

Ag opposition to pesticide legislative changes growing

Jacqui Fatka | Oct 21, 2020

New legislation introduced earlier this year in the U.S. House of Representatives and Senate would make comprehensive updates to the Federal Insecticide, Fungicide & Rodenticide Act (FIFRA), the 1996 law governing pesticide use in the U.S. While unlikely to get serious consideration in Congress this year, many in agricultural circles are raising concerns about what's included in the bill.

The Protect America's Children from Toxic Pesticides Act of 2020 (PACTPA) -- introduced on Aug. 4 by Sen. Tom Udall (D., N.M.), ranking member of the Senate appropriations subcommittee on interior, environment and related agencies, and Rep. Joe Neguse (D., Colo.) -- would ban organophosphate, neonicotinoid and paraquat pesticides, which are banned in 32 countries, including the European Union. Neonicotinoids have been blamed for pollinator deaths. The bill also creates a petition process to the Environmental Protection Agency for individual citizens and alters the process for emergency exemptions, among other changes.

The Weed Science Society of America (WSSA) and its national and regional affiliates have joined with more than 300 agricultural and conservation organizations to protest the legislation as they believe it will significantly change the current science-based pesticide laws.

Currently, pesticides are regulated by FIFRA. The law specifies that EPA career scientists are responsible for determining whether a given pesticide is safe, whether it should be registered and how it should be used. Proposed bills introduced in the House (H.R. 7940) and the Senate (S. 4406) would put "science in the backseat and let politics drive such decisions," WSSA said.

For example, the legislation would allow any interested person to submit a petition to designate an active ingredient or pesticide product as dangerous -- regardless of the individual's background, motives or scientific data supporting the product's safe use.

In addition, any pesticide banned from use in the EU or Canada for any reason would be immediately banned within the U.S., even if extensive EPA scientific reviews have determined that it is safe to use. EPA's risk/benefit assessments are widely recognized as the "gold standard." In fact, many countries align with or defer to EPA's regulatory decisions because of their scientific rigor. Yet, the legislation would allow these science-based decisions to be overturned by less comprehensive analyses.

WSSA said decades of federal regulation and scientific progress will be gutted if the legislation passes.

"These bills would significantly undermine the work of the EPA," WSSA executive director of science policy Lee Van Wychen said. "They would impose an unscientific

and unbalanced process that would jeopardize the continued availability of herbicides and would deter companies from investing in new innovations. Ultimately, the United States could lose the pest control options we need to grow crops safely, protect our homes and infrastructure, control pathogens and diseases and maintain parks, golf courses and natural areas.”

A [letter](#) to members of the Senate and House opposing this legislation was endorsed by: WSSA, Aquatic Plant Management Society, North Central Weed Science Society, Northeastern Weed Science Society, Southern Weed Science Society and Western Society of Weed Science.

“The legislation, as introduced, would gut decades of federal regulation and scientific progress, undermining the work of EPA’s career scientists in the evaluation of pesticide safety and oversight of pesticide registration and use,” the letter stated. “The bills would jeopardize the continued availability and innovation of pesticide products by imposing an unscientific and unbalanced process that could unnecessarily remove pest control options from those who need them to safely grow crops, protect homes and infrastructure, control pathogens and disease vectors and maintain green spaces such as parks and golf courses.”

Udall, who is set to retire after this expiring term this fall, said chemical safety has been an area of bipartisan cooperation before. He said this has the opportunity to be similar to the last major reform bill seen 25 years ago, with a strong bill that brought the industry to the table and galvanized efforts for reform, where different viewpoints were negotiated and all stakeholders ended up agreeing.