

ENVIRONMENTAL REGULATION

PESTICIDE REGULATIONS

NASDA is concerned that proposed restrictions on the use of critical pesticides that have been evaluated and approved by the Federal Insecticide, Fungicide, and Rodenticide Act's robust science- and risk-based approach will result in farmers and applicators losing essential tools that allow growers to produce our nation's food, fiber and fuel. Increased pest and weed pressures resulting from the loss of these pesticides will also force farmers to abandon environmentally friendly practices that allow for improved soil health and reductions in fuel and labor investments, such as no-till and cover crop systems. With the administration's ongoing efforts to battle climate change, the elimination or further constraint on labeled use of these climate-smart practices would be a devastating loss of much-needed conservation practices.



It is crucial to maintain a commitment to scientifically-sound processes in the regulatory system that allows for safe, effective products.

BACKGROUND

Crop protection tools are essential in many agricultural crop production systems and public health programs, and FIFRA establishes a rigorous scientific evaluation and review process for these tools. NASDA supports the scientifically-sound development, registration, registration review and consultation process for pesticide products and uses to enable growers to produce our nation's food, fiber and fuel, as well as public health agencies to combat the spread of pests and disease. This process must remain free of political interference and fully recognize the benefits pesticides provide to environmental conservation, food safety, affordability and security, and, as a result, our national security.

Agriculture has and continues to use conservation practices to benefit the environment, which is a shared goal of the administration. Recent actions, including the Interim Decision on Atrazine published on July 5, 2022, contradict our shared goal by removing a scientifically accepted tool for farmers and forcing them to abandon environmentally beneficial practices, including no-till cropping systems, in exchange for deep tillage.

This decision, which strays from the rigorous scientific evaluation and review process established by FIFRA, is one of many recent administration actions that threaten American agriculture and our food security. Other recent actions include revoking tolerances for chlorpyrifos, judicial determinations related to glyphosate, ongoing litigation on several other pesticide active ingredients and the impending final rule on waters of the United States. EPA must consider the cumulative effects of policy decisions and not only recognize but affirmatively defend the reasonable and prudent use of pesticides which are an undeniably essential tool in support of our food security and national security.



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ENVIRONMENTAL REGULATION

PESTICIDE REGULATIONS (CONTINUED)

RECENT REGULATORY ACTION

On June 30, 2022, the EPA released proposed revisions to the September 2020 interim decision for atrazine that included new labeling and mitigation requirements. The EPA decided to reduce the community equivalent level of concern (CE-LOC) from 15 ppb to 3.4 ppb. This significant change contradicts the previous overwhelming scientific consensus supporting a CE-LOC of 15 ppb and will have widespread impacts on the use and effectiveness of atrazine products. Deviation from this policy, as noted in the revised Interim Decision, is an unacceptable decision that ignores the rigorous scientific evaluation and review process established by FIFRA.



In 2022, Solicitor General Elizabeth Prelogar submitted a brief to the U.S. Supreme Court advising the court against hearing a case, arguing that federal pesticide registration and labeling requirements do not preclude states from imposing additional labeling requirements – even if those requirements run counter to federal findings. This position is a stunning reversal from numerous past administrations, both Democrat and Republican alike, and poses significant risks to our science-based regulatory system. Glyphosate was the product label at the heart of this issue, which nearly every pesticide regulatory body in the world, including the EPA, has found to not be a carcinogen and thus, safe for use. These actions again erode the rigorous scientific evaluation conducted by the EPA and put farmers' ability to produce more in a sustainable manner at risk.

NASDA POLICY

Pesticides are an important component within many agricultural and horticultural crop production systems that result in the production of a safe, abundant, and affordable food supply. Pesticides are also critical tools in a variety of public health activities.

In 43 states and Puerto Rico, the state department of agriculture is a co-regulatory partner with EPA and is 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), which establishes a rigorous, scientific evaluation and review process for these tools. NASDA supports the scientifically-sound development, review, registration and re-registration of crop protection technologies and uses to enable growers to produce our nation's food, fiber and fuel.

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