

January 11, 2021

OPP Docket

Environmental Protection Agency Docket Center (EPA /DC)
(28221T)

1200 Pennsylvania Avenue, NW
Washington, D.C. 20460-0001

**RE: Registration Review of Proposed Interim Decision for Paraquat;
Docket # EPA-HQ-OPP-2011-0855**

Dear Chemical Review Manager Pinto:

On behalf of the Agricultural Retailers Association (ARA), I submit the following comments regarding the registration review proposed interim decision (PID) for paraquat (Docket # EPA-HQ-OPP-2011-0855). ARA is concerned with the proposed restrictions to this critically important pesticide product for America's farmers as it historically has been safely used on a wide variety of crops when following the current EPA FIFRA-approved label.

Statement of Interest

ARA is a not-for-profit trade association that represents America's agricultural retailers and distributors. ARA members provide goods and services to farmers and ranchers such as fertilizers, pesticide products, seed, crop scouting, soil testing, custom application of pesticides and fertilizers, and the development of comprehensive nutrient management plans. Retail and distribution facilities are scattered throughout all 50 states and range in size from family-held businesses to farmer-cooperatives or large companies with multiple outlets.

Comments

Paraquat is an important herbicide for use on a wide variety of crops such as corn, soybeans, sunflowers, potatoes, rice, wheat, dry beans, and cotton. This product is routinely applied as a pre-plant burndown to ensure farmers can begin their planting season free of weeds. It has become an even more important tool due to a growing number of glyphosate-resistant weeds. Aerial application is necessary at times of wet weather during the planting and harvesting seasons. While ARA understands and recognizes the potential human health concerns related to the use of paraquat, the risks are extremely limited with the safe storage, handling and application of the product if current EPA FIFRA approved labels are followed.

The new restrictions included in the PID for paraquat are too severe and will adversely impact many important uses for America's agricultural industry. This is especially true as it relates to the prohibition of aerial application for all uses and use sites except cotton desiccation. This action proposed by EPA goes too far and takes away a highly effective and necessary tool for successful agricultural production. It is critical for the agency to continue to allow for paraquat to be used for pre-emerge weed control and as a harvest aid as the product can be safely applied by ground or aerial application to target sites without endangering human health. When the ground is wet aerial

application of paraquat for pre-plant weed control is the only choice available for a farmer to get his fields ready in time for planting. Repairing wheel ruts requires tillage and promotes the runoff of topsoil, essential nutrients in the soil, and pesticide residues.

EPA should use the more accurate and realistic Tier 3 model in AgDRIFT to model the drift from aerial applications. EPA's cited risks to bystanders and the environment are largely due to the use of an inaccurate model that does document aerial applications made in the U.S. today. EPA can mitigate risks identified in the decision by undertaking the following mitigation measures:

- Requiring the use of closed loading systems and an elastomeric half facepiece cartridge respirator with mixing and loading paraquat for aerial applications.
- Banning the use of human flaggers for aerial applications of paraquat.
- Increasing the minimum droplet size required on the label for aerial use from medium to coarse (ASABE S572).
- Basing the buffer zones distances in the proposal on wind direction, as already stated on paraquat labels.

It is also concerning that mechanically pressurized handguns will be prohibited from use as some application of paraquat to provide weed control in areas such as fence lines, stationary objects, corners and similar type areas where the use of common ground application equipment is not possible. When applying paraquat using a mechanically pressurized handgun, the individual wears personal protective equipment and a far more dilute spray concentration is used than in aerial or boom type spray applications.

Most issues or concerns surrounding paraquat are the result of rare but deliberate misuse and mishandling of the product in direct violation of currently approved EPA FIFRA labels. The proposed restrictions, if made final, will result a highly effective weed control product be taken out of availability due to intentional or careless illegal acts of a small number of individuals.

ARA supports EPA's proposal to allow truck drivers who are not certified applicators to transport paraquat when certain conditions are met. There are not enough certified applicators available to be solely responsible for the transportation of paraquat or any other restricted use pesticide.

ARA urges EPA to reconsider the proposed limitations without making available effective substitute pesticide products for use by the industry. Thank you for your review and consideration of these comments!

Sincerely,



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