



June 3, 2024

Environmental Protection Agency  
Docket Center (EPA/DC), (28221T)  
1200 Pennsylvania Ave., NW  
Washington DC 20460

**RE: Pesticide Product Registration: Application for New Use; Docket No. EPA-HQ-OPP-2024-0154**

The Agricultural Retailers Association (ARA) appreciates the opportunity to comment on the EPA's review of Bayer Crop Science's (Bayer) low-volatility dicamba formulation on dicamba-tolerant soybeans and cotton. ARA is writing today to respectfully request that the EPA approve the application.

**Statement of Interest**

ARA is a non-profit trade organization that represents America's agricultural retailers and distributors. ARA members provide goods and services to farmers and ranchers, which include fertilizers, pesticides, seed, crop scouting, soil testing, custom application of pesticides and fertilizers, and the development of comprehensive nutrient management plans. Agricultural retail and distribution facilities are located throughout the United States and vary in size from family-owned, to large companies and farmer-owned cooperatives.

**Comments**

Managing herbicide resistance has been a growing concern for farmers across the country and dicamba has become a popular tool to combat this issue. The post-emergence weed control tool has been effective in the agricultural industry since 1963 and has significantly grown in popularity since dicamba-tolerant soybeans and cotton entered the market. The ability to spray after the seedlings have emerged, but prior to the mature canopy closing, allows farmers to control weeds at a time when there are few other tools to do so. This product also supports environmentally friendly practices, reducing intensive tillage and emissions from less equipment in the fields. No till practices reduce soil erosion and sequester greenhouse gases in the soil. Along with this, dicamba ensures that crops are making use of the available water and nutrients in the soil, rather than weeds, which optimizes efficiency and decreases the need for water and fertilizer. The use of dicamba is critical for sustainable weed management and controlling resistance against herbicides.



When used according to the label, dicamba is a safe and effective product for farmers. There have been only three products approved and registered by the EPA for over-the-top application on dicamba-tolerant soybeans and cotton, and application of any other dicamba product is strictly prohibited and punishable by law. The aggressive training efforts have proven to reduce drift of dicamba, as the USDA reported only 4% of soybean fields damaged by off-target dicamba movement in 2018.<sup>1</sup> Federal restrictions on application include licensed applicators completing a dicamba-specific training, application during low wind speeds and between sunrise and sunset, and thorough cleaning of spray equipment. Some states have additional restrictions on application to reduce dicamba drift. The use of the correct nozzle is also essential to prevent drifting, as applications with a venturi nozzle are shown to reduce drift by 90% compared to flat nozzles.<sup>2</sup>

Bayer has put significant effort into making sure their products have little to no harm to the environment. All of Bayer's dicamba products have gone through comprehensive EPA evaluations with label requirements to ensure they are used safely in the environment. The company has also spent the last 30 years studying the factors that affect honeybees through their Bayer Bee Care Program and Bayer Feed a Bee Program, a pollinator forage initiative. According to Bayer, it aims to reduce their environmental impact per acre by 30% compared to their 2014-2018 baseline, in which they are working to reduce the amount of crop protection used per acre.

To keep up with the growing demand of food and fiber, agricultural retailers and their farmer customers rely on tools like dicamba to keep agricultural productivity efficient. A failure to approve dicamba registrations could place American agriculture at a disadvantage to other global competitors. The United States has been able to become a top exporter of both soybeans and cotton, with a combined value of nearly \$45 billion in exports.<sup>3</sup> Since the commercialization of dicamba-tolerant soybeans and cotton, the yields per acre of both crops have significantly increased and enhanced the quality of both commodities. The EPA estimates that 65 million acres of US crops are dicamba-tolerant, which makes up two-thirds of US soybeans and three-fourths of US cotton.<sup>4</sup> However, only about half of these acres are sprayed by dicamba.<sup>4</sup>

The regulatory actions affecting use or access to crop protection, such as dicamba, directly impact the ability of agricultural producers to control weeds and manage their crops effectively. This directly impacts the global food and textile supply, with soybeans and cotton being major crops for the United States. This also directly impacts ARA's agricultural retail members and

<sup>1</sup> Milosevic, L., Osipitan, O. A., Scott, J. E., & Knezevic, S. Z. (2023). Soybean Tolerance to Ultra-Low Doses of Dicamba: Hormesis or Not. *Crop Protection*, 173, 106356. <https://doi.org/10.1016/j.cropro.2023.106356>

<sup>2</sup> Peters, T., Thostenson, A., Nowatzki, J., Hofman, V., & Wilson, J. (2017, July). *Selecting Spray Nozzles to Reduce Particle Drift*. North Dakota State University Extension Service. <https://pesticidestewardship.org/wp-content/uploads/sites/4/2019/01/ND-Selecting-Spray-Nozzles-to-Reduce-Particle-Drift.pdf>

<sup>3</sup> 2022 *US Agricultural Export Yearbook*. USDA Foreign Agricultural Service. (2023). <https://fas.usda.gov/sites/default/files/2023-05/2022-Yearbook.pdf>

<sup>4</sup> Milosevic, L., Osipitan, O. A., Scott, J. E., & Knezevic, S. Z. (2023). Soybean Tolerance to Ultra-Low Doses of Dicamba: Hormesis or Not. *Crop Protection*, 173, 106356. <https://doi.org/10.1016/j.cropro.2023.106356>



their farmer customers. While the existing stocks order permits the use of remaining supplies for this growing season, it will not provide for future growing seasons. Growers need to know the pesticide product availability and market conditions as soon as possible to fully understand how they will be able to meet their weed control and conservation needs for next season. Our industry needs to know how much product to manufacture. It is important that growers and manufacturers have timely notice of what herbicide products will be available to them.

Thank you for the opportunity to provide a comment on this issue. ARA strongly urges the Environmental Protection Agency to approve Bayer's application for its low volatility dicamba formulation for cotton and soybeans.

Sincerely,

A handwritten signature in blue ink that reads "Richard D. Gupton". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Richard D. Gupton  
Senior Vice President, Public Policy and Counsel