

November 23, 2015

Mr. Jack Housenger
Director
Office of Pesticide Programs (7501P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
Sent via email: housenger.jack@epa.gov

Request for Extension of Public Comment Period for: Chlorpyrifos; Tolerance Revocations; Proposed Rule (Docket EPA–HQ–OPP–2015–0653)

Dear Mr. Housenger:

As groups representing a cross-section of agriculture and agribusiness, we respectfully request that EPA extend by 90 days the current comment period for its proposed rule to revoke tolerances for chlorpyrifos. The current 60-day comment period, announced by EPA on November 6, 2015, is not adequate time to review and respond with the necessary information requested by the Agency. A 90-day extension of the public comment period would enable us to file comments through April 11, 2016. We make this request for the following reasons:

- EPA has been working on the matter since 2007 (8 years) and we are reviewing this for the first time.
- A significant part of the comment period is comprised of holidays when it will be impractical to solicit the kind of input needed from our memberships.
- Under Section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act, EPA is required to base tolerance decisions on “reliable information”. The matters presented in the propose rule are extremely complicated. Sixty days is inadequate to properly assess the impacts to our sector and provide that reliable information.
- For those of us who previously submitted comments, more time is necessary to complete the new requests and, per EPA’s requirement, address all issues.
- Chlorpyrifos is a widely tested and proven pesticide used throughout the world. In the United States, it is used on 50 separate crops in about 45 states. Reviewing and providing to EPA the requested input on the many uses requires additional time.
- We take this seriously and believe the Agency should, too. Pesticides provide critical risk management tools to farmers and help improve food production, protect health and safety, and ensure a vital and productive supply of food and fiber to the nation and international markets.
- The majority of our members are small businesses. The proposed revocation would significantly impact their operations and ability to control pests in the future.

Further, we believe EPA is proposing the extreme action of revoking tolerance not in reaction to new, solid scientific information but on theoretical modeling that is in stark disagreement with findings from real-world monitoring that show values well below regulatory standards for protection of health and

safety. If allowed to be set as a precedent, many important crop protection tools that growers rely upon, even beyond chlorpyrifos, will be at risk by this new approach to regulatory decision-making.

Given the extensive information being required by EPA on this proposed rule and the fact that much of the comment period falls over three holidays, we encourage the Agency to quickly grant our extension request of an additional 90 days to provide at least a small measure of certainty for our growers and minimize the burden of preparing comments over the holidays.

Sincerely,

American Farm Bureau Federation
AmericanHort
Almond Hullers & Processors Association
Agricultural Retailers Association
American Society of Sugar Beet Technologists
American Soybean Association
American Sugarbeet Growers Association
Beet Sugar Development Foundation
California Citrus Mutual
California Citrus Quality Council
California Cotton Ginners Association
California Cotton Growers Association
California Dried Plum Board
California Fresh Fruit Association
California Specialty Crops Council
California Walnut Commission
Cherry Marketing Institute
Cranberry Institute
Florida Fresh Fruit & Vegetable Association
National Agricultural Aviation Association
National Corn Growers Association
National Cotton Council
National Potato Council
Northwest Horticultural Council
Produce Marketing Association
Society of American Florists
United Fresh Produce Association
U.S. Apple Association
USA Dry Pea & Lentil Council
Western Agricultural Processors Association