



*“I am grateful that Chambers identified me as a leading practitioner in my field, reflecting a lifelong commitment to excellence and the zealous representation of my clients' interests in bad times and good.”*

## James Rathvon

### Principal

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Jim Rathvon, chair of the firm's Regulatory Law & Litigation practice group, maintains a broad environmental, chemical, food and drug and consumer product regulatory and litigation practice. He focuses on the regulation of pesticides and other chemical products under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the Toxic Substances Control Act (TSCA), the Federal Food Drug and Cosmetic Act (FFDCA), the Consumer Product Safety Act (CPSA) and other complex federal regulatory programs. His environmental law work ranges from counseling and advocating on regulatory and licensing issues to defending clients in government enforcement proceedings to representing them in federal arbitrations arising under FIFRA and handling federal and state court litigation involving product liability, false advertising, environmental remediation, federal preemption and other matters pertaining to pesticides and other regulated products.

Among Jim's noteworthy legal activities was his representation of clients in two of the largest FIFRA enforcement actions ever brought by U.S. EPA's Region IV in Atlanta, Ga. He has also served as counsel or co-counsel in approximately half of all FIFRA data compensation arbitration cases in which a publicly available award or significant pre-trial decision has been issued to date, making him perhaps the most experienced FIFRA data compensation attorney in the country.

Another specialty area of Jim's practice involves the regulation of food and food additives, drugs and medical devices subject to the jurisdiction of the Federal Drug Administration (FDA) and the U.S. Department of Agriculture (USDA). He provides regulatory and business counsel to food, drug and medical device companies and has represented manufacturers in a variety of matters before the FDA.

Jim also maintains an active appellate practice and has participated in numerous court challenges of federal agency actions under the Administrative Procedure Act and other review statutes. Among other appellate accomplishments, he successfully challenged EPA's enforcement actions against a major manufacturer of swimming pool products for allegedly violating FIFRA by selling a product not registered under that act. A temporary restraining order against the agency's "stop sale" order was obtained, whereupon a favorable settlement was effected.

Jim served from 1995-2006 as general counsel for the Chemical Producers and Distributors Association, a 90-member trade organization made up of chemical producers and distributors. He is a frequent lecturer on regulatory issues relevant to the chemical products industries and has authored several articles and conducted many seminars on these subjects.

## PRACTICE AREAS

Regulatory Law & Litigation

Litigation: Business

Government Relations

## BAR ADMISSIONS

Maryland

District of Columbia

## EDUCATION

J.D., *Magna Cum Laude*, George Washington University, 1982

M.A., State University of New York at Stony Brook, 1978 (Ecology and Evolution)

M.Ed., Tufts University, 1974 (Science Education)

B.S., Tufts University, 1973 (Biology)

## ACCOLADES & AWARDS

Chambers USA recognized him quoting sources as saying he is “extremely knowledgeable concerning FIFRA issues and is meticulous in his presentation.”

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## IN THE NEWS

James Rathvon and Cristen Rose Contribute Guest Article to The Daily Record

James Rathvon and Cristen Rose Join Paley Rothman as Principals

James Rathvon Presents at the Council of Producers & Distributors of Agrotechnology Symposium

## RECENT PUBLICATIONS

“Pesticide Regulation Down on the Farm,” *MSBA Bar Bulletin*, April 15, 2016

“A Closer Look at EPA’s Updated Part 152 Subpart E Regulations and Related Guidance,” Co-author, *Council of Producers & Distributors of Agrotechnology Quarterly*, March 2014

“Stating Your Case to the Client: Distinguishing Yourself by Showing How Your Services Produced Tangible Value,” Co-author, *The Daily Record*, September 20, 2013

“Key Steps to Take When Responding to an EPA Information Request,” Co-author, *BNA Environmental Reporter*, October 26, 2012

“EPA Proposes Mandatory Greenhouse Gas Reporting Rule,” Co-author, *Environmental Alert*, March 11, 2009

“New Federal Consumer Products Law: Tighter Lead, Phthalate Standards, Stronger CPSC Authority,” Co-author, *Product Liability Alert*,

November 3, 2008

“Voluntary carbon credit exchanges fill void in absence of climate legislation,” Co-author, *Carbon Market North America*, September 24, 2008

“Import Safety Action Plan Spells More Scrutiny at the Borders,” Co-author, *Import Safety Alert*, November 14, 2007

“FDA Amendments Act Expands FDA’s Powers to Oversee Drug Safety,” *FDA News*, October 10, 2007

“FDA Amendments Act of 2007 Revitalizes and Extends FDA Regulatory Authority Over Medical Devices,” *FDA News*, October 10, 2007

“Final Guidance on Computerized Systems in Clinical Investigations,” Co-author, *FDA Alert*, May 30, 2007

## **CIVIC & COMMUNITY INVOLVEMENT**

DC Appleseed Center for Law and Justice, Board of Directors (2007-2012)

SchoolTalk, Inc. Board of Directors (2005-2012)

The Greenbelt Movement International, Liaison Partner (2007-2012)

New Perimeter/Climate Change, Project Team Leader (2007-2012)

Guardian Ad Litem for DC Superior Court (2005-2010)

Capital Children’s Museum, Board of Trustees (1983-2004);  
Executive Committee (1992-2004)

Options D.C. Charter Public School, Board of Trustees (1997-2003);  
Chairman (2001-2002)

## **SPEECHES & PRESENTATIONS**

“The Bioterrorism Act of 2002 and Food Safety and Security” and “Other Agencies of Interest,” Presented at Food and Drug Law Institute (FDLI) “Introduction to Food Law” seminar (January 28, 2009)

“Data Reliance/Compensation Issues in Pesticide Registration,” Presented at EPA/CPDA Workshop (October 30, 2008)

“Data Compensation Update: Making Sense of EPA’s Proposed Endocrine Disruptor Screening Program,” Presented at CPDA Workshop (March 12, 2008)

“Globally Harmonized System of Classification and Labeling of Chemicals (GHS); Potential Modifications to HazCom Standard,” Speaker on Legal Panel at American Chemistry Council Symposium (October 20, 2006)

“Data Reliance/Compensation Issues in Registration,” Presented at CPDA Registration 101 Workshop (November 16, 2005)

“Copyright Protection of Pesticide Labels,” Presented at CPDA Registration 101 Workshop (November 16, 2005)

“So You Think You Understand the Formulator’s Exemption?,” Presented at CPDA Registration 101 Workshop (December 8, 2004)

“Pesticide Registration and Data Compensation,” Lead speaker at full-day CPDA workshop, covered registration, data reliance and compensation, California registrations, preemption, and other topics (March 9, 2004)

“CPSC Regulation of Consumer Products,” Presented at Client Workshop (October 15, 2003)

“Product Labeling and Claim Substantiation,” Presented at Client Workshop, covered EPA and CPSC regulation and enforcement, FTC guidance on “green” claims, and case law under Lanham Act (October 4, 1999)