

**Congress of the United States**  
Washington, D.C. 20515

February 11, 2022

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

Dear Administrator Regan,

We write to stress the incredible significance of low-volatility dicamba formulations to America's agricultural producers, specifically to our nation's cotton and soybean crops. We are aware that litigation with the potential to significantly impact the availability of these formulations for 2022 and beyond has resumed and will soon progress. These filings have relied heavily on a report recently filed by the EPA that alleges off-target movement of these dicamba-based formulations and, alarmingly, several states have already raised concerns with the content of this report. We urge the EPA to abandon its path of recent actions on this critical crop protection tool and to work with state regulators, grower organizations, and registrants themselves to ensure these products remain on the market and available to growers.

Growers rely on herbicides for several critical purposes, including protecting their crops from damaging weeds and maintaining important conservation practices, such as no-till and reduced tillage. Additionally, growers need access to a variety of herbicides they can rotate and mix to prevent weeds from developing resistance to any one product, reducing the efficacy of the herbicide. Without herbicides, like dicamba, growers would suffer billions of dollars in yield losses and would likely resort to increased tillage for weed control, contributing to greater soil erosion, nutrient losses, and soil carbon reductions. Therefore, we are disturbed to learn EPA has not ruled out the possibility of imposing additional significant restrictions on dicamba ahead of the 2022 growing season.

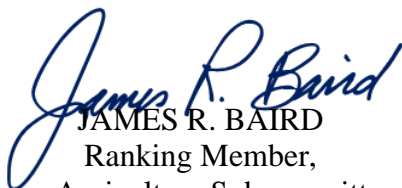
With spring planting fewer than three months away, the vast majority of growers have already placed crop input orders. If EPA were to impose significant new restrictions on dicamba or other herbicides at this time, U.S. farmers would be devastated. For example, there are estimated to be more than 60 million acres of dicamba-tolerant soybeans and cotton planted in the United States. Additional restrictions forcing growers to transition these acres to a different herbicide would be near impossible as few alternative products exist, such as glyphosate and 2,4-D, and would exacerbate the ongoing supply chain crisis.

We are very concerned with the summary and analysis in the report mentioned above on the off-target movement of low-volatility dicamba formulations in the 2021 growing season. The EPA acknowledges in the report that double-counting of alleged complaints likely occurred and that few complaints were investigated to verify whether damage actually occurred and, if so, to

determine the source of the injury. Additionally, EPA speculates at great lengths about underreporting with little evidence to support this conclusion. These concerns seem to be shared by state co-regulators in states like Minnesota<sup>1</sup>, North Dakota<sup>2</sup>, and several other states.

Congress expects EPA to base regulatory decisions on sound science and evidence. We are concerned that this report does not meet these evidentiary standards, particularly when considering significant restrictions on a vital tool growers need to maintain productive, sustainable agricultural practices. To that end, we urge you to reconsider imposing additional restrictions on dicamba and other important crop protection tools that would result in significant, additional disruptions to supply chains and the agricultural economy.

Sincerely,



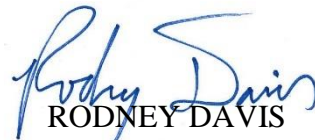
JAMES R. BAIRD  
Ranking Member,  
House Agriculture Subcommittee on  
Biotech, Research, & Horticulture



GLENN "GT" THOMPSON  
Ranking Member,  
House Agriculture Committee



FRANK D. LUCAS  
Ranking Member,  
House Committee on  
Science, Space, & Technology



RODNEY DAVIS  
Ranking Member,  
House Committee on Administration



VIRGINIA FOXX  
Member of Congress



RICK ALLEN  
Member of Congress



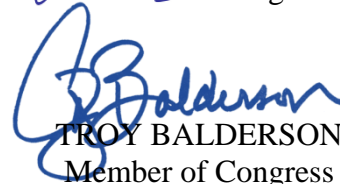
KELLY ARMSTRONG  
Member of Congress



JODEY C. ARRINGTON  
Member of Congress



DON BACON  
Member of Congress



TROY BALDERSON  
Member of Congress



CLIFF BENTZ  
Member of Congress




DAN BISHOP  
Member of Congress

  
LARRY BUCSHON, M.D.  
Member of Congress


  
KAT CAMMACK  
Member of Congress

  
MIKE CAREY  
Member of Congress

  
EARL L. "BUDDY" CARTER  
Member of Congress

  
BEN CLINE  
Member of Congress

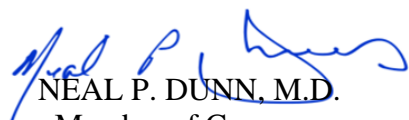
  
MICHAEL CLOUD  
Member of Congress

  
ANDREW S. CLYDE  
Member of Congress


  
JAMES COMER  
Member of Congress

  
WARREN DAVIDSON  
Member of Congress

  
SCOTT DESJARLAIS  
Member of Congress

  
NEAL P. DUNN, M.D.  
Member of Congress

  
JAKE ELLZEY  
Member of Congress

  
TOM EMMER  
Member of Congress

  
RANDY FEENSTRA  
Member of Congress

  
DREW FERGUSON  
Member of Congress

  
MICHELLE FISCHBACH  
Member of Congress

  
CHUCK FLEISCHMANN  
Member of Congress

  
JEFF FORTENBERRY  
Member of Congress

*C. Scott Franklin*  
SCOTT FRANKLIN  
Member of Congress

*Bob Gibb*  
BOB GIBBS  
Member of Congress

*Michael Guest*  
MICHAEL GUEST  
Member of Congress

*Brett Guthrie*  
BRETT GUTHRIE  
Member of Congress

*J. Hagedorn*  
JIM HAGEDORN  
Member of Congress

*Diana Harshbarger*  
DIANA HARSHBARGER  
Member of Congress

*Vicky Hartzler*  
VICKY HARTZLER  
Member of Congress

*Kevin HERN*  
KEVIN HERN  
Member of Congress

*Chris Jacobs*  
CHRIS JACOBS  
Member of Congress

*Dusty Johnson*  
DUSTY JOHNSON  
Member of Congress

*Fred Keller*  
FRED KELLER  
Member of Congress

*Trent Kelly*  
TRENT KELLY  
Member of Congress

*David Kustoff*  
DAVID KUSTOFF  
Member of Congress

*Darin LaHood*  
DARIN LAHOOD  
Member of Congress


*Doug Lamalfa*  
DOUG LAMALFA  
Member of Congress

*Julia Letlow*  
JULIA LETLOW  
Member of Congress


*Tracey Mann*  
TRACEY MANN  
Member of Congress

*Mary E. Miller*  
MARY E. MILLER  
Member of Congress

  
MARIANNETTE MILLER-MEEKS, M.D.  
Member of Congress


  
BARRY MOORE  
Member of Congress

  
RALPH NORMAN  
Member of Congress


  
STEVEN PALAZZO  
Member of Congress

  
GREG PENCE  
Member of Congress

  
MIKE ROGERS  
Member of Congress

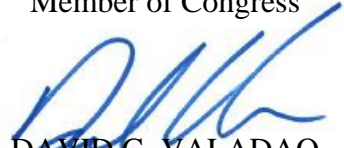
  
JOHN ROSE  
Member of Congress


  
DAVID ROUZER  
Member of Congress

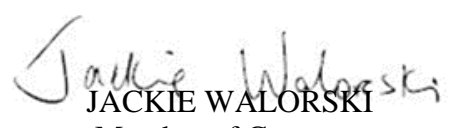
  
AUSTIN SCOTT  
Member of Congress

  
ADRIAN SMITH  
Member of Congress

  
CHRIS STEWART  
Member of Congress

  
DAVID G. VALADAO  
Member of Congress

  
ANN WAGNER  
Member of Congress

  
JACKIE WALORSKI  
Member of Congress

  
ROB WITTMAN  
Member of Congress

CC:

The Honorable Tom Vilsack – Secretary, U.S. Department of Agriculture

<sup>1</sup> <https://www.rfn.com/2021/12/24/mn-ag-department-responds-to-dicamba-report/>

<sup>2</sup> <https://www.rfn.com/2021/12/24/criticism-for-epa-dicamba-report/>