


**Biosafety Cabinetry JC Meeting
Teleconference
October 1, 2009**

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Participants:

Company	Name 	Interest Category	Role
Tulane University	Balsamo, Jr., James	Public Health / Regulatory	Member
NSF International	Costello, Mindy	General Interest	Secretariat
B & V Testing	Flynn, Nick	User	Member
---	Harris, Peter		Guest
Labconco Corp.	Hunter, Jim	Industry	Member
The Baker Company, Inc.	Johnson, Aaron	Industry	Member
EPA Office of Pesticide Programs	Kempton, Jeff	Public Health / Regulatory	Observer
Consultant in Biosafety	Kennedy, Mary Ellen	Public Health / Regulatory	Member

Discussion:

M. Costello took attendance and read the antitrust statement.

Jeff Kempton, EPA, presented his issue paper for discussion. The background on the issue and issue statement were presented to the group. The statement for decontamination does not call out these need to be registered FIFRA products. The use of registered pesticides states to follow OSHA and does not call out EPA requirements that product users follow all pesticide label use directions and safety precautions.

The issue paper has highlighted text that addresses these two concerns. There was support for inclusion by Mary Ellen Kennedy. Nick Flynn had discussed with certifiers and user groups that had concern with this inclusion. These groups are decontaminators. Inclusion of this language could cause users to stop buying paraformaldehyde for use in decontamination of BSCs. The concern was that there are limited available alternatives for decontamination. The cost of making that transition was brought forward as well. There are safety issues relating to CD and material compatibility issues with CD. Routine, repeated decontamination with CD could have adverse effects on certain sensitive materials and equipment. The pressure on the industry to come up with the alternatives and making judgment calls on filters that may cause exposure to contaminated filters.

The original language was a bit more direct. This new language addresses the awareness of what is being purchased. The company that sells the chemical is the one that needs to register. Formaldehyde was registered and that company did not pursue re-registering it. This could be revisited by the chemical manufacturer. If the BSC decontamination companies put pressure to get this registered, it may occur. There was strong concern of an immediate impact; the alternative was to provide a gradual process of implementation. The Annex G is specifically referenced in decontamination procedures and is widely used. The exemption was also brought up. The exemption process was discussed; this is a long process. The expansion of the exemption through the Military or USDA called a quarantine exemption. Only federal agencies and states can request exemptions; there are ways to pursue this to expand the exemption that is already covered under military or USDA for use as decontamination in BSCs. If this was genericized, it may allow for use in any lab in uses such as decontamination. EPA needs to be pursued by the industry to send the letter to the military requesting this expansion on the exemption. This does not imply a guarantee of follow through. The states could request which would not be efficient; but could bring the issue forward to EPA for consideration. Manufacturers of formaldehyde do not have an incentive to register this product with the EPA.

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The group discussed the possible paths forward considering legality, decontamination, and progress of new product development. Military could be contacted by the CETA or ABSA organization regarding the exemption. CETA will discuss this at the upcoming meeting in October.

The group will pursue the exemption and then work on the addition of language. There may be more CD products and VHP products are being developed for use.

Nick Flynn will be in contact with Jeff Kempter after the CETA meeting and feedback from ABSA later this month.