available, dating from the use of phosgene as a poison gas in World War I (Berghoff 1919, Winternitz 1920).

However, in its comments on the test plan Environmental Defense (ED) recommended that the ACC conduct a combined reproductive and developmental mammalian toxicity study on phosgene. This test would subject an additional 675 animals to poisoning by this chemical warfare agent. ED justifies this recommendation in two ways: ED states that the ACC has provided no data to show that the high reactivity of phosgene would prevent it from reaching tissues other than the lung. Yet the ACC test plan includes a detailed discussion of the fact that phosgene is unlikely to reach non-pulmonary tissues, although the possibility of its interacting with blood cannot be ruled out (pp. 6-7). The ACC's discussion includes the fact that phosgene's hydrolysis half life is 0.026 seconds.

Secondly, ED suggests that even if phosgene does not reach other tissues, its action in the lung may cause secondary toxicity in the reproductive tract "through hormonal or other mechanisms." However, the ACC has also addressed this issue in its test plan (p. 7). ED's suggestion is far too vague to justify requesting that additional animals be killed and it did not detail the types of hormonal mechanisms it considers possible. The possible secondary effects appear to be those due to lung damage, such as hypoxia and acidosis, and those due to phosgene's hydrolysis products, carbon dioxide and hydrochloric acid.

Since both the secondary effects of lung damage and the toxicity of hydrochloric acid are thoroughly understood, it is pure recklessness for ED to push for additional animal testing of this chemical warfare agent. ED's request to test this substance on another 675 animals is one of the worst requests for academic check-the-box testing we have seen to date in the HPV program.

Thank you for your attention to these comments. I can be reached at 757-622-7382, extension 1304, or via e-mail at JessicaS@PETA.org.

Sincerely,

Jessica Sandler
Federal Agency Liaison

References

Berghoff, R.S., "The more common gases: Their effect on the respiratory tract", *Archives of Internal Medicine*, 24: 678-684, 1919.

Winternitz, M.C., *et al.*, "The pathology of phosgene poisoning", in *Collected Studies on the Pathology of War Gas Poisoning*, Yale University Press, New Haven, 1920.