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REVISED INFORMATION QUALITY BULLETIN FOR PEER REVIEW
MAY 14, 2004

Peer Review is an extremely important tool for determining scientific efficacy and can be an effective deterrent to minimizing an extended rule making process and/or expensive legal battles. This has been the theme of the OMB proposal, since modified on April 15th and one that California Citrus Mutual (CCM) continues to support.

CCM is a citrus producer's trade association with a membership consisting of approximately 1400 family farmers producing oranges and lemons with a farm gate value in excess of \$500 million. In our 25 year existence we have been engaged in numerous rule makings with several government agencies including but not limited to FDA, USDA and EPA. As government and society moves more and more to what is considered cutting edge science in numerous fields stakeholders must have the benefit of all options and reviews as necessary.

We concur that a set of criteria is necessary so that stakeholders can rely upon a consistent format for review of scientific decisions. Each agency must have some flexibility to define the parameters for the review and not all rules based upon science require peer review in our opinion. During rule making stakeholders will comment on the foundation supporting the rule thus engaging in a form of peer review. It is when a consistent disagreement occurs then peer review is triggered.

We are sympathetic to concerns about extended rule makings and/or added expense. Thus why do it if there is no need?

We do not believe that individual letters rather than a panel suffices for peer review. Letters imply agreement and if none exists then how does reconciliation begin. If agreement results from the communications then we would argue the peer review was not needed.

We believe OMB has defined the section *Independence* appropriately and supports the agency's proposal in this area.

The area entitled *Conflict of Interest* is addressed appropriately except CCM wishes the Agency had discussed future employment regarding peer reviewers. There could be the rare occasion in which a member of a peer review panel could be solicited for a position should a review move positively for a stakeholder.

Citrus Mutual supports the language and process contained in Section III of the proposal.

Section IV is intriguing and satisfies flexibility concerns. OMB must be mindful however that flexibility does not create a path to a loophole in which a bonified peer review can be circumvented.

Section VIII raises concerns for Citrus Mutual. Our experience in trade related matters and the political machinations that can occur within trade negotiations provides "mack truck" loopholes and should seriously be reconsidered. "Secrecy and promptness" is the exact opposite of transparency and sound scientific reviews. We believe this topic needs greater vetting before it can be adopted.

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