

Congress of the United States
Washington, DC 20515

September 10, 2024

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

The Honorable Thomas J. Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

Administrator Regan and Secretary Vilsack:

American farmers and ranchers rely on the U.S. Environmental Protection Agency's (EPA) implementation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to provide regulatory certainty regarding critical crop protection tools. Historically, EPA has used reliable, science-based evidence when issuing registration decisions; however, today we write to express our concerns with EPA's April 2024 proposed interim decision (PID) to cancel all but one use of the insecticide acephate.¹

Acephate is an organophosphate pesticide that is registered for agricultural uses, such as cotton, soybeans, peanuts and citrus, and non-agricultural uses, such as tree injections and ant mound treatment. While organophosphates have been proven to be safe and effective tools growers rely on to protect their crops from damaging pests, activist organizations have sought to ban the uses of certain organophosphates—even filing a petition in November 2021 to revoke tolerances and cancel registrations for 15 different organophosphates, including acephate.²

This is not the only time the organophosphate class has come under attack by these organizations. For years, chlorpyrifos faced similar threats of tolerance revocation via an activist petition. Unfortunately, EPA issued a final rule in August 2021 that revoked all tolerances for chlorpyrifos despite a December 2020 PID that allowed for the safe use on 11 commodities in certain geographic regions.^{3,4} We would remind—and caution—EPA that the United States Court of Appeals for the Eighth Circuit recognized the importance of sound science and vacated the final rule in November 2023.⁵

Consistent with the approach taken with chlorpyrifos, the EPA is alarmingly ignoring the high-benefit agricultural uses of acephate. Before moving forward with a cancellation of nearly all uses of acephate, we strongly advise your Agency work closely with the U.S. Department of Agriculture, the impacted agricultural community, and respective registrants to ensure EPA scientists have access to the full scope of available data and science. Specifically, we believe it is

¹ <https://www.epa.gov/pesticides/epa-proposes-cancel-all-one-use-pesticide-acephate-protect-human-health>

² <https://www.federalregister.gov/documents/2022/07/12/2022-14795/petition-to-revoke-tolerances-and-cancel-registrations-for-certain-organophosphate-uses-notice-of>

³ <https://www.federalregister.gov/documents/2021/08/30/2021-18091/chlorpyrifos-tolerance-revocations>

⁴ <https://www.epa.gov/pesticides/epa-proposes-new-safety-measures-chlorpyrifos>

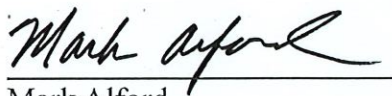
⁵ <https://ecf.ca8.uscourts.gov/opndir/23/11/221422P.pdf>

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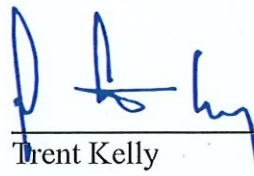
essential that EPA allow adequate time for the development and review of additional data being developed by registrants and other stakeholders that seeks to address EPA's concerns and allow for continued use of this critical tool.

American producers rely on tools like acephate to help them provide the safest, most abundant, and most affordable food, fiber, and fuel supply in the world. Thank you for your time and attention to this matter.

Sincerely,



Mark Alford
Member of Congress



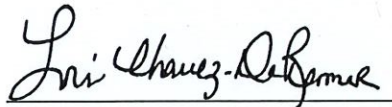
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Member of Congress



Donald G. Davis
Member of Congress



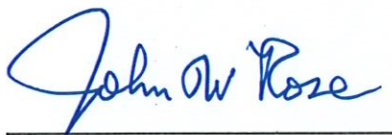
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