

Congress of the United States
Washington, DC 20515

April 21, 2023

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

Dear Administrator Regan:

America's farmers, ranchers, and agricultural producers 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. Producers and consumers alike rely on the EPA to utilize reliable, science-based evidence when making decisions. We write today to express our concerns with EPA's FIFRA Scientific Advisory Panel (SAP) to review the agency's proposed revisions to the 2020 Atrazine Interim Decision (ID).

For nearly 60 years, atrazine has been a reliable and proven herbicide for effective and efficient sustainable farming practices. On June 30, 2022, EPA released proposed revisions to the ID that included new labeling and mitigation requirements. Perhaps the most concerning change is the utilization of studies with questionable analysis and conclusions as the basis for reducing the concentration equivalent level of concern (CE-LOC) from 15 parts per billion (ppb) to 3.4 ppb. This significant change will have widespread impacts on the use and effectiveness of atrazine products in implementing conservation practices like reduced- and no-till. In response to these revisions, Members of Congress and numerous stakeholders asked EPA to convene a FIFRA SAP to evaluate the science behind the proposed revisions for atrazine.

We appreciate the March 24, 2023, announcement seeking nominations for expert reviewers on the FIFRA SAP for atrazine; however, we are concerned that the August 2023 FIFRA SAP is scheduled to be a three-day virtual meeting. We believe hosting an in-person meeting provides for higher-quality discussion, increased engagement, and opportunities for questions. As we move out of a COVID-19 emergency, with the Public Health Emergency slated to end May 11, 2023, there is no valid reason why EPA's FIFRA SAP cannot be held in person, especially considering that EPA has returned to hosting other in-person meetings. An in-person FIFRA

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SAP for atrazine ensures the utmost transparency in EPA's decision-making process and allows farmers and other impacted industries greater insight into the regulatory process.

In addition, we are concerned about the narrowed scope of atrazine studies that the FIFRA SAP will consider. EPA's recent announcement limits the FIFRA SAP to the "re-evaluation of 11 atrazine microcosm and mesocosm studies identified by the 2012 FIFRA SAP as warranting further review."¹ In addition to reviewing the 11 previously considered studies, EPA should include studies that have been developed and provided to the agency in the ensuing years but not previously considered. Furthermore, we recognize that each study provides a unique level of resolution and precision, and we would expect EPA to consider a weight of the evidence review of all cosm studies they have received and will review through the FIFRA SAP. It is of vital importance that EPA evaluates all potential risks to the aquatic plant community and utilizes well-rounded and complete scientific studies.

Finally, in addition to the criteria laid out in the Federal Register notice soliciting nominations for ad hoc reviewers, we also encourage EPA to consider candidates familiar with agronomy and agricultural sciences representing geographical differences in farming with experiences in different application rates. Further, we urge EPA to allow USDA to participate in the FIFRA SAP.

We ask EPA to (1) hold the atrazine FIFRA SAP meeting in person; (2) broaden the scope of the atrazine FIFRA SAP to include newer studies, some of which were completed at EPA's request and (3) consider geographically diverse candidates and candidates with experiences in agriculture, agronomy, and agricultural sciences.

Food security is national security. Crop protection tools registered through FIFRA, like atrazine, are vital to the sustainability, efficiency, and effectiveness of our nation's food supply, which is why the integrity of a science-driven FIFRA process cannot be undermined.

Sincerely,

¹ Federal Register, *FIFRA Scientific Advisory Panel; Examination of Microcosm/Mesocosm Studies for Evaluating the Effects of Atrazine on Aquatic Plant Communities; Request for Nominations of Ad Hoc Expert Reviewers and Notice of Public Meeting*, <https://www.federalregister.gov/documents/2023/03/24/2023-06038/fifra-scientific-advisory-panel-examination-of-microcosmmesocosm-studies-for-evaluating-the-effects>. Posted March 24, 2023.

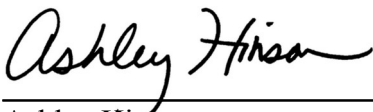
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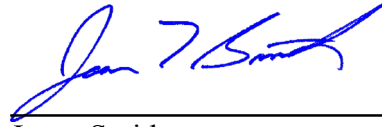
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Member of Congress



Tracey Mann
Member of Congress
Ranking Member,
Subcommittee on Livestock,
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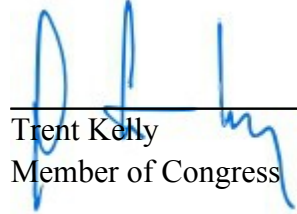


Bill Posey
Member of Congress

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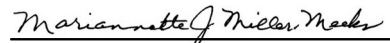
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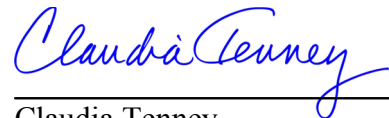
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Randy Feenstra
Member of Congress



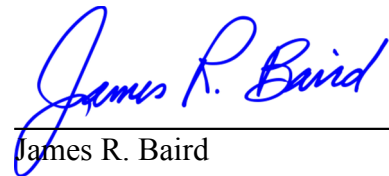
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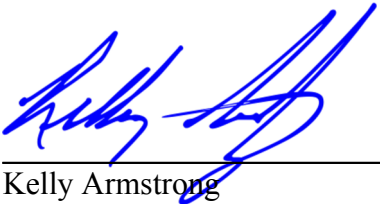
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