



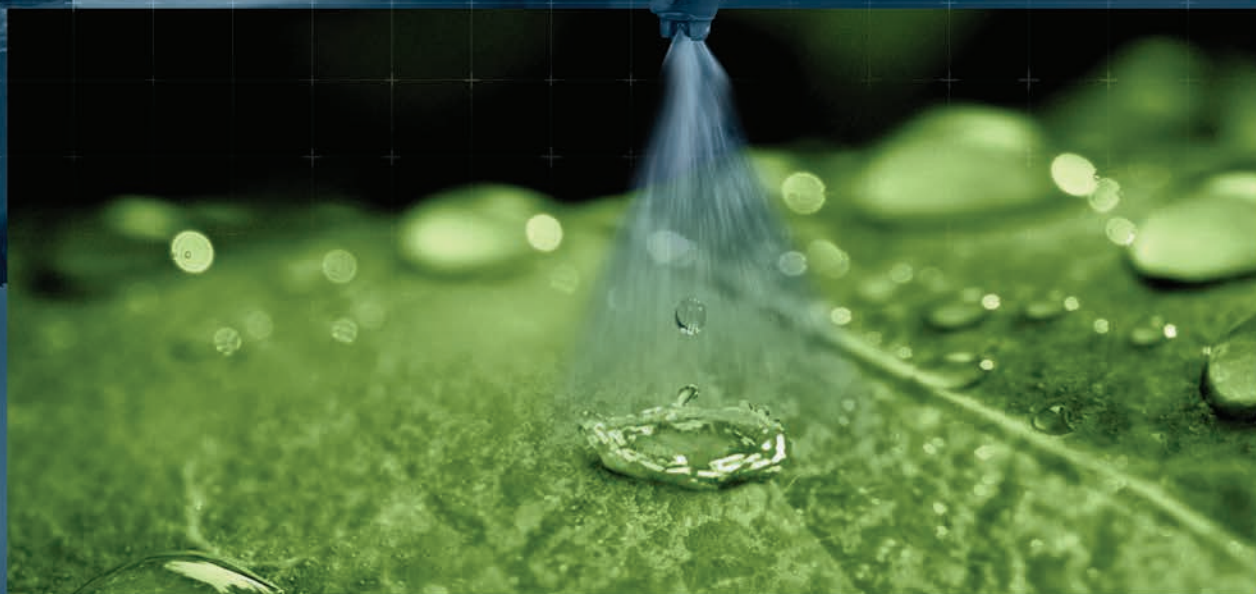
The ABCs of ESA

The agriculture industry faces profound changes under the Environmental Protection Agency's workplan to comply with the Endangered Species Act.



FROM THE EDITORS OF

CropLife



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Meeting the Challenge



WHEN NEWS OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S (EPA) intention to overhaul processes for meeting its obligations under the Endangered Species Act (ESA) started circulating a few years ago, it didn't take long for the impact to capture the attention of the agriculture industry.

The EPA's proposals affect every participant along the value chain, from the chemical companies to retailers to growers. It had been decades since the industry faced such widespread regulatory change.

Moreover, it couldn't have come at a worse time.

According to the USDA's Economic Research Service, farm sector incomes in 2024 are estimated at \$140 billion, a \$42 billion decline from 2022's high of \$182 billion. Growers are dealing with a variety

of pressures, including higher input costs, lower commodity prices, and severe weather that has stressed and damaged crops.

Industry associations were among the first to act. The EPA's proposals were lengthy and complex, which demanded poring over hundreds of pages and multiple documents, interpreting technical and legal language, and holding intensive meetings with government officials to find common ground and reasonable solutions.

It's a work in progress, but there are important milestones to celebrate.

The Council of Producers and Distributors of Agrotechnology (CPDA) successfully advocated for the EPA's approval of drift reduction adjuvants as a mitigation tool in the final Herbicide Strategy, which was released in August 2024.

Ultimately, the goal is to, "Let farmers farm," says CPDA President Terry Kippley.

Simply put, that means ensuring growers can use the products and application methods they want while keeping acreage in production without losing it to buffer zones.

The theme of this special report, "The ABCs of ESA," encompasses a series of print publications and educational webinars that will continue into 2025.

Join us as we update progress from the CPDA and other industry groups, including CropLife America and the Agricultural Retailers Association, share insights from retailers and growers, and keep you posted on the latest news and developments from across the industry in the months ahead. ◆

LARA L. SOWINSKI
lsowinski@meistermedia.com

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Adapting To a New Regulatory Environment

The agriculture industry faces profound changes under the EPA's workplan to comply with the ESA.

BY LARA L. SOWINSKI
GROUP EDITOR

IN APRIL 2022, THE U.S. Environmental Protection Agency (EPA) issued an historic document, “Balancing Wildlife Protection and Responsible Pesticide Use: How EPA’s Pesticide Program Will Meet its Endangered Species Act (ESA) Obligations.”

Known as the “workplan,” it described how the agency would comply with the ESA before registering any new conventional pesticides, and for registration reviews, which occur on 15-year intervals, ensure that each existing active ingredient continues to meet the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) standard of causing no unreasonable adverse effects.

For the agriculture industry, there’s particular interest in the EPA’s three separate strategies pertaining to herbicides, insecticides, and fungicides [the EPA has also

published a Rodenticide Strategy].

The final Herbicide Strategy was released in August 2024.

According to the EPA, the goal of the Herbicide Strategy is “to develop a broad approach to address spray drift and runoff transport from treated fields to minimize exposure to listed 15 plants from herbicides...” and protect animal species that rely on specific plants.

The ESA will apply what it learns from the Herbicide Strategy to develop strategies for other pesticide groups, including insecticides (which would focus on listed invertebrates) and fungicides.

The public comment period on the draft Insecticide Strategy closed September 23, the draft Fungicide Strategy has yet to be released.

Simply put, the EPA’s workplan for complying with the ESA is one of the most profound regulatory changes the agriculture industry has faced in decades. From the manufacturers of agricultural chemicals to retailers

and applicators, the potential impact cannot be overstated. However, it’s the grower community that could bear the brunt of the burden.

Unifying the Industry

In response to the EPA’s workplan, agriculture industry associations, including the Council of Producers and Distributors of Agrotechnology (CPDA), CropLife America (CLA), and the Agricultural Retailers Association (ARA), are taking the lead to advocate on behalf of growers for practical mitigation options, stepping up collaboration across the industry, and exploring ways to help the EPA meet its goals while maintaining the industry’s voice in the process.

Alex Dunn, President and CEO of CropLife America — whose members produce, formulate, and distribute virtually all organic and non-organic pesticide and biotechnology products used by U.S. farmers — says building partnerships is key.



Photo: Dusan Kostic / stock.adobe.com

A big part of that is collaborating with the distributors who interact directly with farmers to share information about the EPA’s workplan and potential changes for growers. Crop advisors and ag extension also play a vital role in helping raise awareness and providing guidance.

Notwithstanding the sheer complexity and widespread impacts of the EPA’s workplan, the rollout and response is slightly less challenging in terms of timing, considering that changes to product labels will be made as each new registration and registration review comes before the agency.

Ultimately, the label is the law, emphasizes Dunn, meaning that the Herbicide Strategy by itself does not impose endangered species requirements. The strategy elements have to be incorporated into label requirements for specific products.

Currently, very few products have explicit ESA requirements that have been incorporated onto the label.

Some growers may not have to do anything right now because the products they are using have not yet gone through the EPA’s ESA review process. However, the industry could start seeing the first label changes for registration reviewed products toward the end of 2025, and for new active ingredients, even sooner.

Identifying Mitigation Strategies

Following the EPA’s release of its workplan in 2022, industry associations began working with the agency on ways to help EPA achieve its goals while simultaneously identifying and advising the most practical and effective ways to do it.

“Ultimately, the label is the law, meaning that the Herbicide Strategy by itself does not impose endangered species requirements. The strategy elements have to be incorporated into label requirements for specific products.”

– Alex Dunn, *CropLife America*

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Continued from p.5

The CPDA members represent 80% of U.S. distribution for the approximately \$15 billion crop protection market, while approximately 80% of the inert ingredients used in agricultural production in the U.S. are provided by its members.

Scott Rawlins, Director of Governmental Relations, notes that the Herbicide Strategy is the most significant portion of the EPA's ESA strategy simply because herbicides represent the bulk of overall pesticide use. A vast majority of farmers use herbicides, so most operations will face ESA-imposed restrictions.

Rawlins explains that for nearly two years, the CPDA has collected and submitted wind tunnel data on drift reduction adjuvants (DRAs)

reducing off-target movement.

There's still more work to be done on this front, however.

Currently, the EPA has only approved oil emulsion adjuvants as a mitigation tool. Bernard says the industry has submitted more data to support the inclusion of polyacrylamides and guar-based adjuvants, which she expects the agency will consider as a mitigation tool.

Adjuvants Positioned for Strong Growth

With DRAs approved by the EPA as a mitigation tool for the Herbicide Strategy, Scott Addy, Vice President, Brand Technology for Wilbur-Ellis and CPDA Executive Board member, sees strong growth potential for the broader adjuvant

He notes that typically the pesticide is the most expensive part of the spray application.

"So as a grower, why would you shortchange yourself on the one thing — the adjuvant — that will make it a lot more effective?" he suggests.

The current economy is forcing growers to look at their operation more critically, including reevaluating all their operating costs, which include all their inputs they'll apply to their crops, acknowledges Abbott.

Likewise, lenders are scrutinizing loan applications. If a grower goes to the bank and asks for an operating loan, the bank is going to look at the average yield, they're going to use their algorithms and run their calculations, says Abbott.

Therefore, "The grower needs to make the absolute best decision about their farming operation," and adjuvants are an important part of the equation.

Meanwhile, with the current economic environment, Abbott says some growers run the risk of thinking about the "curative versus the preventative" when it comes to their spray applications.

For example, it's important that growers remain proactive with weed control. However, some growers get consumed with other costs, such as buying seed, paying for labor, making land payments and so on, and then find themselves behind the curve on weed control.

Abbott advises growers to start early and work with a technical advisor or agronomist to put a plan together and work the plan.

"This is the time to focus on what will increase your yields. The less you take to market the less money you get for your crop," he says.

While the inclusion of DRAs as a mitigation tool in the Herbicide Strategy is expected to drive wider adoption of adjuvants, Abbott is also excited about the "new, novel, and unique" chemistries that are being developed in the adjuvant sector in response to growers' evolving needs.

This combination bodes well for the industry's efforts for ongoing and expanded inclusion of adjuvants in the EPA's ESA workplan. ◆



Photo: zoyas222 / stock.adobe.com

"This is the time to focus on what will increase your yields. The less you take to market the less money you get for your crop."

– Terry Abbott, Adjuvants Unlimited and CPDA

to EPA's Environmental Fate and Effects Division (EFED) for review and analysis.

Following a series of meetings with EFED, the EPA agreed to include DRAs in the Herbicide Strategy as an approved mitigation tool. DRAs will be the easiest, lowest cost option for growers to reduce or eliminate no-spray buffer zones, he says.

Indeed, this was the "biggest win we've gotten so far," says Eileen Bernard, Adjuvant Manager with Nutrien Ag Solutions and Chair of CPDA ESA, during CPDA's annual meeting in September 2024.

Bernard underscored that it was an industry-wide effort to compile over 2,000 lines of data that reinforced the argument that adjuvants are a good option for keeping materials on-target while

sector, with growth estimates anywhere from 15% to 45%.

The efficacy of DRAs is so compelling that Addy and others support the routine use of DRAs as a standard industry practice with multiple benefits beyond compliance with the ESA.

Terry Abbott, Senior Product Portfolio Manager at Adjuvants Unlimited, and CPDA Chairman, says the bottom line is adjuvants help pesticides become more efficacious when added to the spray tank. "The last thing we want is to have a weed that's not completely dead, because weeds that are half alive can produce seeds for the next year, and potentially lead to herbicide resistance," he says.

Even in a tight agricultural economy, or conversely, especially in a tight economy, Abbott says adjuvants should be top-of-mind.

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Unifying the Industry to Support Growers

Collaboration is key to harnessing resources, data, and tools for growers and their operations.

BY LARA L. SOWINSKI
GROUP EDITOR

FOR ALL THE COMPLEXITIES ASSOCIATED WITH THE U.S. Environmental Protection Agency's (EPA) 2022 workplan to address its obligations under the Endangered Species Act (ESA), there are just as many questions from the agriculture industry.

One thing is certain: While growers are tasked with more responsibilities, as well as potentially higher costs for compliance and a reduction of acres in production due to buffers, retailers are leaning into their role as trusted advisors.

"We have got to be part of the solution," says Scott Addy, Vice President, Brand Technology for Wilbur-Ellis, and Executive Board Member, Council of Producers and Distributors of Agrotechnology (CPDA),

As growers come to terms with the myriad changes the EPA is advancing, the first resource they're going to turn to is the retailer, he says.

"There's a big opportunity for the retailer to be part of the grower's decision-making, from integrating the right tools and mitigation methods in their plan. We're the ones who know how to do that. We have the products, and we have the systems."

One of the difficulties with the EPA's workplan and its multiple strategies is that each field must be analyzed and farmed to assure compliance. According to Addy, "There are so many questions that need to be answered field-by-field, that retailers must be prepared to help growers. This will require extensive training on the part of retailers."

At the same time, it's also an opportunity for retailers and industry associations to work together on de-

veloping training programs that will ultimately support growers. In other words, "training the trainers."

Ted McKinney, CEO of the National Association of State Departments of Agriculture (NASDA), agrees that it's critical for associations to collaborate on designing and implementing training programs.

During the CPDA annual meeting in September 2024, McKinney noted that associations are already having discussions with one another over the impact of the EPA's workplan.

He suggests that associations, including NASDA, the CPDA, CropLife America, and the Agricultural Retailers Association, for example, maintain open communication to avoid overlap and duplication.

Adding TSPs to the Pipeline

Technical Service Providers (TSP)

Photo: anetlanda / stock.adobe.com

are also part of the solution. In May 2023, the bipartisan “Increased TSP Access Act” was introduced to address the shortage of TSPs.

The Agricultural Retailers Association (ARA) has championed the bill. Daren Coppock, President and CEO, states that, “As the trusted adviser to the farmer, ag retailers and their Certified Crop Advisers (CCAs) are heavily involved in on-farm conservation planning and implementation.

“This bill will help streamline the technical service provider (TSP) certification at NRCS and allow our members to leverage the programs and technical expertise of NRCS to make conservation programs available to more farmers and on more land than NRCS could support on its own.”

The bill is now being negotiated for inclusion in the next Farm Bill.

The USDA’s Natural Resources Conservation Service (NRCS) Chief Terry Cosby said in January 2023 that his agency needed to hire between 3,000 and 4,000 employees over the next two years to implement USDA conservation programs and meet demand for technical assistance.

Although the USDA had authority to hire 1,500 new employees last year, it only retained 500.

DRAs and Drones: A Powerful Combo

Despite the complexities of the EPA’s final Herbicide Strategy, Professor Andrew Hewitt of The University of Queensland, a strategic advisor who is working with the CPDA on mitigation strategies related to EPA’s workplan, notes that a sensible first step is to choose the

other attributes, growers are already using adjuvants to boost efficacy, explains Hewitt.

“Certainly, with glyphosate you can get better efficacy with a good adjuvant, including ammonium sulfate,” he adds.

During the comment period for the draft Insecticide Strategy, which

“There’s a big opportunity for the retailer to be part of the grower’s decision-making, from integrating the right tools and mitigation methods in their plan. We’re the ones who know how to do that. We have the products, and we have the systems.”

– Scott Addy, Wilbur-Ellis

right adjuvant and nozzle, along with boom height, to minimize or eliminate buffers when making broadcast ground applications (see **EPA Table 8 and Table 9, p. 10 and 12**).

From improved spreading and sticking, to water conditioning and

closed on September 23, 2024, the CPDA submitted additional data to the EPA demonstrating that using drift reduction adjuvants (DRAs) and Medium, Coarse, or Very Coarse droplet size distribution all offered a 30% reduction in buffer, which combined with a high boom and relative humidity at 60% or more at time of application, would reach or exceed the threshold for a 100% reduction in buffer.

Likewise, a low boom with Fine to Medium-Coarse or Coarse droplet size distribution and relative humidity at 60% or more at the time of application would also meet the requirements for eliminating a buffer.

Hewitt accumulated significant data conducting wind tunnel studies for BASF’s Engenia, as well as for Enlist, XtendiMax, and Fexapan.

Under EPA regulations, every tank mix partner must be tested before it’s allowed in these product formulations. The testing requires measuring droplet size and calculating a buffer with the AGDISP model.

“If the buffer doesn’t increase, you’re approved, and there’s a huge data set there (that demonstrates that),” explains Hewitt.

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THE INCREASED TSP ACCESS ACT WOULD ADDRESS THE TSP SHORTAGE BY EXPANDING ON THE FRAMEWORK FIRST ENVISIONED IN THE 2018 FARM BILL

- **Non-Federal Certifying Entities:** The bill directs USDA to establish a process to approve non-Federal certifying entities within 180 days of enactment. The bill ensures that USDA’s process will allow agricultural retailers, conservation organizations, cooperatives, professional societies, and service providers to become certifying entities. It also puts clear deadlines on USDA to ensure that the agency is responsive in administering the program.
- **Streamlined Certification:** The bill directs USDA to establish a streamlined certification process for TSPs who hold appropriate specialty certifications (including certified crop advisors) within 180 days of enactment. This guarantees the applicants with other certifications aren’t burdened with duplicative training, but are still trained in the competencies needed to serve as a TSP.
- **Parity in Compensation:** The bill ensures that TSPs — who are often paid using conservation program dollars — are paid the fair market rate for their services.

Source: Braun.Senate.gov

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“We looked at over 250 drift reduction adjuvants, including emulsion oils, polymers, and guar gums. Every data set started with a Coarse nozzle. For every 1% reduction in fines, you get a 1.25% reduction in buffer,” suggesting that if a Coarse nozzle can achieve a buffer reduction/elimination, then results with a Fine nozzle would be further enhanced as most adjuvants work better with a Fine nozzle.

John Blackford, Branded Technologies Portfolio Manager — Adjuvants, at Wilbur-Ellis, notes that while more growers are using adjuvants there is “some open space” for greater adoption, and that’s where retailers and trusted advisors can be impactful.

Wilbur-Ellis has compiled a large amount of data to support the efficacy of adjuvants, which is shared with its retail network and available for growers.

In addition, the company is using social media to reach the increasingly diverse grower community, including younger aged growers who may prefer social media engagement.

Blackford says he’s long been a proponent of drift reduction adjuvants (DRAs), which he adds “should be used in every tank, every time.”

When combined with drone technology, the value proposition of DRAs is accentuated.

Wilbur-Ellis does extensive testing with drones and adjuvants and mitigating spray drift, including comparisons in application rates between drones and ground rigs.

Although a lot of drones use a rotary atomizer type of spray nozzle, some newer technology uses nozzles that are attached to a boom on the drone.

“This requires testing different DRAs to find what works best with a specific drone configuration,” says Blackford. “This isn’t a one-size-fits-all scenario. The equipment piece is very important.”

Wilbur-Ellis colleague Addy agreed that new technologies, including precision spraying technology along with DRAs and drones, are beneficial mitigation tools.

Meanwhile, there are lingering questions that remain, he says.

For example, understanding the regulatory responsibilities and liabilities as a retailer, from applying product in mitigation areas to writing plans for the grower.

The EPA is providing resources to help the industry comply with the Herbicide Strategy and forthcoming strategies, notes Addy, such as the Flow Chart of Managerial Decisions.

Additional documents and materials are available online at EPA.gov, including the

Table 8. Mitigation measures identified when making broadcast ground applications.

Mitigation Measures	% Reduction in Distance ⁵
Application Parameters	
Reduced single application rate	% reduction corresponds to application rate reduction from maximum on pesticide product label ²
High boom, Fine to Medium-Coarse DSD ¹	55%
High boom, Coarse DSD ¹	65%
Low boom, Very Fine to Fine DSD ¹	40%
Low boom, Fine to Medium-Coarse DSD ¹	65%
Low boom, Coarse DSD ¹	75%
Over-the-top Hooded Sprayer	50%
Row-middle Hooded Sprayer	75%
Sprays below crop using drop nozzles or layby nozzles	50%
Spray drift reducing adjuvants, Medium DSD	30%
Spray drift reducing adjuvants, Coarse or Very Coarse DSD	15%
Reduced Proportion of Field Treated (Number of Ground Application Equipment Passes)³	
1 pass	75%
2-4 passes	35%
5-10 passes	15%
Other Mitigation Measures	
Downwind windbreak/hedgerow/riparian/forest/woodlots/shrubland	50% for basic windbreak/hedgerow 75% for advanced windbreak/hedgerow 100% for riparian/forests/woodlots/shrubland ≥60 ft width
Relative humidity is 60% or more at time of application	10%

DSD = droplet size distribution

Low boom height = release height is less than 2 feet above the ground

High boom = release height is greater than 2 feet above the ground

¹ This % reduction assumes use of high boom, Very Fine to Fine droplet size for ground.

² Example 10% reduction in the spray drift buffer for 10% lower single application rate than labeled maximum single application rate

³ A spray drift buffer applies to downwind non-target areas. The reduced number of passes applies to the upwind part of the treated field.

⁴ Artificial windbreaks (e.g., a curtain or netting) are also applicable

⁵ After mitigation reductions in the spray buffer are applied, round to the nearest 5 ft increment (e.g., 50 ft, 35 ft)

Source: EPA's Herbicide Strategy, August 2024

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The Best Advice: Be Proactive

Scott Rawlins, Director of Governmental Relations at CPDA, says the best advice for any farm at this point is to start preparing and gathering information.

“The Herbicide Strategy is incredibly complex. Growers will have to conduct an acre-by-acre analysis of each field to understand their compliance obligations. They must consider a broad range of factors, including whether their fields are located in a Pesticide Use Limitation Area, the field slope, soil type, runoff potential, distance to critical habitat, the crop produced and other factors,” he says.

“For a 5,000-acre farm, this could mean a thorough and separate analysis of more than one hundred fields. Add in the restrictions that will be included in the forthcoming Insecticide Strategy and Fungicide Strategy, and you end up with a regulatory maze affecting most farmers.

“Small- and mid-sized farms will be impacted the most,” adds Rawlins.

“The mitigation measures identified in the Herbicide Strategy will be financially difficult for small farms to implement. This is particularly true for the permanent in-field mitigation measures like buffer strips, vegetative filter strips, contour farming, riparian areas, mulching, and water retention systems. These are all expensive to implement while taking land out of production, a double whammy that will disproportionately affect smaller farms.”

Moreover, two key issues have been overlooked thus far, says Rawlins.

“The first is how planting decisions are made. Farmers typically make planting decisions based on market conditions. Under these new regulations, planting decisions will sometimes come down to what crop can be planted on a specific piece of land with the fewest restrictions.

The second is the effect on integrated pest management systems. Instead of choosing products that best fit into an overall program, product selection will come down to products with the fewest restrictions.”

Table 9. Mitigation measures identified when making broadcast aerial applications.

Mitigation Measures	% Reduction in Distance
Application Parameters	
Reduced single application rate	% reduction corresponds to application rate reduction from maximum on pesticide product label ²
Coarse DSD ¹	20%
Very coarse DSD ¹	40%
Spray drift reducing adjuvants, Medium DSD	30% for herbicides Under evaluation for insecticides ²
Spray drift reducing adjuvants, Coarse or Very coarse DSD	15% for herbicides Under evaluation for insecticides ²
Reduced Proportion of Field Treated (Number of Ground Application Equipment Passes ³)	
1 pass	55%
2-4 passes	20%
5-10 passes	10%
Other Mitigation Measures	
Downwind windbreak/hedgerow/riparian/forest/woodlots/shrubland	50% for basic windbreak/hedgerow 75% for advanced windbreak/hedgerow 100% for riparian/forests/shrubland/woodlots >60ft width
Relative humidity is 60% or more at time of application	10%

DSD = droplet size distribution

Low boom height = release height is less than 2 feet above the ground

High boom = release height is greater than 2 feet above the ground

¹ This % reduction assumes use of high boom, very fine to fine droplet size for ground.

² Example 10% reduction in the spray drift buffer for 10% lower single application rate than labeled maximum single application rate

³ A spray drift buffer applies to downwind non-target areas. The reduced number of passes applies to the upwind part of the treated field.

Source: EPA's Herbicide Strategy, August 2024

Meanwhile, the EPA pledged to update and modify their ESA strategies, including the Herbicide Strategy, as new information and data become available, says Rawlins.

Indeed, in October, the American Soybean Association expressed concern that the EPA imposed

“unwarranted restrictions” on the final label for a new registration of glufosinate-P at the urging of environmental groups.

A director with the organization pointed out that, “Growers should be worried about the precedent this will set.”



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A Moving Target

Industry seeks certainty, stability in EPA's workplan for ESA.

Photo: Dusan Kostic / stock.adobe.com

BY LARA L. SOWINSKI
GROUP EDITOR

TWO MONTHS AFTER THE EPA'S RELEASE OF THE FINAL Herbicide Strategy in August 2024, the American Soybean Association (ASA) raised concerns after the U.S. Environmental Protection Agency (EPA) placed additional restrictions on farmers following a new registration for glufosinate-P, which was announced on October 18, 2024.

According to the ASA, during the glufosinate-P draft registration comment period, "environmental groups claimed the number of runoff points and the size of the spray drift buffers currently required by EPA are insufficient."

Initially, the EPA defended its findings and asserted that the registration would not jeopardize species or their habitats. In addition, the EPA stated that the draft registration was informed by the Herbicide Strategy.

Yet, additional restrictions were included in the final label.

"Somewhere between the draft and final registration, EPA without explanation tripled the number of ESA runoff points required and imposed a new 10-foot mandatory ground spray drift buffer farmers must adopt to use the new glufosinate-P herbicide," states Alan Meadows, an ASA director and soybean grower.

"Growers should be worried about the precedent this will set," Meadows cautions.

Kyle Kunkler, ASA's Director of Government Affairs, acknowledged the range of uncertainties facing farmers under the EPA's workplan

for ESA. Not only is there a risk of changes to the workplan, but the regulatory process itself could be faulty.

During the November 15, 2024 educational webinar, The ABCs of ESA, a roundtable discussion and companion to this publication that featured the ASA's Kunkler, Eileen Bernard from Nutrien, Scott Addy from Wilbur-Ellis, and Eric Spandl from WinField United, Kunkler stated that: "Currently, EPA's risk assessment process significantly overstates pesticide risks to listed species, which

available that are not financially burdensome? The mitigations the EPA currently makes available for compliance are generally costly and require field modifications. Additional options are needed that are affordable and not contingent on geography or crop type."

Meanwhile, the Herbicide Strategy and Insecticide Strategy are incredibly complex. Farmers and applicators must consider "dozens of factors when calculating runoff/erosion and spray drift mitigations for every field in their operation," states Kunkler.

"How can we ensure farmers and applicators have sufficient options available that are not financially burdensome? The mitigations the EPA currently makes available for compliance are generally costly and require field modifications."

— Kyle Kunkler, ASA

in turn asks farmers and applicators to adopt costly restrictions that may be unnecessary to protect species. How can we ensure that the regulatory process is appropriate and only requires farmers adopt restrictions that are genuinely necessary and supported by science?"

Kunkler also points out the potential for burdening farmers with costly and complex compliance requirements.

"How can we ensure farmers and applicators have sufficient options

"How can we simplify this for farmers to ease compliance and protect those who are making diligent attempts to comply?"

Therein lies the dilemma. Whilst the industry continues to make good-faith efforts to work with the EPA to provide rigorous and current data, feedback, and earnestly do its part to comply with the requirements of the workplan, it's the uncertainties and threat of ongoing changes that could present one of the biggest challenges to the industry. ♦

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