

June 8, 2020

The Honorable Andrew R. Wheeler
Administrator
U.S. Environmental Protection Agency
Office of the Administrator
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: U.S. Court of Appeals for the Ninth Circuit Ruling (Opinion No. 19-70115)

Dear Administrator Wheeler:

On behalf of the Iowa Soybean Association (ISA) and the state's 38,000 soybean farmers, I am writing to express my disappointment in the U.S. Court of Appeals for the Ninth Circuit's decision to vacate the Environmental Protection Agency's (EPA) 2018 conditional registration of certain low-volatility dicamba products for use in dicamba-tolerant cropping systems. I urge the EPA to promptly review, consider and present options addressing the Court's directive to ensure farmers' ability to apply existing stocks during the 2020 growing season.

Farmers are facing unprecedented challenges largely out of their control. Such challenges are only amplified by these registration vacatur, which add uncertainty and leave producers without effective weed management tools. The inability to use these important products could not come at a worse time for soybean farmers. Given the timeliness of planting this year's soybean crop, many farmers are operating within a narrow application window and quickly approaching both the number of days and crop maturity guidelines in which to use these products.

American farmers have been using dicamba to combat weeds for more than fifty years. The ISA understands and appreciates the inherent risks and stewardship responsibilities associated with dicamba and all pesticides, but the EPA granted the registrations of dicamba products after extensive review, considering all relevant science. This action was informed by input from and extensive collaboration between the Agency, state regulators, growers, academic researchers, pesticide manufacturers, and other stakeholders. The EPA's informed science-based decisions affirmed that this is a vital tool for integrated weed management when used according to label directions.

We urge the EPA to pursue all available legal and administrative remedies in consultation with the U.S. Department of Justice that protect its pesticide registration and review process; and to not only ensure Iowa's farmers can utilize this important weed management and control system for the remainder of the 2020 growing season, but also maintain long-term access to this vital tool.

Sincerely,



Timothy J. Bardole
President
Iowa Soybean Association