National Association of State Departments of Agriculture
4350 North Fairfax Drive
Suite 910
Arlington, VA 22203
Tel: 202-296-9680 | Fax: 703-880-0509
www.nasda.org

May 8, 2020

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

Re: Agriculture Relies on Crop Protection Tools (*Dicamba Formulations for Use on Dicamba-Tolerant Cotton and Soybean*)

The National Association of State Departments of Agriculture (NASDA) submits the following comments on the U.S. Environmental Protection Agency's (EPA) registration review for new uses on herbicide-tolerant cotton and soybeans.

I. About NASDA

NASDA represents the Commissioners, Secretaries, and Directors of the state departments of agriculture in all fifty states and four U.S. territories. State departments of agriculture are responsible for a wide range of programs including food safety, combating the spread of disease, and fostering the economic vitality of our rural communities. Conservation and environmental protection are also among our chief responsibilities.

In forty-three states, the state department of agriculture is a co-regulator with EPA and responsible for administering, implementing and enforcing the production, labeling, distribution, sale, use and disposal of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

II. General Comments

Crop protection tools are an important component within many agricultural crop production systems. NASDA is intimately familiar with EPA's rigorous, scientific evaluation and review process for all crop protection tools under FIFRA. NASDA supports the development, scientific review, and approval of new technologies and uses, such as products for dicamba-tolerant crops, to enable growers to combat growing weed-resistance challenges and produce our nation's food, fiber, and fuel.

Background. In 2018, EPA extended the registration for two years of an over-the-top dicamba formulation for use on genetically engineered cotton and soybeans. Prior to EPA's decision, NASDA submitted comments on May 30, 2016. The registration required label updates that add protective measures. According to EPA, the registration for over-the-top use of dicamba on dicamba-tolerant cotton and soybean allows for use in 34 states. At that time, EPA noted that the registration for all dicamba products registered for over-the-top use will automatically expire on Dec. 20, 2020, unless EPA acts to extend it.

Importance of Crop Protection to Agriculture. NASDA members work closely with farmers and we know that dicamba is a critical crop protection tool widely used in agriculture for controlling broadleaf weeds in various integrated weed management strategies. In 2019, it has been reported that there were about 58.5 M acres of dicamba-tolerant soybeans and cotton, and about 60% of those acres (35 M) were treated

ED_005172C_00001878-00001

with dicamba at least once. We understand that mandatory dicamba training ahead of season was useful and that over 55,000 growers and applicators were trained ahead of the 2020 season. With spring planting well underway, use of seed-crop protection product combinations are planned for 2020 so the continued use of the dicamba formulations through this season is essential.

Importance of a Rigorous Registration Process. Notwithstanding the successful use of these products, NASDA appreciates the rigor and validity of EPA's FIFRA- and science-based registration review process. We appreciate that EPA will have a decision regarding extension of registration of these products by late this year. NASDA also supports that EPA will continue to coordinate with NASDA to clarify label interpretations and regulatory oversight for dicamba applications throughout the 2020 season. As the co-regulator with EPA, this coordination and flexibility in states are important to the successful use of any crop protection product.

Our growers face constant pressures ranging from weather conditions, pest stressors, herbicide resistance issues, and a myriad of other challenges. All crop protection tools must continue to be available in the farmer's toolbox, when EPA-registered and safe when used according to label. It is essential to American agriculture that EPA execute its authorities and responsibilities in a timely manner consistent with the Agency's robust science-based registration and review process to ensure farmers have access to a broad range of new technologies and modern crop protection tools to continue to produce our nation's food, fiber, and fuel.

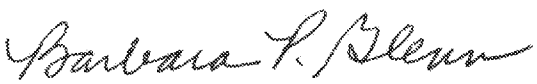
III. Conclusion

NASDA appreciates the opportunity to comment on this important issue. NASDA supports EPA's registration review of these dicamba formulations, which are used in combination with dicamba-tolerant cotton and soybeans, consistent with the Agency's well-established registration review process under FIFRA.

As regulatory partners with EPA, NASDA stands ready to assist EPA in ensuring our growers have access to a broad range of technologies and crop protection tools, reviewed and approved in a scientifically sound and transparent manner, needed to continue to produce our nation's food, fiber, and fuel.

Please contact me (barb.glenn@nasda.org) if you have any questions or would like any additional information.

Sincerely,



Barbara P. Glenn, Ph.D.
Chief Executive Officer

ED_005172C_00001878-00002