

May 17, 2021

Environmental Protection Agency Docket Center (EPA/DC), (28221T)
1200 Pennsylvania Ave. NW.
Washington, DC 20460-0001.

RE: Registration Review Draft Risk Assessments for Picloram; Docket ID: EPA-HQ-OPP-2013-0740

The Agricultural Retailers Association (ARA) appreciates the opportunity to comments on EPA's Registration Review proposed draft risk assessments for picloram.

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 which include fertilizer, crop protection chemicals, seed, crop scouting, soil testing, custom application of pesticides and fertilizers, and development of comprehensive nutrient management plans. Retail and distribution facilities are scattered throughout all 50 states and range in size from small family-held businesses or farmer cooperatives to large companies with multiple outlets.

Comments

Agricultural retailers employ commercial pesticide applicators that receive extensive education and training to apply pesticide products in accordance with laws and regulations under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). EPA has financially supported training of certified commercial applicators through state grants. The programs generally cover Best Management Pesticide (BMPs) for safe pesticide use as well as environmental issues such as endangered species and water quality protection. Thousands of agricultural retailers and their commercial applicators have raised their professional status by also participating in voluntary programs such as the Certified Crop Advisor (CCA) program administered by the American Society of Agronomy. Our industry is licensed and extensively trained to store, handle and apply Restricted Use Pesticide (RUP) products. In addition, the Asmark Institute sponsored Professional Applicator Training Course in its first-year trained 700+ commercial applicators about application technology including a large focus on drift reducing technologies. Since that time a significant number of applicators have received extensive training through this industry program. The training is conducted at the Applicator Training Center in Bloomington, Illinois.

ARA's members are committed to the proper stewardship of all crop protection chemicals. However, ARA strongly opposes the requirement that applicators notify property owners / operators in writing about picloram's persistence and restrictions on plant material and manure

before applications of picloram to pastures. For partners to be effective in their business it is important to inform farmer/grower customers on the appropriate product stewardship procedures to enforce label guidance and restrictions. Requiring a notification in writing before an application would be a departure of the existing record keeping process and create undue burdens and expense for agricultural retailers, applicators, and their farmer customers. Typically, it is the property owner / farmer customer who has made the decision to purchase the crop protection product and hired a commercial applicator to apply the product to their property. If the property owner / operator is making the decision to select picloram for application on their property they will have already reviewed the label and the restrictions as part of their selection process. This makes it unnecessary for the applicator to provide this information to them along with a written notification.

Stewardship protocols are part of the sales and education process when property owners / farmer customers are purchasing pesticide products from their local agricultural retailer or aerial applicator. In the event a farmer chooses to hire out a pesticide application service, it is a process that is significantly constrained by availability of the applicator and the appropriate weather to spray, which is determined by the FIFRA label restrictions. Considering these factors, the application process can be delayed or accelerated, and any additional step of requiring a written communication to the farmer before the application would be burdensome.

A notification procedure is included in the invoicing/billing procedure post application, so adding another step in the administrative process would be burdensome to the local agricultural retail and applicator partners, many of which are small businesses with limited personnel. The notification requirement also breaks precedent with other EPA policy (NPDES Pesticide General Permit), places additional workload on commercial applicators who may or may not be the person responsible for evaluating pest control options and selecting picloram. The requirement that this notification, which EPA indicates will need to include date of application and area treated, must occur before the application may lead to serious compliance issues.

Thank you for your review and consideration of our comments!

Sincerely,



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