



January 17, 2023

Mary Jane Coombs  
Branch Chief, Industrial Strategies Division  
California Air Resources Board  
1001 I Street, P.O. Box 2828  
Sacramento, CA 95814

*Submitted electronically via [maryjane.coombs@arb.ca.gov](mailto:maryjane.coombs@arb.ca.gov) and U.S. Mail*

**RE: Request to Deny Petition to Regulate Sulfuryl Fluoride**

Dear Ms. Coombs:

The California Manufacturers & Technology Association (CMTA) is concerned with a recent petition to regulate the use of sulfuryl fluoride within California. We understand that the California Air Resources Board (CARB) is currently considering a petition that would, if granted, essentially ban a product—sulfuryl fluoride—that is a critical tool to facilitate California exports and international trade. Given the significant public health, environmental, and economic benefits of sulfuryl fluoride, and the tremendous costs associated with eliminating its use, we respectfully request that CARB deny the petition.

CMTA works to improve and enhance the business climate for California's 30,000 manufacturing, processing, and technology-based companies. CMTA represents 400 businesses from the entire manufacturing community, an economic sector that generates more than \$300 billion annually and employs more than 1.3 million Californians. California-made commodities, machinery, and manufactured components are internationally renowned. The ability to export our products is essential to our success and that of the broader California economy.

Sulfuryl fluoride (SF) fumigation is used commercially to comply with federal food safety laws and international export requirements mandating pest eradication of machinery and commodities of all types before being shipped. Without SF fumigation, California would be prohibited from exporting some of its highest-value products, which account for billions of dollars in exports annually and support thousands of jobs across the state.

SF fumigation has numerous other advantages over other pest control treatments in the commodities setting, including a lack of pest resistance, shorter treatment timeframes that expedite the processing and shipment of exports, and the lack of residues on hard surfaces. The petition's sweeping statements about SF alternatives demonstrate a fundamental lack of understanding of pest management needs and practices across various sectors, food safety, and international export laws.

As CARB readily acknowledges, SF is already highly regulated by the federal government and in California, as a restricted-use pesticide.<sup>1</sup> The California Department of Pesticide Regulation (DPR) enforces stringent mitigation measures to protect applicators, bystanders, and sensitive populations. As a result, SF fumigation is safe when conducted in compliance with federal and state laws and regulations. SF is used judiciously along with other pest management methods as part of comprehensive Integrated Pest Management (IPM) programs designed to minimize unintended public health and environmental risks and food commodity loss.

Finally, SF fumigation has a negligible impact on climate change. DPR tracks annual sulfuryl fluoride usage in California, and CARB uses this data to track sulfuryl fluoride emissions.<sup>2</sup> The average atmospheric concentration of SF is extremely low compared to other greenhouse gases. There is no indication in the published literature that atmospheric concentrations of SF will ever rise to a level that would contribute significantly to global GHG emissions. As evidenced by CARB's 2022 Scoping Plan for Achieving Carbon Neutrality, CARB has recognized that there are more effective ways to regulate greenhouse gases and the impacts of climate change.

As such, CMTA respectfully requests that CARB reject this petition. Thank you for your time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Spangol". The signature is fluid and cursive, written in a professional style.

Senior Policy Director, Government Relations

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<sup>1</sup> See CARB, *Short-Lived Climate Pollutant Reduction Strategy* (Mar. 2017), p. 97, available at [https://ww2.arb.ca.gov/sites/default/files/2020-07/final\\_SLCP\\_strategy.pdf](https://ww2.arb.ca.gov/sites/default/files/2020-07/final_SLCP_strategy.pdf) ("[T]he annual usage of sulfuryl fluoride is inventoried by DPR as a highly-regulated pesticide ....").

<sup>2</sup> See CARB, *GHG Short-Lived Climate Pollutant Inventory*, at <https://ww2.arb.ca.gov/ghg-slcp-inventory>.