

November 23, 2021

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
12th & Pennsylvania Avenue, NW
Washington, DC 20460-0001

Dear Administrator Regan:

As stakeholders who represent growers, retailers, and other end-users of pest control products, we are aware EPA is currently reviewing and considering registration changes for several herbicides that are systemically important to U.S. agriculture. Should EPA make changes to current uses at this time that will undermine the market availability of these products, we are greatly concerned that farmers, pest control operators, and other end-users who use these pest control products will experience significant economic harm.

While fully supporting the need to ensure that pesticide approvals meet statutory requirements to protect public health and the environment, including endangered species, we are concerned about registrations of several herbicides for which EPA is currently considering regulatory revisions. As you are likely aware, supply chain disruptions and shortages of pesticides and other agricultural inputs are currently inflicting tremendous stress on growers and our agricultural communities. We strongly urge EPA to avoid greater registration or label restrictions at this time which could exacerbate product shortages or lead to potentially catastrophic market disruptions.

Growers are trying to make purchasing decisions for seed varieties and herbicides to be used on hundreds of millions of crop acres in early 2022. Many have already made planting and purchasing decisions. These products can take months to procure under normal conditions. Growers typically make seed and pesticide orders in the late summer or early fall for the following growing season given the time it takes for registrants, distributors, and retailers to deliver these goods. Under currently strained supply chains, some growers may not be able to acquire essential products ahead of spring planting.

If EPA makes unnecessarily restrictive registration changes, the situation will be far worse. It would diminish the ability of growers to control noxious, herbicide-resistant (HR) weeds, leading to significant yield losses and environmental harm.

Growers know their local weed pressures and select HR varieties that require the use of herbicides with certain modes of action. If EPA makes changes that undermine the ability to control HR weeds, many growers will experience costly yield losses and likely will have to resort to intensive tillage to control weeds. This would harm the ability of growers to maintain important conservation practices and other best management practices, such as reduced or no tillage; or tank mixing weed control products, which help to minimize greenhouse gas emissions, soil erosion, and nutrient losses to watersheds.

To summarize the situation: Under these current conditions, we are gravely concerned with the possibility of EPA making registration changes that would further disrupt the supply of available herbicides. If the Agency makes registration changes that greatly undermine the value of products or impose additional use conditions, growers may have to transition tens of millions of acres to alternative seed and pesticide products to meet production needs on critically short notice. Many farmers who have already placed significant product orders expecting certain use conditions could be forced to rapidly reorder new seed and pesticide products at significant cost. This, in turn, could lead to product shortages of alternative herbicides that are relied on by growers of other crops. Chaotic supply disruptions could also have unforeseen adverse environmental impacts.

Thank you for considering our views on these issues. If we can provide further useful information, please do not hesitate to contact us.

Sincerely,

Agricultural Council of Arkansas
Agricultural Retailers Association
American Farm Bureau Federation
American Seed Trade Association
American Soybean Association
American Sugarbeet Growers Association
Arizona Crop Protection Association
Arizona Farm & Ranch Group
Arizona Farm Bureau Federation
Arkansas Farm Bureau Federation
Arkansas Rice
Association of Equipment Manufacturers
California Farm Bureau
California Specialty Crops Council
Colorado Farm Bureau
Council of Producers and Distributors of Agrotechnology
CropLife America
Delaware-Maryland Agribusiness Association
Delta Council
Florida Fertilizer & Agrichemical Association
Georgia Farm Bureau
Illinois Corn
Illinois Farm Bureau
Iowa Soybean Association
Kansas Agribusiness Retailers Association
Kansas Farm Bureau
Louisiana Cotton & Grain Association
Louisiana Farm Bureau Federation

Maryland Farm Bureau
Maryland Grain Producers Association
Michigan Agri-Business Association
Mid America CropLife Association
Minnesota Crop Production Retailers
Mississippi Farm Bureau Federation
Missouri Agribusiness Association
Missouri Farm Bureau
Montana Agricultural Business Association
National Agricultural Aviation Association
National Alliance of Forest Owners
National Alliance of Independent Crop Consultants
National Association of State Departments of Agriculture
National Association of Wheat Growers
National Corn Growers Association
National Cotton Council
National Council of Farmer Cooperatives
National Onion Association
National Pest Management Association
National Potato Council
National Sorghum Producers
National Sunflower Association
Nebraska Agri-Business Association
Nebraska Soybean Association
New Jersey Farm Bureau
New Mexico Farm and Livestock Bureau
North Carolina Agribusiness Council
North Dakota Agricultural Association
North Dakota Corn Growers Association
North Dakota Grain Dealers Association
North Dakota Grain Growers Association
Ohio Agribusiness Association
Ohio Farm Bureau
Oklahoma Farm Bureau
Oregon Farm Bureau
Oregonians for Food & Shelter
Plains Cotton Growers
Rocky Mountain Agribusiness Association
Society of American Florists
South Dakota Agri-Business Association
South Dakota Farm Bureau Federation
South Dakota Soybean Association
Southern Crop Production Association
Tennessee Farm Bureau Federation
Texas Ag Industries Association
Texas Cotton Producers

Texas Farm Bureau
U.S. Apple Association
United Fresh Produce Association
USA Rice
Virginia Agribusiness Council
Virginia Farm Bureau
Washington Farm Bureau
Washington Friends of Farms and Forests
Western Growers
Western Plant Health Association
Wisconsin Agri-Business Association
Wisconsin Corn Growers Association
Wisconsin Farm Bureau Federation
Wisconsin Soybean Association
Wyoming Ag Business Association
Wyoming Farm Bureau Federation

CC: The Honorable Tom Vilsack, Secretary, U.S. Department of Agriculture
 The Honorable Michal Freedhoff, Assistant Administrator, Office of Chemical
 Safety and Pollution Prevention, U.S. Environmental Protection Agency
 Rod Snyder, Agriculture Advisor, U.S. Environmental Protection Agency
 Venus Welch-White, Senior Advisor, Office of Agriculture Advisor, U.S.
 Environmental Protection Agency