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To: Mabel E. Echols OMB\_Peer\_Review/OMB/EOP@EOP

cc:

Subject: Comments on Peer Review Bulletin

Attached please find CPDA's comments on the peer review bulletin. We have also submitted the comments via fax, in case either the fax or the email did not send. Thank you for your consideration.

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Via Electronic Mail

[OMB\\_peer\\_review@omb.eop.gov](mailto:OMB_peer_review@omb.eop.gov)

Dr. Margo Schwab  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
New Executive Office Building, Room 10201  
Washington, DC 20503

**Re: Proposed Bulletin on Peer Review and Information Quality, *Federal Register*,  
September 15, 2003 at page 54023**

Dear Dr. Schwab:

The Chemical Producers and Distributors Association (CPDA) is pleased to submit comments on the recent peer review bulletin published by your agency. CPDA has commented on data quality issues in the past, and we are encouraged by OMB's continued efforts to ensure the full implementation of the Data Quality Act.

By way of background, CPDA is a voluntary, non-profit organization of about 90 companies engaged in the formulation, manufacturer, distribution, and sale of some \$6 billion worth of crop protection chemicals and plant nutritional products used on food, feed, and fiber crops and in the care of lawns, gardens and turf. Many of our members are involved in the development and sale of adjuvants and inerts used to increase the efficacy of crop protection formulations. As EPA rules, regulations, and guidelines affect our member companies significantly, we are interested in EPA's compliance of data quality requirements.

First and foremost, CPDA is extremely pleased to see a bulletin focused on the pre-dissemination aspect of data quality compliance. As we have stated in previous comments, CPDA views pre-dissemination review as the most important aspect of data quality compliance. We believe that a focus on quality from the outset yields the highest quality information and reduces the likelihood of post-dissemination requests for correction. As we have stated before, retractions are an ineffective method for correcting published information. Therefore, CPDA is encouraged by OMB's efforts to focus on the integrity of information before the information becomes the basis for public policy.

Relatedly, CPDA supports OMB's request for copies of information correction requests received by agencies subject to the Data Quality Act. While we would rather agencies post these requests on their websites, an option which the OMB bulletin affords agencies, we are pleased that OMB will have access to data correction requests more than once each year. This requirement will allow OMB to continually monitor emerging data quality trends within particular agencies. Of course, an increase in the number of

requests or the number of requests regarding a particular agency document or policy does not necessarily demonstrate the agency's disregard for data quality, just as the absence of correction requests does not preclude the possibility that appropriate quality measures were not taken, CPDA believes reviewing these requests is a sound, non-burdensome monitoring strategy.

CPDA does have a concern about one aspect of OMB's bulletin, namely, the presumption that information published in a peer-reviewed has undergone vigorous, scientific scrutiny. CPDA does not agree with this presumption and respectfully requests OMB remove this presumption for the following reasons. First, peer review standards for journals address entirely different concerns than those necessary for information underlying policy decisions. Both reviews are vigorous, but journal peer review is focused on grammar, citation, and whether the results are technically feasible. Oftentimes, journal peer reviewers do not have access to the data underlying the article's premise. A second major difference between journal peer review and the peer review that should underly "significant regulatory information" is the fact that journals often choose to publish articles based on their scientific novelty. Novel ideas are not the same as sound science, and the regulatory policy should not be developed based on information that has not undergone a vigorous, scientific peer review. Thus, CPDA asks that OMB rethink the presumption that journal peer review is an appropriate substitute for the peer review underlying regulatory policy.

CPDA again thanks OMB for the opportunity to comment on the peer review bulletin. Please feel free to contact me at (703) 548-7700 or [janine@cpda.com](mailto:janine@cpda.com) should you wish to further discuss these comments.

Very truly yours,

Janine Rynczak, Esq.  
Director of Regulatory Affairs