



PPC

PESTICIDE POLICY COALITION
A Coalition Working for Sound Pest Management Policies

March 12, 2021

Tracy Perry
Pesticide Re-Evaluation Division
(7508P)
Office of Pesticide Programs
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

Re: Docket Number EPA-HQ-OPP-2020-0585 Glyphosate Draft Endangered Species Act (ESA) Biological Evaluation

Dear Ms. Perry:

The PPC is an organization of food, agriculture, forestry, pest management and related industries, including small businesses/entities, which are dependent on the availability of pest management tools. PPC members include nationwide and regional farm, commodity, specialty crop, and silviculture organizations; cooperatives; food processors and marketers; pesticide manufacturers, formulators and distributors; pest and vector-control applicators and operators; research organizations; equipment manufacturers and other interested stakeholders. PPC serves as a forum for the review, discussion, development and advocacy around pest management regulation and policy.

PPC members confront changing pest and disease threats introduced into the United States via weather, trade and other factors. Pesticide manufacturers work diligently to make pest control products available through, among other entities, a web of seed, fertilizer, and pesticide distributors, transportation networks, and pesticide application services. These efforts help ensure farmers, ranchers, public health officials, and other pesticide applicators have the tools they need to continue to produce America's food, fiber, and biofuel and to protect our public health and infrastructure. Many of these participants are small businesses reliant on annual, time-sensitive sales and labor to support American agricultural production and small businesses.

PPC members appreciate the opportunity to comment on the Environmental Protection Agency (EPA) draft biological evaluation (BE) for Glyphosate. PPC members use a

number of glyphosate formulations and EPA's regulatory decisions and analyses can greatly impact the availability of needed weed control tools. PPC members have used glyphosate products for decades following EPA's approved labels, which have always included instructions necessary to prevent unreasonable effects on health and the environment, as is the FIFRA standard for allowable uses.

As EPA has engaged in more recent years with additional analysis towards compliance with the Endangered Species Act (ESA), like other ESA assessments issued by EPA, the Glyphosate BE continues to lack a workable and consistent approach to species assessments. The current supporting documents are thousands of pages long, overly complex, incorporate unrealistic modeling assumptions, fail to meet the stated goals of EPA's revised methods, lack transparency, and result in an assessment which does little to distinguish which species may truly benefit from possible label changes. An assessment process which essentially equates any exposure to a pesticide as a possible concern for species does little to advance appropriate options which could be tailored to improve species protection.

At the same time, the implications of unrealistic analyses could result in unjustified restrictions on the use of essential Glyphosate products which are critical to PPC members.

PPC would like to note some specific areas of concern:

The Glyphosate BE fails to incorporate best available science and lacks a quantitative weight of evidence approach which are critical to a reliable assessment of possible species risk. Probabilistic methodologies have been recommended, and promised, for many years, yet assessments continue to lack these refinements.

EPA has not responded to past comments raising grower concerns about the problems with EPA's process for conducting pesticide BE's as part of the registration review process. These problems include use of poor quality data and studies, failure to use probabilistic methods, failure to use a rigorous weight of evidence approach, and using overly conservative ecological endpoints to identify possible concerns. Use of multiple conservative assumptions leads to compounding conservatism which results in wildly unrealistic assessments.

The result is that the EPA, in effect, moves the responsibility to make accurate and realistic assessments to other agencies (the US Fish and Wildlife Service and the National Marine Fisheries Service [the Services]). The Services are woefully understaffed and generally unfamiliar with the registration evaluation process EPA conducts under FIFRA – further adding to the likelihood of unrealistic, and overly simplistic, conclusions (“everything affects everything”).

Among particular defects in the assessments, there is little evidence in the Glyphosate BE documents that EPA has established that pesticide exposure at a concentration causing adverse effects is reasonably certain to occur, and the BE's do not incorporate available geographic use data to refine assessments of possibly impacted areas.

EPA must make a significant effort in the final BE to reduce the level of compounding conservatism in the assessment, adjust the approach to more accurately incorporate use and usage information, and strive to better establish whether pesticide exposure at a concentration potentially causing adverse effects is reasonably certain to occur.

One final point: As EPA completes its registration review process for pesticide active ingredients, the PPC would stress that these products have large and significant benefits to the user community. Their use is widespread because they are critical crop protection products. The benefits of pest control are often too-casually identified as part of the EPA decision-making process. Before EPA considers further label restrictions for any reason, EPA should ensure it has reliably evaluated the benefits of continued availability of any affected products.

Thank you for considering our views, and we look forward to further improvements to EPA procedures and policies to meet the goal of an efficient, predictable, and timely ESA assessment process.

Sincerely,

A handwritten signature in black ink that reads "Steve Hensley". The signature is written in a cursive, flowing style.

Steve Hensley
Chair, Pesticide Policy Coalition

A handwritten signature in black ink that reads "Beau Greenwood". The signature is written in a cursive, flowing style.

Beau Greenwood
Vice Chair, Pesticide Policy Coalition