October 29, 2021

Via EPA E-Filing System and Federal eRulemaking Portal

U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

RE: Objections to Decision Revoking All Chlorpyrifos Tolerances (EPA-HQ-OPP-2021-0523)

To Whom It May Concern:

Under Section 408(g) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. § 346a(g), the American Sugarbeet Growers Association (ASGA) and the U.S. Beet Sugar Association (USBSA) (collectively, the "Associations") hereby submit their objections to the U.S. Environmental Protection Agency's (EPA or the "Agency") August 30, 2021 decision to revoke all tolerances for the insecticide chlorpyrifos (the "Final Rule").[1] The Final Rule is inconsistent with the Agency's own scientific record on chlorpyrifos with respect to the safety of certain uses. It is also inconsistent with the requirements of applicable statutes and regulations, as well as a court order. This arbitrary decision causes unnecessary and irreparable harm to the Associations' members, the growers and manufacturers of beet sugar. Based on our objections, we request that the Final Rule be immediately reversed, or, at the very least, amended to reflect modification of the tolerances for sugarbeets consistent with the Agency's safety findings. We also request a stay of the effective date of the Final Rule to allow EPA time to respond to these objections, including consideration of maintaining the tolerances for sugarbeets,[2] without unduly and irreparably harming our members.[3]

I. INTRODUCTION

A. The American Sugarbeet Growers Association and the U.S. Beet Sugar Association

[1] Chlorpyrifos; Tolerance Revocations, 86 Fed. Reg. 48,315 (Aug. 30, 2021).
[2] There are four beet sugar tolerances; we request EPA retain each of them: (1) Beet, sugar, dried pulp, 5.0 parts per million (ppm); (2) Beet, sugar, molasses, 15 ppm; (3) Beet, sugar, roots, 1.0 ppm; and (4) Beet, sugar, tops, 8.0. 40 C.F.R. § 180.342(a)(1).
[3] *See* American Sugarbeet Growers Association and U.S. Beet Sugar Association, *Request for a Stay of Decision Revoking All Chlorpyrifos Tolerances* (EPA-HQ-OPP-2021-0523) (filed concurrently with these objections, requesting, at a minimum, a stay as to the 11 safe uses identified in the EPA's December 2020 Proposed Interim Decision for Chlorpyrifos, EPA-HQ-OPP-2008-0850-0971).

The American Sugarbeet Growers Association and the U.S. Beet Sugar Association represent farmer-owners and manufacturers that both grow and process over 56 percent of all sugar produced in the United States. ASGA's members associations represent 10,000 family farmers. And USBSA's nine manufacturing firms operate 21 factories that process refined white sugar, molasses, and dried beet pulp from sugarbeets. Together, we account for 1.2 million acres grown in 11 states: California, Colorado, Idaho, Michigan, Minnesota, Montana, Nebraska, North Dakota, Oregon, Washington, and Wyoming. Our farmers and farmer-owned processing facilities account for over 100,000 rural jobs, and contribute over $10.6 billion annually to the U.S. economy. The U.S. beet sugar industry has become a global leader in environmental sustainability as we have invested in significant programs that preserve our natural resources, family farms, unionized workforces, and rural communities for future generations. As a result, our industry now produces 29 percent more sugar on 8 percent less land than 20 years ago, and sugarbeets now require significantly less land, water, fuel and fewer pesticide inputs to grow.

Our industry depends significantly on chlorpyrifos as a critical, and in certain circumstances the only, crop protection tool available to fight pests and to meet the sugar demands of the U.S. food economy. In 2020, EPA recognized the high total benefits of chlorpyrifos use, estimating high-end benefits to be up to $32.2 million per year for sugarbeets.[4] This estimate is likely an underestimate.[5] According to EPA's own estimates, the per acre benefits of chlorpyrifos could be as high as $500 in parts of Minnesota and North Dakota, leading to Agency-estimated high-end benefits over $30 million overall.[6] And EPA acknowledges the lack of alternatives leading to potential yield loss in sugarbeet crops in Minnesota and North Dakota.[7] Losing chlorpyrifos as a critical tool would be devastating to our growers. As another example, Oregon seed production growers estimate that without chlorpyrifos they would suffer between $251,000 and $753,000 in revenue losses just from loss of seed production due to symphylan (garden centipede) damage.[8] One of the primary pest targets for chlorpyrifos use in sugarbeets is the sugarbeet root maggot (SBRM). Chlorpyrifos is the most effective post-emergence liquid insecticide available for the control of SBRM flies. Registered alternatives to chlorpyrifos can only suppress SBRM, not

[4] U.S. EPA, Memorandum, Revised Benefits of Agricultural Uses of Chlorpyrifos (PC# 059101), EPA-HQ-OPP-2008-0850-0969, at 49 (Nov. 18, 2020) [hereinafter, "Benefits Analysis"], https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0969. For all agricultural uses of chlorpyrifos, EPA estimated the "total annual economic benefit of chlorpyrifos to crop production is estimated to be $19 - $130 million." U.S. EPA, Proposed Interim Decision for Chlorpyrifos, EPA-HQ-OPP-2008-0850-0971, at 39 (Dec. 3, 2020) [hereinafter, "PID"], https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0971.

[5] We believe EPA has underestimated the percent crops treated with chlorpyrifos in their underlying benefits analysis, thus leading to an underestimate of benefits of chlorpyrifos in the PID. The Benefits Analysis notes that in states other than MN and ND, the percent crop treated (PCT) is 9%. Benefits Analysis at 10. Kynetec data for 2014–2018, however, show that for Idaho the PCT is 40–80%. U.S. EPA, Memorandum, Chlorpyrifos (059101) National and State Use and Usage Summary, EPA-HQ-OPP-2008-0850-0968, at 10 (Apr. 1, 2020), https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0968. It is not clear that EPA appropriately accounted for this when averaging Idaho with other states. We also note the importance of an accurate tally of all states in which sugarbeets are grown. *Compare* PID at 41 (listing IL, LA, and WI as states that grow sugarbeets, and omitting WY), *with* Use Summary at 5, 10 (not listing IL, IA, and WI, but including WY).

[6] PID at 42.

[7] Benefits Analysis at 5.

[8] Chlorpyrifos is the only fully registered rescue option available in early spring to control symphylans and is typically applied on 25% to 33% of total sugarbeet seed production acres.

control it, or are only registered for use on adult flies, not larvae.[9] It is important to note, however, that not all sugarbeet acres are treated with chlorpyrifos each crop year. Chlorpyrifos applications for SBRM fly control are made only after determining there is a need,[10] and are targeted to specific areas of need based on monitoring of the sugarbeet growing geography.

B. Statutory Authority

i. FFDCA Tolerance Revocations

The FFDCA requires EPA to set food safety "tolerances," the maximum levels of pesticide residue allowed in or on food.[11] EPA "may establish or leave in effect a tolerance for a pesticide chemical residue in or on a food only if the Administrator determines that the tolerance is safe" and "shall modify or revoke a tolerance if the Administrator determines it is not safe."[12] When establishing, modifying, or revoking a tolerance, EPA must consider, among other things, "the validity, completeness, and reliability of the available data from studies of the pesticide chemical and pesticide chemical residue."[13]

The Food Quality Protection Act (FQPA) amended the FFDCA to establish, among other things, a safety standard for pesticide tolerances pertaining to pesticide residues in or on raw agricultural commodities, such as sugarbeets. Such a tolerance is deemed "safe" if "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information."[14] This provision contemplates exposures from food, drinking water, and in residential settings, but *not* occupational exposure. When assessing "reasonable certainty of no harm," EPA applies an additional tenfold ("10x") margin of safety "to take into account potential pre- and post-natal toxicity and completeness of the data with respect to exposure and toxicity to infants and children."[15] The Agency may, however, apply a different margin of safety—for instance, a 1x safety factor—if there is "reliable data" to support doing so.[16]

ii. Tolerance Revocation and FIFRA

When revoking a tolerance "for a pesticide chemical residue in or on food, the Administrator shall coordinate such action with any related necessary action under [FIFRA]."[17] That related action may be canceling that pesticide's registration and entering an "existing stocks" order under which

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[9] David Franzen, et al., North Dakota State University, 2021 Sugarbeet Production Guide (Jan. 2021), https://www.ag.ndsu.edu/publications/crops/sugarbeet-production-guide.

[10] *See Comment submitted by Joe Hastings, General Agronomist, American Crystal Sugar Company*, EPA-HQ-OPP-2008-0850-0978), https://www.regulations.gov/comment/EPA-HQ-OPP-2008-0850-0978 (comment submitted on EPA's Notice of Proposed Interim Decision for Chlorpyrifos, EPA-HQ-OPP-2008-0850-0964).

[11] 21 U.S.C. § 346a.

[12] *Id.* § 346a(b)(2)(A)(i).

[13] *Id.* § 346a(b)(2)(D)(i).

[14] *Id.* § 346a(b)(2)(A)(ii).

[15] *Id.* § 346a(b)(2)(C)(ii)(II).

[16] *Id.*

[17] *Id.* § 346a(l)(1).

EPA may "permit the continued sale and use of existing stocks of a pesticide whose registration is suspended or cancelled."[18]

C. The Agency's Decision to Revoke All Chlorpyrifos Tolerances

On August 30, 2021, EPA issued a Final Rule revoking *all* tolerances for chlorpyrifos.[19] EPA stated that "given the currently registered uses of chlorpyrifos, EPA cannot determine that there is a reasonable certainty that no harm will result from aggregate exposure to residues, including all dietary (food and drinking water) exposures and all other exposures for which there is reliable information," notwithstanding the FQPA 10x safety factor to address "uncertainties" in relevant epidemiology studies.[20] At the same time, however, EPA re-acknowledged or confirmed findings from its December 2020 Proposed Interim Decision (PID). For instance, regarding aggregate exposure, EPA confirmed that "exposures from food and non-occupational exposures individually or together do not exceed EPA's levels of concern,"[21] and only the combination of drinking water exposures with food and non-occupational exposures would raise the risk of concern.[22] Consistent with the PID, the Agency acknowledged that drinking water exposures associated with use on only 11 enumerated crops in specific regions do not exceed levels of concern.[23] EPA even admitted that "there may be limited combinations of uses that could be safe."[24]

As described in the Final Rule, EPA's action was against the backdrop of many years of administrative process and litigation surrounding chlorpyrifos. In 2007, several nongovernmental organizations (NGOs) petitioned EPA to revoke all chlorpyrifos tolerances. After years of delay, EPA issued an order denying that petition (2017) and subsequently denied the NGOs' objections made to that order (2019).[25] After additional litigation, on April 29, 2021, the U.S. Court of Appeals for the Ninth Circuit vacated both denials. On remand, the Court ordered the Agency to:

> [I]ssue a final regulation within 60 days following issuance of the mandate that either (a) revokes all chlorpyrifos tolerances or (b) modifies chlorpyrifos tolerances and simultaneously certifies that, with the tolerances so modified, the EPA "has determined that there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information," including for "infants and children"; and . . . modify or cancel related FIFRA registrations for food use in a timely fashion consistent with the requirements of 21 U.S.C. § 346a(a)(1).[26]

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[18] 7 U.S.C. § 136d(a), (b).
[19] 86 Fed. Reg. at 48,315.
[20] *Id.* at 48,317.
[21] *Id.* at 48,333.
[22] *Id.*
[23] *Id.* The 11 uses that EPA determined to be high-benefit, critical crop uses are alfalfa, apple, asparagus, cherry, citrus, cotton, peach, soybean, **sugarbeet**, strawberry, and wheat. PID at 15–17.
[24] 86 Fed. Reg. at 48,333.
[25] *See League of United Latin Am. Citizens v. Regan*, 996 F.3d 673, 680–90 (9th Cir. 2021) ("*LULAC*") (detailing procedural history beginning with 2007 petition).
[26] *Id.* at 703–04.

The Court's order made clear that EPA could "choose to modify chlorpyrifos tolerances, rather than to revoke them," if the decision included the required safety determination.[27] In issuing its decision, the Court was aware of EPA's PID for chlorpyrifos, which had identified 11 uses of chlorpyrifos, including for sugarbeets, that could continue even if the Agency applied the 10x FQPA safety factor. The Court explained:

> [D]uring the pendency of this proceeding, in December 2020, the EPA issued a Proposed Interim Registration Review Decision proposing to modify certain chlorpyrifos tolerances. The EPA also convened another [Scientific Advisory Panel] in 2020. If, based upon the EPA's further research the EPA can now conclude to a reasonable certainty that modified tolerances or registrations would be safe, then it may modify chlorpyrifos registrations rather than cancelling them.[28]

Four months later, EPA published its Final Rule in response to the Court's order. Yet, rather than modify tolerances consistent with its own preliminary findings that 11 crop uses in select regions were safe,[29] the Agency chose to revoke *all* chlorpyrifos tolerances. EPA set tolerances to expire on February 28, 2022, a mere six months from publication of the Final Rule.

II. OBJECTIONS

The Associations object to EPA's flawed decision on multiple grounds. The Agency turned a blind eye to scientific data and safety findings in its own PID, improperly canceling tolerance uses that the Administrator can and should leave in effect under the requirements of the FFDCA. The Agency also failed to comply with the FFDCA and the Ninth Circuit's order by failing to harmonize its revocation decision with FIFRA. In addition, EPA abused its discretion by taking an overly cautious risk assessment approach based on hedging for uncertainty. The Agency also failed to consider other relevant scientific information and comments entirely, thus depriving stakeholders of due process. In addition to these flaws, EPA did not address the implications of its decision on existing stocks of chlorpyrifos products. Further, the Agency failed to undertake proper interagency review of the Final Rule before it was issued.

For these reasons, and because of the unnecessary, significant, imminent, and irreparable harm the Associations' members will suffer because of EPA's decision to revoke *all* tolerances,[30] the Final Rule should immediately be reversed, or, at the very least, amended to leave in effect the tolerances for sugarbeets consistent with the Agency's safety findings.

A. EPA's Failure to Rely on Its Own Prior Safety Findings for Eleven High-Benefit Crop Uses and to Harmonize those Findings with the FIFRA Registrations is Arbitrary and Capricious.

EPA's stated rationale for the revocation of *all* tolerances was that it could not make a safety finding for all current chlorpyrifos registered uses. As discussed further below, the Associations

[27] *Id.* at 702.
[28] *Id.* at 703.
[29] *See* PID at 40.
[30] As set out in detail in the Associations' accompanying stay request. *See* note 3*, supra*.

object generally on the grounds that EPA failed to base its decision on best available science for all uses and tolerances, for example by relying on the 2016 Drinking Water Assessment instead of the refined 2020 Drinking Water Assessment. But the Agency's decision to revoke *all* tolerances—including 11 high-benefit crop uses in specific regions that it previously identified in its PID as safe, such as sugarbeets—is arbitrary and capricious and otherwise not in accordance with the FFDCA. The PID carefully considered 11 crop uses in specific regions and determined that those uses "will not pose potential risks of concern with an FQPA safety factor 10x."[31] But even after reaffirming the PID's safety findings in the Final Rule, EPA simply refused to apply those findings when it determined to revoke the tolerances for the safe high-benefit crop uses. EPA clearly has the necessary data, the ability, and the authority to preserve the tolerances for these 11 uses. Not leaving the tolerances in effect for these 11 uses when the record supports doing so is arbitrary and capricious.[32]

EPA justified its decision by assuming that all currently registered uses are the baseline against which it must make its FFDCA safety evaluation. The Final Rule states that "the Agency's analysis indicates that aggregate exposures (i.e., exposures from food, drinking water, and residential exposures), ***which stem from currently registered uses***, exceed safe levels, when relying on the well-established 10% red blood cell acetylcholinesterase (RBC AChE) inhibition as an endpoint for risk assessment . . . ."[33] But nothing in the FFDCA or the Ninth Circuit's order directs that approach; in fact they encourage the opposite. Section 408(b)(2) of the FFDCA directs that EPA may "leave in effect a tolerance . . . if the Administrator determines that the tolerance is safe."[34] And "[t]he Administrator shall modify or revoke a tolerance if the Administrator determines it is not safe."[35] In making this finding, EPA must consider the "result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information."[36]

The Final Rule's conclusion that EPA cannot make the required safety finding is premised on a faulty baseline of *all* chlorpyrifos tolerances and *all* chlorpyrifos registrations remaining in place. EPA is fully capable of cancelling the tolerances where it cannot make the FFDCA safety finding and leaving in place the tolerances for the 11 safe uses, including sugarbeets. To fail to leave in effect the 11 tolerances for which the PID's science-based conclusions have already supported a safety finding runs afoul of the express direction in Section 408(b)(2). And nowhere in the Final Rule does EPA claim that this approach is unavailable to it. Accordingly, if EPA has the authority and necessary scientific support to lawfully leave in effect the tolerances for the 11 uses, yet it chooses to revoke these tolerances on the false premise that it cannot tailor its decision appropriately under FFDCA and FIFRA, it has significantly misapprehended its legal authority.

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[31] PID at 40. We also object to EPA's specific application of the 10x FQPA safety factor "to account for uncertainties" in relevant epidemiological studies. EPA improperly inserted data from studies that, by its own admission, were incomplete and unreliable, to support application of the 10x safety factor. EPA is authorized to make decisions based on valid, complete, and reliable data in its safety analysis. *See* 21 U.S.C. § 346a(b)(2)(D)(i). The Agency's misapplication of that authority is an abuse of discretion.

[32] The Associations request an evidentiary hearing under 21 U.S.C. § 346a(g)(2)(B) to demonstrate that the best available science, including EPA's 2020 PID, supports a finding that the tolerances for sugarbeets can remain in effect.

[33] 86 Fed. Reg. at 48,333 (emphasis added).

[34] 21 U.S.C. § 346a(b)(2)(A)(i).

[35] *Id.*

[36] 86 Fed. Reg. at 48,333 (quoting 21 U.S.C. § 346a(b)(2)).

This conclusion also sets a very negative precedent that the Agency could broadly revoke all tolerances, regardless of whether registrants, users, or EPA's own career scientists, have demonstrated the safety of the continued food use of a pesticide under the proper set of conditions on specific crops. EPA's all or nothing approach could be very damaging to pesticide programs in the future if it is allowed to stand.

Beyond EPA's clear ability to leave in effect a subset of chlorpyrifos tolerances for the 11 safe uses, EPA's faulty baseline also ignores its legal obligations under FFDCA to harmonize a tolerance revocation with FIFRA—that is, where the Agency revokes a tolerance, it must take corresponding action under FIFRA regarding the relevant registration. The FFDCA states in relevant part:

> (1)Coordination with FIFRA
>
> To the extent practicable and consistent with the review deadlines in subsection (q), in issuing a final rule under this subsection that suspends or revokes a tolerance or exemption for a pesticide chemical residue in or on food, ***the Administrator shall coordinate such action with any related necessary action under the Federal Insecticide, Fungicide, and Rodenticide Act*** [7 U.S.C. 136 et seq.].[37]

This is a statutory duty. The statutory scheme for food uses of pesticides obviously contemplates tolerances and registrations to work in concert. The Final Rule offers no explanation why it is not "practicable" to cancel the FIFRA registrations and the tolerances for the food uses where EPA cannot make a safety finding,[38] while maintaining the registrations and tolerances that the 2020 PID found to be safe.[39] By not proposing this alternative or offering any discussion of this more tailored approach EPA disregarded its statutory duty to coordinate its tolerance revocation decisions with FIFRA. Moreover, nothing prevented EPA from using a baseline in its revocation decision that assumes the continued registration for only the 11 uses. The failure to even analyze an alternative baseline in the Final Rule, which is safe yet less burdensome to the agriculture sector, demonstrates that EPA has not considered all aspects of the problem, and is therefore arbitrary and capricious.

What is more, the Ninth Circuit expressly ordered the Agency on remand to "correspondingly modify or cancel related FIFRA registrations for food use in a timely fashion" when issuing a final decision to revoke or modify the chlorpyrifos tolerances.[40] The Court recognized that the PID

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[37] 21 U.S.C. § 346a(l)(1) (emphasis added).

[38] *See* Gharda Chem. Int'l, Inc., Objections to the Final Rule Revoking All Tolerances for Chlorpyrifos, EPA-HQ-OPP-2021-0523, at 30 (noting that registrant voluntarily agreed with EPA to cancel unsafe registrations). *See generally* Part III.I, *infra* (incorporating by reference Gharda's comments, among others).

[39] The Final Rule provides for no corresponding action regarding chlorpyrifos registrations. Nor do the answers on EPA's Final Rule FAQ webpage, launched after the Final Rule was issued, provide any guidance. There, at most, the Agency paid mere lip service to its duty to take action on registrations by stating, without any elaboration on process or timing, that it "intends to cancel registered food uses of chlorpyrifos associated with the revoked tolerances under FIFRA, as appropriate." U.S. EPA, Frequent Questions About the Chlorpyrifos 2021 Final Rule, Question 9, https://www.epa.gov/ingredients-used-pesticide-products/frequent-questions-about-chlorpyrifos-2021-final-rule#question-9.

[40] *LULAC*, 996 F.3d at 678, 703–04.

contemplated modifying certain tolerances and that it was possible for EPA to do so if it made the safety determination based on the PID's findings.[41] Thus, EPA's failure to harmonize its decision with FIFRA is not only a failure to uphold a statutory duty but also is inconsistent with a Court order.

EPA's communications with the Associations after issuing the Final Rule demonstrate that EPA has no concern that the sugarbeet tolerances can be safely retained. EPA invited stakeholders to submit questions regarding its revocation decision, and the Associations submitted questions, including asking about sugarbeet residue data. In answering, the Agency reminded the Associations that "chlorpyrifos risks from food, including sugar from sugar beets and all other foods, is very low *and not of concern*; sugar beets are not expected to contribute significant risk to the total dietary exposure. The primary contribution to overall chlorpyrifos risks is from residues in drinking water."[42] Consistent with this communication, the Agency could easily make a safety finding for sugarbeets based on the PID and thereby leave in effect the existing tolerances for sugarbeets (as well as the 10 other safe uses). Yet, EPA has decided to subject the Associations to additional administrative processes by leaving them no recourse but to seek new use tolerances for sugarbeets. The burden on the Associations to establish new use tolerances for sugarbeets would be incredibly heavy both procedurally and because of the preventable crop losses that will occur in the interim while EPA considers setting a new tolerance.[43] It makes no sense to subject the Associations to that protracted, costly endeavor where, based on all the information it has available to it, EPA could easily leave in place the tolerances (and registrations) for a food use—sugarbeets—that it has deemed safe.

The Associations object to the unnecessary manner in which EPA erects all of the existing registered chlorpyrifos uses as an impediment that allegedly forces EPA to cancel the tolerances for the 11 uses found safe in the PID along with all other uses of chlorpyrifos. This approach is pretextual, not supported by sound science, and fails to adhere to the FFDCA and the Court's order.[44] EPA should at a minimum preserve the tolerances for the 11 uses and harmonize any modifications needed (if any) on the registrations for those uses, and it should stay the effective date of the Final Rule to allow for this work if necessary. Sugarbeet growers will suffer severe economic harm when the revocation takes effect if EPA fails to address these issues.

B. In Issuing an Unnecessary and Overbroad Revocation of the Tolerances EPA Failed to Adequately Consider the Beet Sugar Industry's Reliance Interests.

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[41] *Id.* at 703.

[42] Letter from Mr. Ed Messina, EPA, to Ms. Cassie Bladow and Mr. Luther Markwart, 5 (Oct. 12, 2021) [hereinafter, "Messina Letter"] (emphasis added) (attached hereto as "Attachment A").

[43] *See* U.S. EPA, PRIA Fee Category Table - Registration Division - New Uses, https://www.epa.gov/pria-fees/pria-fee-category-table-registration-division-new-uses (last visited Oct. 28, 2021) (for action code R150, new food use, listing the decision time as 21 months and an application fee of $349,608; and, for action code R170, additional food use, listing the decision time as 15 months and an application of $87,483).

[44] *See LULAC*, 996 F.3d at 678, 703–04 (instructing that EPA "may modify chlorpyrifos registrations rather than cancelling them," "[i]f, based upon the EPA's further research," namely the 2020 PID as well as a 2020 Scientific Advisory Panel, "EPA can now conclude to a reasonable certainty that modified tolerances or registrations would be safe"; and expressly ordering EPA to "correspondingly modify or cancel related FIFRA registrations for food use in a timely fashion" when issuing a final decision to revoke or modify the chlorpyrifos tolerances).

"When an agency changes course, . . . it must 'be cognizant that longstanding policies may have engendered serious reliance interests that must be taken into account.'"[45] The agency is "required to assess whether there were reliance interests, determine whether they were significant, and weigh any such interests against competing policy concerns."[46]

EPA's overbroad revocation upends decades of Agency-approved chlorpyrifos use, where EPA otherwise could lawfully and based on sound science leave in effect the tolerances for the 11 high-benefit crops—including sugarbeets. The Final Rule fails to consider the sugarbeet growers' and processors' reliance interests in applying safe and effective pesticides. Had EPA properly weighed those significant interests, it would have left the tolerances in effect for which it could have made a safety finding under the FFDCA, while revoking the tolerances where it could not. By this failure, EPA improperly minimized the interests of a multi-billion dollar industry that is responsible for over 100,000 jobs, and that has relied on chlorpyrifos for decades to grow and process over half of all sugar produced in the United States. "It w[as] arbitrary and capricious to ignore such matters."[47]

C. EPA's Decision is Highly Conservative and Overly Protective.

The Associations also object because the scientific record is highly conservative and unnecessarily protective. We focus on two main areas in EPA's general risk evaluation approach, which includes compounded conservative assumptions.

i. EPA Misapplies the 10x FQPA Factor.

The weight of the evidence does not support the use of epidemiology data to apply a Food Quality Protection Act (FQPA) 10x safety factor for chlorpyrifos. In the Final Rule, EPA applies the 10x safety factor to address the "uncertainties surrounding the potential for adverse neurodevelopmental outcomes."[48] This is a highly conservative approach. EPA has been unable to establish any plausible biological explanation for the reported neurodevelopmental associations. For 10 years EPA has sought to address neurodevelopmental effects of chlorpyrifos and as stated in the Final Rule "these efforts ultimately concluded with the lack of a suitable regulatory endpoint based on these potential effects."[49] EPA determined that the most appropriate toxicological endpoint for assessing chlorpyrifos risks is to continue to use cholinesterase inhibition.[50] The 10x FQPA safety factor is admittedly applied by EPA as a "presumption" and is not based on reliable or sufficiently valid evidence. The concerns with the epidemiology data have been repeatedly presented to EPA, including most recently by the OP Coalition.[51] In fact, EPA has never been able to verify the conclusions of the epidemiology studies, and due to EPA's inability to receive the underlying data from the researchers, EPA likely will never be able to verify the conclusions of these studies. Yet these unsupported and unreliable data are inappropriately used by EPA to

[45] *Dep't of Homeland Sec. v. Regents of the Univ. of California*, 140 S. Ct. 1891, 1913 (2020) (quoting *Encino Motorcars, LLC v. Navarro*, 136 S. Ct. 2117, 2126 (2016)).
[46] *Id.* at 1915.
[47] *Id.* at 1913 (quoting *Encino*, 136 S. Ct. at 2126).
[48] 86 Fed. Reg. at 48,325.
[49] *Id.* at 48,322.
[50] *Id.* at 48,325.
[51] *See generally* Part III.I, *infra* (incorporating by reference OP Coalition's comments, among others).

support application of the 10x safety factor. While the FQPA provides that a different safety factor may be used if based on "reliable data," EPA takes a highly conservative approach by choosing to keep the 10x safety factor based on these unreliable data. If these unreliable epidemiological studies were removed from consideration, there would be no justification for maintaining the 10x safety factor as the rest of the scientific record clearly supports a safety factor of 1x.

ii. EPA's Use of the 2016 Drinking Water Assessment is Highly Conservative and Inaccurate.

The Final Rule acknowledges that the 2016 Drinking Water Assessment was refined to better account for variability and to better estimate regional and watershed drinking water concentrations.[52] These refinements underwent peer review, as described in the Final Rule and resulted in the release of a September 2020 refined drinking water assessment.[53] The refinements included incorporating new surface water modeling scenarios, the quantitative use of surface water monitoring data, new methods for considering the entire distribution of community water systems percent cropped area and integration of state level crop treated data using percent crop treated factors. However, in deciding to revoke all chlorpyrifos tolerances, EPA simply ignored the 2020 highly-refined assessment and used the less-refined 2016 Drinking Water Assessment.

On March 23, 2021, EPA Administrator Regan reaffirmed scientific integrity as a core value at EPA and noted that EPA's "ability to pursue its mission to protect human health and the environment depends upon the integrity of the science on which it relies."[54] By relying on an admittedly outdated water assessment in a final regulatory action, when a more robust assessment exists and is available, EPA is failing to meet its own standards of scientific integrity and excellence. The 2020 refined drinking water assessment represents the best available science, yet EPA arbitrarily and capriciously opted to rely on the earlier 2016 assessment. EPA explained:

> While the 2020 DWA produced estimated drinking water concentrations that were below the DWLOC of 4.0 ppb, those EDWCs were contingent upon a limited subset of chlorpyrifos use. When assessing different combinations of only those 11 uses in specific geographic regions, the modeling assumed that chlorpyrifos would not be labeled for use on any other crops and would not otherwise be used in those geographic regions. At this time, however, the currently registered chlorpyrifos uses go well beyond the 11 uses in the specific regions assessed in the 2020 DWA. Because the Agency is required to assess aggregate exposure from all anticipated dietary, including food and drinking water, as well as residential exposures, the Agency cannot rely on the 2020 DWA to support currently labeled uses.[55]

EPA's explanation does not address the primary issue. The 2020 DWA, a robust, refined study, clearly supported a safety finding for the 11 enumerated uses in specific geographic regions. But

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[52] *Id.* at 48,332.

[53] *See generally* U.S. EPA, Memorandum, Updated Chlorpyrifos Refined Drinking Water Assessment for Registration Review, EPA-HQ-OPP-2008-0850-0941 (Sept. 15, 2020), https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0941.

[54] *See* Michael S. Regan, Message from the Administrator (Mar. 23, 2021), https://www.epa.gov/sites/default/files/2021-03/documents/regan-messageonscientificintegrity-march232021.pdf.

[55] 86 Fed. Reg. at 48,333.

EPA maintained that it could not use the regionally focused 2020 DWA to support all currently labeled uses. But the Ninth Circuit ordered EPA to *modify* tolerances if the data and information supported a safety finding, *and* to accordingly modify or cancel registrations. EPA had the ability and all the information it needed to modify registrations for these 11 uses. There is no adequate explanation in the Final Rule for rejecting this more tailored approach.

iii. EPA Failed to Adequately Consider Relevant Scientific Data and Information.

Because of EPA's excessive delays in this matter, the Ninth Circuit specifically chose not to remand to the Agency for further fact finding, but rather directly ordered the Agency to revoke or modify the chlorpyrifos tolerances based on the abundant data and information the Agency had on hand.[56] The Court believed that EPA could make its final decision based on that information. Yet, the Agency managed to ignore substantial pieces of information and data, including in comments and studies challenging EPA's 2016 DWA, among other things. The Agency's refusal to properly consider them resulted in a decision based on incomplete analysis, which affects all stakeholders, including the Associations and the growers and processors they represent.

D. EPA Has Failed to Respond to Comments Throughout this Process, thus Depriving the Stakeholders of Due Process.

EPA has failed to respond to comments throughout the history of this matter, namely, the over 90,000 comments the Agency received on its 2015 proposed rule to revoke tolerances. The Agency's failure to consider pertinent information and respond to comments deprives all stakeholders of their due process rights and renders the Final Rule arbitrary and capricious.

E. EPA Failed to Adequately Address the Revocation's Implications for Existing Stocks of Chlorpyrifos Products.

Related to its failure to perform its statutory and court-ordered duty to take action on chlorpyrifos registrations, EPA also failed to adequately address its broad revocation's implications for existing stocks of chlorpyrifos products. Again, on this issue, the Final Rule says nothing. And the FAQ webpage offers no workable guidance. There, the Agency has reasoned that because it "has not cancelled any chlorpyrifos products as a result of the final tolerance rule," "there are no existing stocks at this time."[57] That statement simply ignores that end-users like sugarbeet growers may have large inventories of chlorpyrifos products, the proper handling of which will be unclear once the tolerance revocation takes effect.

FIFRA authorizes EPA not only to cancel or suspend pesticide registrations[58] but also to issue existing stock orders, which allows for "the continued sale and use of existing stocks of a pesticide

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[56] *LULAC*, 996 F.3d at 702–03.

[57] U.S. EPA, Frequent Questions About the Chlorpyrifos 2021 Final Rule, Question 9, https://www.epa.gov/ingredients-used-pesticide-products/frequent-questions-about-chlorpyrifos-2021-final-rule#question-9.

[58] 7.U.S.C. § 136d(a), (b).

whose registration is suspended or cancelled."[59] These orders are imperative to ensuring the safe handling of pesticide products that can no longer be used. Here, EPA has revoked all chlorpyrifos tolerances and has stated that once that revocation takes effect, "sale and distribution of chlorpyrifos products labeled for use on food crops would be considered misbranded; therefore, it would be a violation of FIFRA to sell and distribute those products."[60] But EPA fails to fulfill its duty under FIFRA to facilitate proper handling of existing stocks. As a result, sugarbeet growers have no clear path for handling existing stocks, which would cause nothing but undue confusion, increased risk of legal liability, and excess costs incurred as they attempt to navigate these waters without agency guidance.

F. EPA's Final Rule Failed to Comply with the Interagency Review Process, Thereby Denying Stakeholders an Opportunity to Participate in the Process.

In effect since 1993, Executive Order 12866, sought "to restore the integrity and legitimacy of regulatory review and oversight; and to make the process more accessible and open to the public."[61] These important goals have been respected by all Presidents and administrations since 1993. Executive Order 12866 requires that significant regulatory actions go to the Office of Management and Budget (OMB) for coordinated interagency review. Significant regulatory actions are defined to include regulatory actions that "[h]ave an annual effect on the economy of $100 million or more or adversely effect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities."[62] Further, in 1993 guidance, OMB clarified that while some actions regarding tolerances were exempt from OMB review, an OMB review was still required for actions "that make an existing tolerance more stringent."[63]

EPA's Final Rule clearly meets the significant regulatory action criteria in Executive Order 12866 and as a rulemaking which makes a tolerance more stringent (by effectively revoking it to make the tolerance equivalent to zero), this rulemaking clearly should have undergone interagency review as directed by the Executive Order. In responding to questions about the bypassed review process, EPA has stated that "[t]he court-ordered deadline that the Agency was subject to comply with for this action resulted in the rapid timeline for this final rule."[64] EPA did not deny that the Final Rule should have gone to OMB for review. However, there are no exceptions in Executive Order 12866 for rapid timelines, and OMB has a history of accommodating reviews that are shorter than the typical 90 day review. While the OMB review process is limited to 90 days in the Executive Order, there is no minimum period for review. As such, EPA should have submitted this rule to OMB. Such a review not only would have afforded EPA the benefit of valuable feedback from other agencies, including the United States Department of Agriculture (USDA), but also it would have allowed our greatly impacted industry to voice our concerns with EPA and other agencies, including White House officials. As EPA noted in the PID and Benefits Analysis, our

[59] *Id.* § 136d(a)(1).
[60] *Id.*
[61] Exec. Order No. 12866, Regulatory Planning and Review, 58 Fed. Reg. 51,735 (Oct. 4, 1993).
[62] *Id.* § 3(f)(1).
[63] OMB, Memorandum for Heads of Executive Departments and Agencies and Independent Regulatory Agencies on Guidance for Implementing E.O. 12866, M-94-3, app. C at 15 (Oct. 12, 1993), https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/assets/inforeg/eo12866_implementation_guidance.pdf.
[64] Messina Letter at 10.

industry is highly impacted by EPA's revocation of the tolerances for sugarbeets and had we been afforded the opportunity, we believe our compelling facts would have altered the outcome of the Final Rule which ignored EPA's own science and arbitrarily and capriciously revoked the chlorpyrifos tolerances for all food uses.

G. Publicly Available Data Show No Residues of Chlorpyrifos on Sugarbeets and Sugarbeet Products.

While tolerances exist for sugarbeet roots, sugarbeet tops, dried beet pulp, and sugarbeet molasses, the record shows that no residues have ever been detected. As such, analyses conducted by EPA using the tolerance level as an exposure level are highly conservative. The data do not support the need for tolerances for sugarbeets and sugarbeet products. FDA's own Total Diet Study[65] shows no chlorpyrifos in processed sugar. In addition, residue data tests conducted by American Crystal Sugar Company, which has been testing products since 2016, have found no residues on sugarbeet products, including on crystallized sugar, molasses, and dried pulp.[66] EPA's own Pesticide Monitoring Program Fiscal Year 2016 Pesticide Report does not mention any findings of residues of chlorpyrifos on sugarbeets, sugarbeet tops, or any sugarbeet products (beet sugar, dried pulp, or molasses).[67] The Associations object to the extent that EPA assumed in the Final Rule that sugarbeets are a source of chlorpyrifos in the food supply.

H. EPA Appears to Have Considered Factors that it Could Not Lawfully Consider Under the FFDCA.

The safety standard for pesticide tolerances under the FQPA is whether "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information."[68] This standard contemplates exposures from food, drinking water, and in residential settings. It does not contemplate occupational exposure.

On August 18, 2021, EPA issued a press release leading up to publication of the Final Rule.[69] There, EPA suggested that there are harmful and unnecessary exposures to farmworkers due to chlorpyrifos use.[70] Not only is that simply inconsistent with the scientific record in this administrative matter but also it speaks to occupational exposure, which EPA does not have authority to consider under the FFDCA safety standard.

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[65] *See* U.S. Food & Drug Admin., Analytical Results of the Total Diet Study, https://www.fda.gov/food/total-diet-study/analytical-results-total-diet-study (last updated Aug. 25, 2021).

[66] Tests were conducted using the CFDA multiresidue method (2016) and more recently using the PQAOE Pesticide Quenchers test method. Results are available upon request.

[67] *See* U.S. Food & Drug Admin, Pesticide Residue Monitoring Program Fiscal Year 2016 Pesticide Report, https://www.fda.gov/food/pesticides/pesticide-residue-monitoring-2016-report-and-data.

[68] 21 U.S.C. § 346a(b)(2)(A)(ii).

[69] U.S. EPA, Press Release, EPA Takes Action to Address Risk from Chlorpyrifos and Protect Children's Health (Aug. 18, 2021), https://www.epa.gov/newsreleases/epa-takes-action-address-risk-chlorpyrifos-and-protect-childrens-health.

[70] *See id.*

The health and safety of the growers we represent, as well as the farmworkers who support our industry, are paramount. We importantly note that chlorpyrifos is applied by licensed certified applicators who are trained to safely handle pesticides. In addition, our growers take significant steps to ensure that chlorpyrifos is used only when needed and in the amounts that are needed. FIFRA is the statute that addresses concerns regarding pesticide application and occupational safety, whereas the FFDCA and FQPA address dietary and residential safety.

I. Other Objections

The Associations hereby incorporate by reference and set forth the objections to the Final Rule filed by Gharda Chemical International, Inc., CropLife America (CLA) and Responsible Industry for a Sound Environment (RISE); Agricultural Retailers Association, et al.; the Coalition of Organophosphate (OP) Registrants; the American Crystal Sugar Company; and other individual members of ASGA and USBSA.

III. CONCLUSION

For these reasons, and because of the significant, imminent, and irreparable harm the Associations will suffer because of EPA's decision to revoke all tolerances, the Final Rule should immediately be reversed, or, at the very least, amended to reflect modification of the tolerances for sugarbeets consistent with the Agency's safety findings. We also request a stay of the effective date of the Final Rule to allow EPA time to revisit its decision, including consideration of maintaining the tolerances for sugarbeets, without unduly and irreparably harming our members.

Respectfully submitted,

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ATTACHMENT A

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

October 12, 2021

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Cassie Bladow
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Dear Ms. Bladow and Mr. Markwart:

Thank you for your letter of September 7, 2021, to the U.S. Environmental Protection Agency (EPA) regarding chlorpyrifos. Below are the questions that you posed to the Agency and the Agency's responses to those questions. At the end of this response, we have also provided the questions sent on September 9, via email, from Scott Herndon, the Vice President and General Counsel of the American Sugarbeet Growers Association, and the Agency's responses to those questions.

Historical Categorization/Technical Correction:

1) Could you help us understand the process and timing surrounding the upcoming chlorpyrifos cancellation order, guidance and Q&A?

Agency Response: Q&A were available on EPA's website at: https://www.epa.gov/ingredients-used-pesticide-products/frequent-questions-about-chlorpyrifos-2021-final-rule beginning on September 20, 2021.

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of the final rule and may also request a hearing on those objections. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before October 29, 2021. Please see Section I.C of the final rule for instructions on providing feedback. EPA will review any objections and hearing requests in accordance with 40 CFR 178.30, and will publish its determination with respect to each in the Federal Register.

Any registrant, including those who hold registrations of chlorpyrifos, can cancel the registration of a pesticide product or use at any time by voluntarily submitting a request to the Agency. If no requests are submitted, the Agency can issue a Notice of Intent to Cancel (NOIC) under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to cancel registered food uses of chlorpyrifos associated with the revoked tolerances. When EPA issues an NOIC, it will be published in the Federal Register. For more information on the NOIC process, visit EPA's website: https://www.epa.gov/pesticide-tolerances/pesticide-cancellation-under-epas-own-initiative.

(continuation of question #1): The final rule that was published in the Federal Register on 8/30/21 states, "In this final rule, EPA is revoking all tolerances for chlorpyrifos contained in 40 CFR 180.341." However, in EPA's 8/18/21 stakeholder briefing and in press reports, EPA indicated some uses will remain (namely for cotton, cow tags and golf courses). How will these and other commodities be able to retain uses?

Specifically:

a. Will any tolerances contained in 40 CFR 180.342, other than cotton, be preserved outside of the 8/18 announced final rule, and then potentially undergo reregistration in the final Interim Decision for Chlorpyrifos, which is statutorily required in 2022? Will EPA consider data that may allow other commodities to be considered in this process to retain uses?

b. If not, will cotton and other uses set to be preserved, be revoked, and then potentially reregistered through either: 1) a new registration process; or 2) an alternative means of registration RUP and/or Sec. 18 Emergency Exemption under FIFRA?

Agency Response: During the stakeholder meeting, we did state that the final rule does not impact non-food uses of chlorpyrifos. The Agency referenced cattle ear tags, public health uses for mosquito control, and USDA quarantine use for fire ant control. However, ear tags should not have been included in this list. Use on cattle ear tags is considered a food use because residues have been detected in cattle milk and fat, which are considered human food and/or animal feed. In addition, use on commodities such as cotton is considered a food use because products derived from it are considered human food and animal feed; therefore, tolerances are required. Application after the tolerances expire would render these products to be adulterated, and distribution in interstate commerce would be a violation of the FFDCA. Products in the channels of trade that contain chlorpyrifos residues and were treated prior to the expiration of the tolerances would be governed by section 408(l)(5) of the FFDCA, which describes conditions that must be met in order for such food to be distributed. EPA has been working closely with FDA on guidance for treated commodities in the channels of trade that is expected to be published by the date the tolerances expire on February 28, 2022.

Per the Revised Human Health Risk Assessment for Registration Review, residential post-application exposures can occur for adults and children golfing on chlorpyrifos-treated golf course turf and from contacting treated turf following a mosquitocide application. There are no residential post-application risk estimates of concern for adults or children from chlorpyrifos use on golf course turf or as a mosquitocide on the day of application. EPA will continue to evaluate the non-agricultural, non-food uses as part of the ongoing registration review for chlorpyrifos, which is expected to be completed by October 2022.

2) Should sugar beets have originally been considered "non-food uses," given our data demonstrates zero residues on our end food and feed products and FDA studies from 2002-2017 (most recent) demonstrate no chlorpyrifos residues on sugar?

a. Could you provide us with an initial understanding of why EPA has set the tolerances for sugar beets as "food-uses" in 40 CFR § 180.342 and in the updated 2020 Proposed Interim Registration Review (PID)?

b. Should sugar beets originally have been considered "non-food uses" under 40 CFR § 180.2003 (Subpart E – Pesticide Chemicals Not Requiring a Tolerance or an Exemption From a Tolerance) which is defined as:

"(b) Non-food uses are those uses that are not likely to yield residues in food or feed crops, meat, milk, poultry or egg." Our data confirms there are no residues in our end products (see below information on lack of residues on sugar beets)."

Furthermore, the most recently published FDA Total Diet Studies from 2014-2017 tested sugar for traces of chlorpyrifos and found none.

c. The Pesticide Residue Monitoring Program Fiscal Year 2016 Pesticide Report examined residues in food and feeds and did not mention any findings of residues of chlorpyrifos in food or animal foods. Can EPA explain why they believe that residues for chlorpyrifos exist on sugarbeet products?

Agency Response: The sugar beet use of chlorpyrifos is and should be considered a food use. In addition to the residues in sugar beet roots (1 ppm tolerance), residues concentrate in the processed commodities of molasses (15 ppm tolerance) and dried pulp (5 ppm tolerance), both of which are livestock feedstuffs and may contribute to residues in meat and milk. Also, Codex established an MRL for sugar beets at 0.05 ppm for chlorpyrifos. Since we established tolerances previously with the available data, any reconsideration of status as a food use would have to come in through the PRIA process.

d. Is EPA aware our data demonstrates no residues on our end products such as crystallized sugar, molasses, dried pulp? As you may know, sugar beet co-ops do significant testing on our products for quality control. Our data indicates zero chlorpyrifos residues remain on our end products sold into commerce—which are crystallized sugar, dried pulp, and molasses. This contradicts the definition of "food-uses," which are defined as:
"(a) food uses are the uses of a pesticide chemical that are likely to yield residues in food or feed crops, meat, milk, poultry or egg."
What is the best way to provide you our data to update your analysis?

Agency Response: The study numbers (MRIDs) would need to be provided to confirm whether the Agency has these data or not; however, these data will likely not change our conclusions since they appear to be monitoring data rather than field trial data which are used to set tolerances. Tolerances are established based on residues "at the farm gate". Monitoring data could be collected at any point in the chain of commerce and would likely not be acceptable for establishing tolerances or determining food-use status. Since the Agency established tolerances previously with the available data, any reconsideration of status as a food use would have to come in through the PRIA process.

3) Could you provide us with an understanding of how EPA has set the tolerances for sugar beets in 40 CFR § 180.342 and in the updated 2020 Proposed Interim Registration Review (PID)? Both are mentioned in your final rule.

Agency Response: Field trial data are used to set tolerances. Tolerances are established based on residues "at the farm gate". For more information about how we set tolerances, please see the following link: https://www.epa.gov/pesticide-tolerances/setting-tolerances-pesticide-residues-foods#food-safety. Tolerances are set on the processed commodities of sugar beets based on processing studies. For more information describing all of the processed commodities from sugar beets which we consider (e.g., molasses), please see the following link: https://www.regulations.gov/document/EPA-HQ-OPPT-2009-0155-0002.

a. When considering dietary risk, does the data factor in that sugar beets are not consumed raw nor are they sold into interstate commerce to be consumed raw? In fact, the user agreement that growers

must sign to utilize the seed technology, states that the grower agrees that sugarbeet seeds, and the resulting crop, are solely for the processed sugar, energy production, or animal feed.

Agency Response: Use on commodities such as sugar beet is considered a food use because products derived from it are considered human food and animal feed; therefore, tolerances are required. For sugar beets (consumed as the processed blended commodities sugar and molasses), a processing factor of 0.02 was applied to the sugar beet (Raw Agricultural Commodity (RAC)) tolerance of 1 ppm and corrected for 20% crop treated to come up with a residue of 0.004 ppm. For more information about how we set tolerances, please see the following link: https://www.epa.gov/pesticide-tolerances/setting-tolerances-pesticide-residues-foods#food-safety. For more information describing all of the processed commodities from sugar beets which we consider (e.g., molasses), please see the following link: https://www.regulations.gov/document/EPA-HQ-OPPT-2009-0155-0002.

b. Chlorpyrifos is a contact insecticide that is not absorbed by or translocated within a plant which would explain the lack of residue in sugar beet and its related products.

c. Similar to EPA's PDP, a US Market Basket Analysis found 90% of all products tested were absent of chlorpyrifos and the remaining 10% well below legal tolerances.

d. Although Eaton et al. recognize consumptive exposure as the greatest non-occupational exposure they concluded: "Based on the weight of the scientific evidence, it is highly unlikely that current levels of chlorpyrifos exposure in the United States would have any adverse neurodevelopmental effects in infants exposed in utero to chlorpyrifos through the diet." These authors applied extensive scientific rigor in comparing studies from Columbia, Mount Sanai, and Berkley. Although two showed correlative effects between chlorpyrifos levels there was zero consistency between cohorts when analyzed by meta-analysis suggesting no causal relationship between chlorpyrifos levels and neurological issues. The authors concluded up to 10 ppb per day of exposure resulted in no adverse effects.

e. Given the aspects in points why would there need to be a tolerance for tops, and leaves for food or feed? Page 50 of the final rule states: "EPA has determined that the metabolite chlorpyrifos oxon is not a residue of concern in food or feed, based on available field trial data and metabolism studies that indicate that the oxon is not present in the edible portions of the crops. In addition, the chlorpyrifos oxon is not found on samples in the USDA PDP monitoring data. Furthermore, the oxon metabolite was not found in milk or livestock tissues"

Agency Response: There are chlorpyrifos residues found in sugar beet tops as indicated by the established tolerances. The fact that residues of the metabolite, chlorpyrifos-oxon, are not present does not change the conclusion that tolerances for these commodities are required.

4) Where did EPA's existing residue data for sugar beet originate? As noted in your rule, "Both the acute and steady state dietary exposure analyses are highly refined. The large majority of food residues used were based upon PDP monitoring data except in a few instances where no appropriate PDP data were available. In those cases, field trial data or tolerance level residues were assumed." The PDP data base does not list sugar or sugar beets as a commodity.

a. Given this omission, and given that our data shows no residues, is the field data being used to determine residue, despite the fact that no raw sugar beet enter commerce for human consumption?

b. If EPA retains such field data, can we work with the agency to retroactively correct it so that the agency's science is more accurate?

Agency Response: For sugar beets (consumed as the processed blended commodities sugar and molasses), a processing factor of 0.02 was applied to the sugar beet (Raw Agricultural Commodity (RAC)) tolerance of 1 ppm and corrected for 20% crop treated to come up with a residue of 0.004 ppm.

As a reminder, chlorpyrifos risks from food, including sugar from sugar beets and all other foods, is very low and not of concern; sugar beets are not expected to contribute significant risk to the total dietary exposure. The primary contribution to overall chlorpyrifos risks is from residues in drinking water. In setting tolerances, EPA must consider aggregate exposure, which consists of food, drinking water, and any residential exposure. Regardless, use on sugar beets remains a food use requiring tolerances. Since the Agency established tolerances previously with the available field trial data, any reconsideration of status as a food use would have to come in through the PRIA process. Additionally, field trial data are used to establish tolerance levels reflective of residues likely to be found "at the farm gate". Field trial data generally represent unwashed, whole commodities rather than the washed, edible portion of a commodity represented by monitoring data such as that generated by the Pesticide Data Program (PDP) which is used for dietary risk assessment.

5) As stated in your rule, "Without a tolerance or exemption, pesticide residues in or on food is considered unsafe, 21 U.S.C. 346a(a)(1), and such food, which is then rendered "adulterated" under FFDCA section 402(a), 21 U.S.C. 342(a), may not be distributed in interstate commerce, 21 U.S.C. 331(a)." Assuming that no residues exist in or on food, does it need a tolerance or exemption to enter interstate commerce?

a. In sum, while sugar beets may be treated with chlorpyrifos, none of the products (crystallized sugar, dried pulp, molasses) sold into commerce have residues, so may they be distributed via interstate commerce?

b. Is EPA aware of any other commodities that also fall in this distinct category?

Agency Response: The FFDCA prohibits the introduction of adulterated food into interstate commerce. Adulterated food includes any food that contains pesticide residues not covered by a tolerance. If there are no pesticide residues, then the food would not be adulterated. The Agency's available data indicate that sugar beets treated with chlorpyrifos will have pesticide residues "at the farm gate" and thus need a tolerance.

6) In the event sugar beets continue to be considered by EPA as "food-uses," uncertainty still rests in that classification.

a. Has EPA considered that sugar beets are unique in that they are not consumable as "foods" in raw form, and zero commerce takes place between harvest and processing? This is unique from other "food uses" subject to the final rule.

b. Objectively, should an input that is never intended to be consumed or enter commerce really be classified as a food?

Agency Response: Use on sugar beets is considered a food use because products derived from it are considered human food and animal feed; therefore, tolerances are required. For more information, please see above response to question #2.

Current Crop:

7) While our products do not contain residues, given that EPA has historically assigned tolerances we have an interest to ensure any forthcoming guidance with EPA and FDA provides clear understanding of what may or may not be considered adulterated. EPA's rule states that "any residues of these pesticides

in or on such food shall not render the food adulterated so long as it is shown to the satisfaction of the Food and Drug Administration that:

1. The residue is present as the result of an application or use of the pesticide at a time and in a manner that was lawful under FIFRA, and

2. The residue does not exceed the level that was authorized at the time of the application or use to be present on the food under a tolerance or exemption from tolerance that was in effect at the time of the application. Evidence to show that food was lawfully treated may include records that verify the dates when the pesticide was applied to such food."

a. For example, sugar beets grown in 2021 and that are set to be processed from this growing season, and from past growing season, will have been treated lawfully with chlorpyrifos will be processed well into 2022. Assuming there is no allowable future use of chlorpyrifos, will FDA provide guidance that these products do not need to be segregated while awaiting processing? Given the millions of tons of sugarbeets affected, segregation would be virtually impossible. Will EPA and FDA work to clarify this language to ensure it provides certainty for both food and feed uses and so that sugarbeet products have the presumption of satisfying the requirements of FDA outline above? For example, could EPA and FDA provide guidance that such foods may be processed in the ordinary course by producers and/or third-party processors and any resulting food or feed products shall likewise not be considered adulterated? Could EPA and FDA provide blanket guidance that commodities harvested under a lawful manner under FIFRA be processed and not be considered adulterated without the need for new record keeping requirements?

Agency Response: It is the timing of application that determines whether food treated with chlorpyrifos is adulterated. Until the date the tolerances expire, chlorpyrifos may be used on food commodities in accordance with label directions and the existing tolerances. Residues of chlorpyrifos in or on the food after the tolerances expire would not render the food adulterated as long as those conditions are met. After the tolerances are revoked, application of chlorpyrifos will render any food so treated adulterated and unable to be distributed in interstate commerce. Food in the channels of trade that was treated prior to the expiration of the tolerances would be governed by section 408(l)(5) of the FFDCA, which describes conditions that must be met in order for such food to be distributed. EPA has been working closely with FDA on a guidance for treated commodities in the channels of trade.

b. How is EPA coordinating with your sister agencies at the Association of American of Pesticide Control Officials to ensure that enforcement will be consistent with federal intent and will not create new record keeping requirements?

Agency Response: EPA met with representatives from AAPCO on Wednesday, August 18, 2021, the day of pre-publication of the final tolerance rule, to discuss the rule and answer questions. EPA representatives also presented at the SFIREG Joint Meeting of the Environmental Quality Issues (EQI) and Pesticide Operations and Management (POM) Committees on Monday, September 20, 2021, to discuss the final tolerance rule and answer questions.

Existing Stocks:

8) After the tolerance revocation takes effect in 6 months, would EPA consider continued use of chlorpyrifos via an "Order Governing Existing Stocks to be used in conjunction with the tolerance revocation?"— either for sugar beets until the aforementioned arguments are resolved or for growers more broadly?

Agency Response: Existing stocks is a term under FIFRA generally used in connection with the pesticide products that have been released for shipment as of the date a product registration is cancelled. EPA has not cancelled any chlorpyrifos products as a result of the final tolerance rule; therefore, there are no existing stocks at this time.

The tolerance rule issued on August 30, 2021, does not prohibit sale and distribution of registered pesticide products. However, once the tolerances expire and are revoked in six months, sale and distribution of chlorpyrifos products labeled for use on food crops would be considered misbranded; therefore, it would be a violation of FIFRA to sell and distribute those products. Once the tolerances are revoked, there is no provision for continued use of product.

EPA intends to cancel registered food uses of chlorpyrifos associated with the revoked tolerances under FIFRA, as appropriate. That cancellation action would only address the registered food uses of chlorpyrifos; it would not impact nonfood uses of chlorpyrifos, including public health uses for mosquito control and USDA quarantine use for fire ant control. EPA will continue to evaluate the non-agricultural, non-food uses as part of the ongoing registration review for chlorpyrifos. Following the cancellation of food uses, there may be some products that have label instructions for both food and non-food uses. Those labels would need to be amended to remove any food-uses that were cancelled.

Additionally, a registrant, including those of chlorpyrifos, can cancel the registration of a pesticide product or use at any time by voluntarily submitting a request to the Agency.

Drinking Water Analysis:

9) EPA's assessment discusses impacts on drinking water for determining risk (i.e., drinking water exceeds 4 ppb (DWLOC) which is the exposure level determined safe for children)

— a. EPA does not explain how you reached that 4 ppb as a safe standard. Could you elaborate on how you reached that number?

Agency Response: Please see Section 7.0 Aggregate Exposure/Risk Characterization of the 2020 Human Health Risk Assessment, which starts on page 44, which covers the specifics of deriving the drinking water level of comparison (DWLOCs) (calculations are in the footnotes of the tables). The 2020 Human Health Risk Assessment can be found at the following link:https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0944.

— b. This document cites "Chlorpyrifos Refined Drinking Water Assessment for Registration Review" (Ref 28) to justify revocation of tolerance as it demonstrates the DWLOC exceeds 4 ppb. In this document EPA states:

— i. The EPA acknowledges in the body of Ref 28 that the models used overestimate water contamination (e.g., assume highest label rates and lowest application intervals) and further explain the actual exposure is more sporadic as well as spatially and temporally variable.

— ii. Although the document concludes chlorpyrifos concentrations "could be greater than 100 ppb (100 ug/L)" those assumptions are "based off of peak values from models derived from the highest label rate crops (tart cherries)." Looking at the model averages for more representative crops (bulb onions) the concentration drops to 0.8 ppb (0.8 ug/L) far below the DWLOC.

— iii. The document (Ref 28) shows extensive data collected measuring actual presence of chlorpyrifos in surface water. The highest number collected was 2.1 ppb (half of the DWLOC), but most were under 0.3 ppb. These numbers dropped significantly following filtration (standard practice in water treatment) since chlorpyrifos can adsorb to particulate.

— iv. The document (Ref 28) also states "…there were no detections of chlorpyrifos-oxon in paired finished water samples from the PDP monitoring program. Tierney et al., 200394 also did not detect chlorpyrifos in finished water at community water systems."

c. If EPA uses PDP monitoring to justify the lack of threat from food residue, why does it ignore the PDP data to justify a lack of risk from drinking water?

Agency Response: EPA has considered available PDP monitoring data for chlorpyrifos in drinking water. Evaluation of PDP data is described in the 2016 DWA, which can be found at the following link: https://www.regulations.gov/document/EPA-HQ-OPP-2015-0653-0437. In summary, samples from raw intake water (source water) as well as finished drinking water are analyzed as part of the PDP, typically on a bimonthly basis. Samples have been collected from 82 locations in 28 states and the District of Columbia; however, only a subset of these sampling locations are sampled each year. Furthermore, although sampling sites fall within pesticide use areas, sample collection was not designed to specifically coincide with pesticide applications.

EPA acknowledges that the highly censored nature, i.e., many non-detects, of the monitoring data available for chlorpyrifos and chlorpyrifos-oxon make it difficult to interpret the data. Non-detects could be the result of an inadequate sampling frequency, lack of use in the watershed, local meteorological conditions not conducive to runoff prior to sample collection, or sampling did not coincide with the chlorpyrifos application window. The limited number of site-years and limited sample frequency limits the utility of the PDP data for estimating concentrations of chlorpyrifos and chlorpyrifos-oxon in drinking water. Consistent with the 2019 FIFRA SAP on the Approaches for Quantitative Use of Surface Water Monitoring Data in Pesticide Drinking Water Assessments, EPA addressed sampling frequency with sampling bias factors and SEAWAVE-QEX in the 2020 DWA, which can be found at the following link: https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0941.

d. Is EPA aware biological monitoring reported in the peer-reviewed literature shows infants and small children only routinely being exposed to 0.5 ppb chlorpyrifos through nonoccupational exposure and concluded "exposure has been overstated by more than 1000-fold"?

Agency Response: The Agency completed an extensive review of the literature for chlorpyrifos. All pertinent data that would affect our risk assessment were incorporated into our assessment. Without knowing what specific data is being referred to here, the Agency cannot comment further.

Future Uses:

10) Does EPA plan to start a new registration process that may provide new restrictions on chlorpyrifos use?

a. Will this use the current decision documents including the 2020 PID, or will EPA be altering course in light of the 9th Circuit's decision?

Agency Response: EPA does not initiate registration actions in general and does not plan to start a new registration process for the food uses of chlorpyrifos.

b. Will EPA be reproposing for comment the Chlorpyrifos Proposed Interim Registration Review Decision from December 2020, especially in light of all the changes in the August 18, 2021, pre-published final rule on Chlorpyrifos; Tolerance Revocations?

Agency Response: EPA will continue to evaluate the non-agricultural, non-food uses as part of the ongoing registration review for chlorpyrifos, with the Interim Decision expected to be completed by October 2022. EPA does not intend to release a revised PID for comment.

11) Further, is EPA considering registering the pesticide as Restricted Use Products with increased restrictions?

Agency Response: EPA will continue to evaluate the non-agricultural, non-food uses as part of the ongoing registration review for chlorpyrifos, which is expected to be completed by October 2022. If the Agency determines that the pesticide, when applied in accordance with the label's directions for use, warning and cautions, or in accordance with a widespread and commonly recognized practice, may generally cause, without additional regulatory restrictions, unreasonable adverse effects, the Agency will classify the pesticide as an RUP. FIFRA 3(D)(1)(c). The Agency did not make that determination at the time of the PID, but if comments are received relevant to consideration of changes to the proposed mitigation, they will be addressed in the interim decision.

12) If chlorpyrifos is no longer an option for insect control, we are limited to just two labeled post-emergence liquid insecticide options that are both pyrethroids for sugarbeet root maggot control. These pyrethroids are not as effective and do not perform well in warmer temperatures above 80 degrees F. Only using and having available the one mode of action can lead to insect resistance to the pyrethroid chemistry as well.

Has EPA considered whether there are viable alternatives for chlorpyrifos in different crops and, if so, does the agency plan to provide the public with that analysis?

a. Has EPA considered that losing more and more pesticides with different mode of actions will complicate Integrated Pest Management, complicate proper rotation of different modes of action, and with that increase the likeliness of insecticide resistance?

b. Has EPA considered the effects on sustainability, carbon footprint and farm economics? Soft chemistries (pyrethroids) would require more frequent applications, with that an increase in fuel consumption, soil compaction, and a potential decline of beneficial insects (based on more frequent applications)?

Agency Response: Under the revisions mandated by the FQPA, EPA cannot consider benefits in FFDCA decisions. However, as part of the registration review process under FIFRA, the Agency did evaluate the benefits of chlorpyrifos to growers by crop. The economic benefits to growers are equivalent to the losses they face without chlorpyrifos. This analysis is available in a supporting memorandum in the chlorpyrifos regulatory docket, which is available at the following link: https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0969. Sugarbeets was one of several crops discussed in some detail in this document, and EPA acknowledges that it concluded that until suitable alternatives can be adapted to replace chlorpyrifos, sugarbeet yields in production areas of the upper Midwest Red River Valley region could be reduced due to increased problems with the sugarbeet root maggot. EPA is aware that IPM and resistance management are critical pest management benefits of many pesticides, and where benefits considerations are permitted by law, the Agency takes these aspects into serious consideration.

13) Would EPA consider honoring future Section 18 Emergency Exemption Requests for chlorpyrifos—either for sugar beets or for growers more broadly?

Agency Response: *Section 18 of FIFRA allows EPA, when emergency conditions exist, to exempt states and federal agencies from the provisions of FIFRA, including the requirement that pesticides must be registered to be sold or distributed. Since at this time, registrations of chlorpyrifos have not been cancelled, no section 18 exemption would be necessary to allow sale and distribution. An emergency exemption cannot reinstate the tolerances under the FFDCA; emergency exemptions only address the sale, distribution, and use of a pesticide under FIFRA. Should EPA receive a request for a section 18 emergency exemption after the food uses for chlorpyrifos are cancelled under FIFRA, EPA would need to establish a time-limited tolerance under FFDCA 408(l)(6). EPA can only establish such a tolerance to cover residues of the pesticide applied under a section 18 emergency exemption if it can determine that the tolerance is safe, as defined by the FFDCA. If EPA cannot determine the tolerances would be safe, EPA cannot establish the tolerances and thus, EPA would not be able to grant a section 18 emergency exemption request.*

OMB Process Issues:

14) The final rule states, "The Office of Management and Budget (OMB) has exempted tolerance regulations from review under Executive Order 12866, entitled Regulatory Planning and Review (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866 (EO 12866), this final rule is not subject to Executive Order 13563 (76 FR 3821, January 21, 2011). B. Paperwork Reduction Act (PRA)."

EPA's posted final rule renders food tolerances more stringent than the status quo and according to previous USDA estimates, and EPA's December 2020 PID, chlorpyrifos has an economic impact over $100 million. Revoking chlorpyrifos tolerances seems to fit the requirements of EO 12866.

a. Why wasn't this rule considered a "significant regulatory action," that should have been subject to interagency review?
b. When will EPA put this rule back out for public comment to comply with the EO?
c. When will EPA be sending the final rule back to OMB for interagency review?

Agency Response: *The Agency published a benefits memo from late 2020 that estimated the benefits of chlorpyrifos in agriculture, which is how the Agency would estimate the cost of revoking the tolerances. These estimates reflect significant uncertainty. The court-ordered deadline that the Agency was subject to comply with for this action resulted in the rapid timeline for this final rule. At this time, the Agency intends to proceed in accordance with the process laid out in FFDCA section 408(g).*

Follow up questions:

1. Where should we send information on our non-residue data to EPA?

Agency Response: *The non-residue data to support reconsideration of status would be subject to review under PRIA. Please find more information on how to submit as a PRIA action at the following link: https://www.epa.gov/pria-fees/fy-2020-2021-fee-schedule-registration-applications and/or please contact the Registration Division.*

2. We are also reaching out to USDA for their data too. Please confirm that the below is the appropriate contact at USDA.
    a. **Julie A. Chao, M.A., MSPH**
    Regulatory Risk Assessor
    julie.chao@usda.gov

Agency Response: *Julie Chao is the correct contact at USDA.*

3. Can you provide a timeline for responding to the questions addressed in the letter sent on Tuesday evening (attached again for convenience)?

   Agency Response: This document provides the responses to the questions in the letter.

4. Can you provide us with the list of contacts you are in discussions with at FDA so we can also engage with them?

   Agency Response:
   Center for Food Safety and Applied Nutrition at the US FDA (CFSANTradepress@fda.hhs.gov)
   Alice Chen (alice.chen@fda.hhs.gov)
   Charlotte Liang (Charlotte.Liang@fda.hhs.gov)
   Lauren Robin (Lauren.Robin@fda.hhs.gov)
   Carie Jasperse (carie.jasperse@fda.hhs.gov) (Counsel)

5. Can you point us to where the 4ppb tolerance in the water model came from? As mentioned on the call yesterday, a couple of our scientists wanted to understand that issue better and couldn't find it in the document referenced on the call.

   Agency Response: Please see Section 7.0 Aggregate Exposure/Risk Characterization of the 2020 Human Health Risk Assessment, which starts on page 44, which covers the specifics of deriving the drinking water level of comparison (DWLOCs) (calculations are in the footnotes of the tables). The 2020 Human Health Risk Assessment can be found at the following link:https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0944. Please refer to table 7.2.2 in revised draft human health assessment. In the footnote, the formula provided for the calculation is:
   DWLOC: DWLOC ppb= PoDwater (ppb; from Table 4.2.2.1.2) /MOEwater

If you have further questions regarding this matter, please contact Alexandra (Alex) Feitel at feitel.alexandra@epa.gov or 703-347-8631, or Melissa Grable at grable.melissa@epa.gov or 703-308-3953.

Sincerely,

Edward Messina, Esq.
Director

Cc: Loni Cortez Russell, Office of Public Engagement and Environmental Education

October 29, 2021

Via EPA E-Filing System and Federal eRulemaking Portal

U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

RE: Request for a Stay of Decision Revoking All Chlorpyrifos Tolerances (EPA-HQ-OPP-2021-0523)

I. INTRODUCTION

On August 30, 2021, the U.S. Environmental Protection Agency ("EPA" or the "Agency") issued a final rule revoking all tolerances for the pesticide chlorpyrifos. Final Rule for Chlorpyrifos Tolerance Revocations, 86 Fed. Reg. 48,315 (Aug. 30, 2021) (the "Final Rule"). EPA took this action in response to an April 29, 2021, order of the U.S. Court of Appeals for the Ninth Circuit in the lawsuit League of United Latin American Citizens v. Regan, 996 F.3d 673, 678 (9th Cir. 2021) ("LULAC"), instructing EPA to "either to modify chlorpyrifos tolerances and concomitantly publish a finding that the modified tolerances are safe," "or to revoke all chlorpyrifos tolerances." Rather than modify tolerances consistent with the finding of its expert scientists that 11 key crop uses in select regions are currently safe—as set forth in the Agency's December 2020 Proposed Interim Decision for Chlorpyrifos, EPA-HQ-OPP-2008-0850-0971 ("PID")—EPA revoked all tolerances for chlorpyrifos. EPA did so because it claimed that it is required under Section 408 of the Federal Food, Drug, and Cosmetic Act ("FFDCA"), 21 U.S.C. § 346a, to assess aggregate exposure risks taking into account all "currently registered uses" and that, when taking into account drinking water exposures, it could not conclude that "the products as currently registered" are safe. The Final Rule states that tolerances will expire six months from the date of publication, on February 28, 2022. 86 Fed. Reg. at 48,336.

We represent farmer-owners that both grow and process over 56 percent of all sugar produced in the United States. They account for 1.2 million acres grown in 11 states: California, Colorado, Idaho, Michigan, Minnesota, Montana, Nebraska, North Dakota, Oregon, Washington, and Wyoming. Our 10,000 family farmers and 21 farmer-owned processing facilities account for over 100,000 rural jobs, and contribute over $10.6 billion annually to the U.S. economy. The U.S. beet sugar industry has become a global leader in environmental sustainability as we have invested in significant programs that preserve our natural resources, family farms, unionized workforces, and rural communities for future generations. As a result, our industry now produces 29 percent more sugar on 8 percent less land than 20 years ago, and sugarbeets now require significantly less land, water, and pesticide inputs to grow.

We are challenging the legal and factual sufficiency of the Final Rule by exercising our right to file objections simultaneously with this stay request.[1] Specifically, EPA has abused its discretion,

[1] *See* American Sugarbeet Growers Association & U.S. Beet Sugar Association, *Objections to Decision Revoking All Chlorpyrifos Tolerances* (EPA-HQ-OPP-2021-0523) (Oct. 29, 2021) (letter of objections filed simultaneously with this stay request).

acted arbitrarily and capriciously, and violated the due process rights of the Associations and others. It did so by ignoring scientific data and safety findings in its own Proposed Interim Registration Review Decision ("PID"), and by improperly analyzing the data and information that it did analyze. EPA also failed to consider other relevant scientific information and comments entirely, thus depriving stakeholders of due process. EPA failed to comply with applicable federal law and a court order by failing to harmonize its revocation decision with the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA") or address the implications of its decision on existing stocks of chlorpyrifos products and failed to undertake proper interagency review of the Final Rule.

For these reasons and those outlined more fully below, the Final Rule and expiration of chlorpyrifos tolerances for the 11 key crops found safe in the PID should be stayed pending administrative review by EPA and any potential judicial review of our objections. At a minimum, we request that the revocation of the tolerances for sugarbeets be stayed.

II. REQUEST FOR STAY

We request that the stay of the effective date of the Final Rule and the corresponding expiration of tolerances for the 11 key crops found safe in the PID, or at a minimum the expiration of the tolerances for sugarbeets, remain in effect until a final Agency resolution of all of the critical issues raised in our objections. If these issues are not resolved in our favor by the Agency's final order addressing these issues, we further request that the Agency stay the effective date of any revocation action and tolerance expiration until such time as judicial review in the courts is exhausted.

III. THE CRITERIA FOR A STAY ARE MET

For the reasons presented herein, and discussed in detail in our objections and supporting documentation, which are incorporated into this petition by reference, we have met the criteria for a stay of administrative decision set forth by the Food and Drug Administration ("FDA") at 21 C.F.R. § 10.35.2 Under this criteria, a stay will be granted if: (1) the petitioner will otherwise suffer irreparable injury; (2) the petitioner's case is not frivolous and is being pursued in good faith; (3) the petitioner has demonstrated sound public policy grounds supporting the stay; and (4) the delay resulting from the stay is not outweighed by public health or other public interests. Id. § 10.35(e)(1)–(4) (as amended by 81 Fed. Reg. 78,500 (Nov. 8, 2016)).

A. We Will Suffer Irreparable Injury Absent a Stay.

In order to demonstrate irreparable harm, a party must show both "(1) that the harm is 'certain and great, actual and not theoretical, and so imminent that there is a clear and present need for equitable relief to prevent irreparable harm' and (2) that the harm is 'beyond remediation.'" *Catholic Legal Immigration Network, Inc. v. Executive Office for Immigration Review*, 513 F. Supp. 3d 154, 175 (D.D.C. 2021) (citation omitted); *see also Olu-Cole v. E.L. Haynes Pub. Charter Sch.*, 930 F.3d 519, 529 (D.C. Cir. 2019) (to show irreparable harm, "injury must be both certain and great; it must be actual and not theoretical and of such imminence that there is clear and present need for equitable relief") (internal quotation marks and citations omitted). Irreparable injury can be based on substantial and unrecoverable economic losses, such as lost sales and loss of market share, as well as other losses like damaged consumer goodwill or reputational harm. Indeed, courts have found the irreparable

[2] "In determining whether to grant a stay, EPA will consider the criteria set out in the Food and Drug Administration's regulations regarding stays of administrative proceedings at 21 CFR 10.35." 74 Fed. Reg. 23,046, 23,088 (May 15, 2009).

harm requirement met where many forms of irreparable injury are alleged, including "reputational harm, loss of goodwill, loss of longstanding clients, loss of ability to compete for and attract new clients and partners, incalculable lost profits, and consequential damages for which [petitioner] has no recourse at law." *Beacon Assocs., Inc. v. Apprio, Inc.*, 308 F. Supp. 3d 277, 287–88 (D.D.C. 2018). Losses for which an aggrieved party has no recourse, such as those caused by a governmental entity immune from suit for monetary relief, are "irreparable *per se*." *Feinerman v. Bernardi*, 558 F. Supp. 2d 36, 51 (D.D.C. 2008); *see also Nalco Co. v. EPA*, 786 F. Supp. 2d 177, 188 (D.D.C. 2011) (seller of anti-microbial agent would suffer irreparable harm from EPA stop sale order because it had no right of recourse against the federal government).

Chlorpyrifos is important to the sugarbeet industry because it is the most effective post-emergence liquid insecticide available for the control of sugarbeet root maggots (SBRM) and flies, a particularly problematic pest for sugarbeets.[3] Post-emergence application is application that occurs after the planted crop has emerged from the soil. Post-emergence application of chlorpyrifos is an integral part of the SBRM control plan, which also includes insecticide application at the time the crop is planted. These "At-Plant" insecticides are not adequate to control SBRM on their own and require a post-emergence application of chlorpyrifos to help ensure adequate control. Having adequate chemical control measures for SBRM is imperative because, as hybrid plants, sugarbeets do not have natural resistance to them.

Registered alternatives to chlorpyrifos can only suppress SBRM, not control it, or are only registered for use on adult flies, not larvae.[4] Specifically, grower experiences show that neonicotinoids—treatments coated on sugarbeet seeds—are insufficient by comparison when there is severe pressure from SBRM and for late infestations. Only about five percent of the applied neonicotinoid is actively absorbed and translocated throughout the plant and plant protection lasts only an estimated six weeks. As chlorpyrifos can be applied in furrow at the time of planting, there can be better pest control, especially under high pressure conditions, because the effects of chlorpyrifos last longer than neonicotinoids. Further, neonicotinoids also cost $16 per acre more than chlorpyrifos, a significant cost when treating over 140,000 at-risk acres.[5] Chlorpyrifos applied post-emergence controls the adult, egg-laying fly population, thereby reducing the number of potential larvae that would feed upon the sugarbeet. This allows "At-Plant" insecticide to effectively control the reduced population of SBRM larvae. Although there are alternatives for post-emergence chlorpyrifos, they also are not as effective as chlorpyrifos and do not perform well in warmer temperatures above 80 degrees Fahrenheit. Further, acquired resistance to these alternatives has been documented—having only these alternatives available could increase the risk of SBRM resistance.

Chlorpyrifos is also an important tool against symphylan damage. Symphylans are a subterranean insect pest that negatively affects yield and sugarbeet seed production. Chlorpyrifos is the only fully registered recue option available in early spring to control symphylans. Other than chlorpyrifos, there are no other options for symphylan control in sugarbeet seed production after the crop has been transplanted.

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[3] Rodd & Jamie Beyer, Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos at 1 (Oct. 20, 2021), https://www.regulations.gov/comment/EPA-HQ-OPP-2021-0523-0008.

[4] *Id.*

[5] U.S. EPA, Memorandum, Revised Benefits of Agricultural Uses of Chlorpyrifos (PC# 059101), EPA-HQ-OPP-2008-0850-0969, at 49 (Nov. 18, 2020) [hereinafter, "Benefits Analysis"], https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0969.

The sugarbeet industry would suffer significant economic harm in the absence of a stay. The industry simply cannot afford to support the domestic food economy without chlorpyrifos as a critical crop protection tool. EPA's own estimates bear this out. In 2020, EPA estimated the overall benefits of chlorpyrifos to growers by crop, and in turn, the losses experienced without chlorpyrifos. According to this estimate, the total loss without chlorpyrifos could be more than $100 million.[6] EPA noted though that these benefits, and in turn the losses without chlorpyrifos, are "concentrated in specific crops and regions that rely on chlorpyrifos without available effective alternatives to control pests."[7] With respect to sugarbeets, EPA estimated that chlorpyrifos provides benefits of up to $32.2 million per year.[8] And that is likely an underestimate.[9] EPA acknowledged that it had concluded in its Benefits Analysis that "until suitable alternatives can be adapted to replace chlorpyrifos, sugarbeet yields in production areas of the upper Midwest Red River Valley region could be reduced due to increased problems with the sugarbeet root maggot."[10] According to EPA's own estimates, in North Dakota and Minnesota, a lack of alternatives means that without chlorpyrifos, SBRM alone can inflict up to 45 percent yield loss.[11] Those loses would erode the per acre benefits of chlorpyrifos for sugarbeets in those states, which EPA has estimated could be as high as $500.[12] As a result, the total annual cost of revoking the tolerances in those states alone would be between $774,000 and $29,639,000.[13] When considering that more than 140,000 acres of sugarbeets are at risk of from SBRM, the sugarbeet industry would face tens of millions of dollars in irreparable damages annually should this rule take effect. As another example, Oregon seed production growers estimate that without chlorpyrifos they would suffer between $251,000 and $753,000 in revenue losses just from loss of seed production due to symphylan (garden centipede) damage.

In addition to the financial harm, the sugarbeet industry is likely to suffer reputational harm as well. In its August 18, 2021 press release, EPA said its decision was an "overdue step to protect public health" and "following the science."[14] These statements are inconsistent with EPA's scientific record with respect to the 11 crops identified as safe in the PID. EPA's Final Rule notes that there are no concerns for food safety overall,[15] and the PID shows that chlorpyrifos can be safely used on

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[6] Benefits Analysis at 7; U.S. EPA; *see also* U.S. EPA, Proposed Interim Decision for Chlorpyrifos, EPA-HQ-OPP-2008-0850-0971, at 39 (Dec. 3, 2020) [hereinafter, "PID"], https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0971.

[7] PID at 39.

[8] Benefits Analysis at 49.

[9] We believe EPA has underestimated the percent crops treated with chlorpyrifos in their underlying benefits analysis, thus leading to an underestimate of benefits of chlorpyrifos in the PID. The Benefits Analysis notes that in states other than MN and ND, the percent crop treated (PCT) is 9%. Benefits Analysis at 10. Kynetec data for 2014–2018, however, show that for Idaho the PCT is 40–80%. U.S. EPA, Memorandum, Chlorpyrifos (059101) National and State Use and Usage Summary, EPA-HQ-OPP-2008-0850-0968, at 10 (Apr. 1, 2020) [hereinafter, "Use Summary"], https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0968. It is not clear that EPA appropriately accounted for this when averaging Idaho with other states. We also note the importance of an accurate tally of all states in which sugarbeets are grown. *Compare* PID at 41 (listing IL, LA, and WI as states that grow sugarbeets, and omitting WY), *with* Use Summary at 5, 10 (not listing IL, IA, and WI, but including WY).

[10] Letter from Mr. Ed Messina, EPA, to Ms. Cassie Bladow and Mr. Luther Markwart, 9 (Oct. 12, 2021) [hereinafter, "Messina Letter"] (attached as Attachment A to the Associations' *Objections to Decision Revoking All Chlorpyrifos Tolerances* (EPA-HQ-OPP-2021-0523)).

[11] Benefits Analysis at 5, 48.

[12] PID at 42.

[13] Benefits Analysis at 7.

[14] U.S. EPA, Press Release, EPA Takes Action to Address Risk from Chlorpyrifos and Protect Children's Health (Aug. 18, 2021), https://www.epa.gov/newsreleases/epa-takes-action-address-risk-chlorpyrifos-and-protect-childrens-health.

[15] 86 Fed. Reg. at 48,332 ("Considering food exposures alone, the Agency did not identify risks of concern for either acute or steady state exposures.").

specific crops identified as critical uses for chlorpyrifos, including sugarbeets.[16] EPA's statements are likely to cause ill-will against the industry from customers and the public that will affect the industry's ability to sell its products. Such reputational damage is irreparable. *See Jones v. District of Columbia,* 177 F. Supp. 3d 542, 547 (D.D.C. 2016) (citations omitted) (reputational injury can be used to establish irreparable harm); *Xiaomi Corp. v. Dep't of Def.,* Civ. A. No. 21-280, 2021 WL 950144, at *1, *10 (D.D.C. Mar. 12, 2021) (reputational damage, in conjunction with serious unrecoverable financial harm, weighs in favor of granting preliminary relief).

B. The Case Is Not Frivolous and Is Undertaken In Good Faith

A stay of administrative decision set forth by the FDA requires a showing that the case is not frivolous, is being pursued in good faith. 21 C.F.R. § 10.35. As set forth below, we have met this standard. We have submitted objections to the Final Order setting forth in detail the numerous substantive and procedural flaws in the Final Order. The objections and supporting materials demonstrate, among other things, that EPA: (1) improperly ignored its own prior safety findings for 11 high-benefit crop uses and failed to harmonize its tolerance revocation with FIFRA, (2) issued a highly conservative and overly protective decision, (3) failed to adequately consider relevant scientific data and information and respond to comments throughout the process, (4) failed to adequately assess the revocation's implications for existing stocks of chlorpyrifos products, (5) failed to comply with the interagency review process, (6) failed to adequately consider the sugarbeet industry's reliance interests, (7) ignored the fact that available data show no residues of chlorpyrifos on sugarbeets and sugarbeet products, and (8) appears to have considered factors that it could not lawfully consider under the FFDCA. We incorporate by reference the arguments made in those objections as well as summarize them below.

First, EPA ignored its own prior safety findings for 11 high-benefit crop uses and harmonize its tolerance revocation with FIFRA. EPA's stated rationale for the revocation of *all* tolerances was that it could not make a safety finding for all current chlorpyrifos registered uses. But the Agency's decision to revoke *all* tolerances—including 11 high-benefit crop uses in specific regions that it previously identified in its PID as safe, such as sugarbeets—is arbitrary and capricious and otherwise not in accordance with the FFDCA. The PID carefully considered 11 crop uses and determined that those uses "will not pose potential risks of concern with an FQPA safety factor 10x."[17] But even after reaffirming the PID's safety findings in the Final Rule, EPA simply refused to apply those findings when it determined to revoke the tolerances for the safe high-benefit crop uses. EPA clearly has the necessary data, the ability, and the authority to preserve the tolerances for the 11 uses. Not leaving the tolerances in effect for these 11 uses when the record would support doing so is arbitrary and capricious.

The record does not support EPA's decision under the FFDCA. Section 408(b)(2) of the FFDCA directs that EPA may "leave in effect a tolerance . . . if the Administrator determines that the tolerance is safe." 21 U.S.C. 346a(b)(2)(A)(i). The Final Rule's conclusion that EPA cannot make the required safety finding is premised on a faulty baseline of all chlorpyrifos tolerances and all

[16] *Id.* at 48,331–33.

[17] PID at 40. We also object to EPA's specific application of the 10x FQPA safety factor "to account for uncertainties" in relevant epidemiological studies. EPA improperly inserted data from studies that, by its own admission, were incomplete and unreliable, to support application of the 10x safety factor. EPA is authorized to make decisions based on valid, complete, and reliable data in its safety analysis. *See* 21 U.S.C. § 346a(b)(2)(D)(i). The Agency's misapplication of that authority is an abuse of discretion.

chlorpyrifos registrations remaining in place. EPA is fully capable of cancelling the tolerances where it cannot make the FFDCA safety finding and leaving in place the tolerances for the 11 safe uses, including sugarbeets. EPA's faulty baseline also ignores its legal obligations under FFDCA to harmonize a tolerance revocation with FIFRA—that is, where the Agency revokes a tolerance, it must take corresponding action under FIFRA regarding the relevant registration.[18]

The Ninth Circuit expressly ordered the Agency on remand to "correspondingly modify or cancel related FIFRA registrations for food use in a timely fashion" when issuing a final decision to revoke or modify the chlorpyrifos tolerances.[19] The Court recognized that the PID contemplated modifying certain tolerances and that it was possible for EPA to do so if it made the safety determination based on the PID's findings.[20]

Second, EPA's decision is highly conservative and overly protective. EPA misapplied the 10x Food Quality Protection Act (FQPA) 10x safety factor. In the Final Rule, EPA applies the 10x safety factor to address the "uncertainties surrounding the potential for adverse neurodevelopmental outcomes."[21] This is a highly conservative approach. EPA has been unable to establish any plausible biological explanation for the reported neurodevelopmental associations. For 10 years EPA has sought to address neurodevelopmental effects of chlorpyrifos, and, as stated in the Final Rule, "these efforts ultimately concluded with the lack of a suitable regulatory endpoint based on these potential effects."[22] EPA determined that the most appropriate toxicological endpoint for assessing chlorpyrifos risks is to continue to use cholinesterase inhibition. The 10x FQPA safety factor is admittedly applied by EPA as a "presumption" and is not based on reliable or sufficiently valid evidence.

EPA's use of the 2016 Drinking Water Assessment is also highly conservative and inaccurate. The Final Rule acknowledges that the 2016 Drinking Water Assessment was refined to better account for variability and to better estimate regional and watershed drinking water concentrations.[23] These refinements underwent peer review, as described in the Final Rule and resulted in the release of a September 2020 refined drinking water assessment.[24] The refinements included incorporating new surface water modeling scenarios, the quantitative use of surface water monitoring data, new methods for considering the entire distribution of community water systems percent cropped area and integration of state level crop treated data using percent crop treated factors. However, in deciding to revoke all chlorpyrifos tolerances, EPA simply ignored the 2020 highly-refined assessment and used the less-refined 2016 Drinking Water Assessment.

Third, EPA failed to adequately consider relevant scientific data and information and respond to comments throughout the process. Because of EPA's excessive delays in this matter, the Ninth

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[18] *See* 21 U.S.C. §346a(l)(1) ("To the extent practicable and consistent with the review deadlines in subsection (q), in issuing a final rule under this subsection that suspends or revokes a tolerance or exemption for a pesticide chemical residue in or on food, *the Administrator shall coordinate such action with any related necessary action under the Federal Insecticide, Fungicide, and Rodenticide Act* [7 U.S.C. 136 et seq.]." (emphasis added)).
[19] *LULAC*, 996 F.3d at 678, 703–04.
[20] *LULAC*, 996 F.3d at 703.
[21] 86 Fed. Reg. at 48,325.
[22] *Id.* at 48,322.
[23] *Id.* at 48,332.
[24] *See generally* U.S. EPA, Memorandum, Updated Chlorpyrifos Refined Drinking Water Assessment for Registration Review, EPA-HQ-OPP-2008-0850-0941 (Sept. 15, 2020), https://www.regulations.gov/document/EPA-HQ-OPP-2008-0850-0941.

Circuit specifically chose not to remand to the Agency for further fact finding, but rather directly ordered the Agency to revoke or modify the chlorpyrifos tolerances with the abundant data and information the Agency had on hand. The Court believed that EPA could make its final decision based on that information. However, the Agency managed to ignore substantial pieces of information and data, including in comments and studies challenging EPA's 2016 drinking water assessment, among other things. EPA also failed to respond to comments throughout the history of this matter, namely, the over 90,000 comments the Agency received on its 2015 proposed rule to revoke tolerances. The Agency's failure to consider pertinent information and respond to comments deprives all stakeholders of their due process rights and renders the Final Rule arbitrary and capricious.

Fourth, EPA failed to adequately assess the revocation's implications for existing stocks of chlorpyrifos products. Related to its failure to perform its statutory and court-ordered duty to take action on chlorpyrifos registrations, EPA also failed to adequately address its broad revocation's implications for existing stocks of chlorpyrifos products. Again, on this issue, the Final Rule says nothing. And the FAQ webpage offers no workable guidance. There, the Agency has reasoned that because it "has not cancelled any chlorpyrifos products as a result of the final tolerance rule," "there are no existing stocks at this time."[25] That statement simply ignores that end-users like sugarbeet growers may have large inventories of chlorpyrifos products, the proper handling of which will be unclear clear once the tolerance revocation takes effect.

Fifth, EPA failed to comply with the interagency review process. Executive Order 12866 requires significant regulatory actions to go to the Office of Management and Budget (OMB) for coordinated interagency review.[26] Significant regulatory actions are defined to include regulatory actions that "have an annual effect on the economy of $100 million or more or adversely effect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities."[27] EPA's Final Rule clearly meets the significant regulatory action criteria in Executive Order 12866 and as a rulemaking "that make[s] an existing tolerance more stringent" (by effectively revoking it to make the tolerance equivalent to zero), this rulemaking should clearly have undergone interagency review as directed by the Executive Order.[28]

Sixth, EPA failed to adequately consider the sugarbeet industry's reliance interests. "When an agency changes course, . . . it must 'be cognizant that longstanding policies may have engendered serious reliance interests that must be taken into account.'"[29] EPA's overbroad revocation failed to take into account the decades of Agency-approved chlorpyrifos use on which the sugarbeet industry relied. What is more it did so even though EPA could have lawfully and based on sound science left in effect the tolerances for the 11 high-benefit crops—including sugarbeets.

Seventh, EPA ignored the fact that available data show no residues of chlorpyrifos on sugarbeets and sugarbeet products. While tolerances exist for sugarbeet roots, sugarbeet tops, dried

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[25] U.S. EPA, Frequent Questions About the Chlorpyrifos 2021 Final Rule, Question 9, https://www.epa.gov/ingredients-used-pesticide-products/frequent-questions-about-chlorpyrifos-2021-final-rule#question-9.
[26] Exec. Order No. 12866, Regulatory Planning and Review, 58 Fed. Reg. 51,735 (Oct. 4, 1993).
[27] *Id.*
[28] OMB, Memorandum for Heads of Executive Departments and Agencies and Independent Regulatory Agencies on Guidance for Implementing E.O. 12866, M-94-3, app. C at 15 (Oct. 12, 1993), https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/assets/inforeg/eo12866_implementation_guidance.pdf.
[29] *Dep't of Homeland Sec. v. Regents of the Univ. of California*, 140 S. Ct. 1891, 1913 (2020) (quoting *Encino Motorcars, LLC v. Navarro*, 136 S. Ct. 2117, 2126 (2016)).

beet pulp, and sugarbeet molasses, the record shows that no residues have ever been detected. As such, analyses conducted by EPA using the tolerance level as an exposure level are highly conservative. The data do not support the need for tolerances for sugarbeets and sugarbeet products. FDA's own Total Diet Study[30] shows no chlorpyrifos in processed sugar. In addition, residue data tests conducted by American Crystal Sugar Company, which has been testing products since 2016, have found no residues on sugarbeet products, including on crystallized sugar, molasses, and dried pulp.[31] EPA's own Pesticide Monitoring Program Fiscal Year 2016 Pesticide Report does not mention any findings of residues of chlorpyrifos on sugarbeets, sugarbeet tops, or any sugarbeet products (beet sugar, dried pulp, or molasses).[32]

Finally, EPA appears to have considered factors that it could not lawfully consider under the FFDCA. On August 18, 2021, EPA issued a press release leading up to publication of the Final Rule.[33] There, EPA suggested that there are harmful and unnecessary exposures to farmworkers due to chlorpyrifos use.[34] Not only is that simply inconsistent with the scientific record in this administrative matter but also it speaks to occupational exposure, which EPA does not have authority to consider under the FFDCA safety standard. The safety standard for pesticide tolerances under the FQPA is whether "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information." This standard contemplates exposures from food, drinking water, and in residential settings. It does not contemplate occupational exposure.

In sum, the claims presented are plainly not frivolous and are being pursued in good faith.

C. The Public Interest Favors a Stay And the Delay of a Stay Is Not Outweighed By the Public Health or Public Interest.

The stay will provide critical relief to the sugarbeet industry, which needs chlorpyrifos to control SBRM, a particularly problematic pest for sugarbeets. Alternatives to chlorpyrifos can only suppress SBRM, not control it or are not as effective and significantly more expensive. As EPA found, sugarbeet growers would be significantly harmed from the loss of chlorpyrifos, which serves as a critical tool in controlling SBRM. As demonstrated, a stay is necessary to prevent substantial, irreparable economic harm. And public health and public interest considerations do not outweigh the need for a stay.

There are no public health or other public interests that would be adversely affected by a stay of the revocation of the tolerances as to the 11 crops in select regions found safe in the PID. As the Final Rule notes, that there are no concerns for food safety with respect to those crops. EPA's most recent scientific evaluation shows that chlorpyrifos can be safely used on those crops, including sugarbeets.

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[30] *See* U.S. Food & Drug Admin., Analytical Results of the Total Diet Study, https://www.fda.gov/food/total-diet-study/analytical-results-total-diet-study (last updated Aug. 25, 2021).

[31] Tests were conducted using the CFDA multiresidue method (2016) and more recently using the PQAOE Pesticide Quenchers test method. Results are available upon request.

[32] *See* U.S. Food & Drug Admin, Pesticide Residue Monitoring Program Fiscal Year 2016 Pesticide Report, https://www.fda.gov/food/pesticides/pesticide-residue-monitoring-2016-report-and-data.

[33] U.S. EPA, Press Release, EPA Takes Action to Address Risk from Chlorpyrifos and Protect Children's Health (Aug. 18, 2021), https://www.epa.gov/newsreleases/epa-takes-action-address-risk-chlorpyrifos-and-protect-childrens-health.

[34] *Id.*

Further, chlorpyrifos is used only when and only as much as necessary. Each beet sugar cooperative has a team of highly trained agricultural staff that create pesticide application programs at the beginning of the growing season and modify them as conditions change. Each cooperative knows exactly what is used and when it is applied and prides itself on the efficient use of the limited available crop protection tools for sugarbeets. As was noted in comments sent to EPA on the 2020 Preliminary Interim Decision, chlorpyrifos applications for SBRM fly control are made only after determining there is a need and are targeted to specific areas of need. This information is collected by scouting to determine that the SBRM population is present and in high enough numbers that justify an application. Highly accurate Degree Day Models have been developed through university research. These are used to calculate when fly activity will be at its height. In conjunction with this, there is extensive fly stake monitoring covering the growing geography to determine SBRM presence and populations that may or may not trigger a chlorpyrifos application for control. Sticky stakes are used to capture flies and to monitor presence and population levels. Economic threshold levels have been developed by university research using these stakes. If the sticky stakes show population levels that are at economic threshold, only then will a treatment of chlorpyrifos will be made. Maps are produced and updated each year to track areas of SBRM that are moderate and severe levels of concern.

As explained in detail in our objections, EPA's decision to revoke the tolerances for the 11 crops found safe in the PID resulted from EPA's failure to thoroughly consider the relevant scientific information and comments. That failure in itself is another reason that the public interest supports, rather than counsels against, a stay. EPA failed to respond to over 90,000 comments on its 2015 proposed rule to revoke tolerances. The agency's failure to respond to these comments deprived stakeholders of their due process rights and renders the agency's decision arbitration and capricious. EPA also failed to address the implications its decision on existing stocks of chlorpyrifos products and to undertake interagency review.

The weighing of the public interest supports a stay based on the substantial, irreparable economic harm that will occur to growers absent a stay and the corresponding lack of public health or public interest counseling against a stay.

IV. CONCLUSION

For all the above reasons, granting a stay with respect to the 11 crops found safe in the PID is in the public interest and in the interest of justice. Therefore, we request that the Agency grant this petition for a stay of the effective date of the Final Rule and the expiration date for chlorpyrifos tolerances for those 11 crops, or at a minimum for sugarbeets, until a final resolution, including potential judicial review, is reached on all of the issues raised in the our objections.

Respectfully submitted,

Cassie Bladow
President
U.S. Beet Sugar Associations
50 F Street SW, Suite 675
Washington, DC 20001

Luther Markwart
Executive Vice President
American Sugarbeet Growers Association
1155 15th Street NW, Suite 1100
Washington, DC 20005

U.S. BEET SUGAR ASSOCIATION

Via EPA E-Filing System and Federal eRulemaking Portal

U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

RE: Transmittal of Objections to Decision Revoking All Chlorpyrifos Tolerances (EPA-HQ-OPP-2021-0523)

To Whom It May Concern:

The U.S. Beet Sugar Association represents manufacturers of beet sugar in the United States. Currently, there are nine such firms, operating 21 factories that process refined white sugar, molasses, and dried beet pulp from sugarbeets grown in eleven states. The U.S. beet sugar processing industry is 100% farmer-owned cooperative in structure, and every factory operates with organized union workforce. As a matter of administrative convenience, USBSA has enclosed with this transmittal letter five independent comment letters objecting under Section 408(g) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 346a(g), to the U.S. Environmental Protection Agency's August 30, 2021 decision to revoke all chlorpyrifos tolerances, 86 Fed. Reg. 48,315 (Aug. 30, 2021). Each of these individual letters complies with the requirements of 40 C.F.R. § 178.25(a) and each contains the email of the commenter. The objections expressed in each letter are those of the respective signatories and are not the objections of USBSA.[1]

Sincerely,

Cassie Bladow
President
U.S. Beet Sugar Associations

[1] USBSA has separately filed its own substantive comments on the regulatory docket (EPA-HQ-OPP-2021-0523).

Southern Minnesota Beet Sugar Cooperative

83550 County Road 21, Renville, Minnesota 56284

October 29, 2021

U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

To Whom It May Concern:

We, the Southern Minnesota Beet Sugar Cooperative, (SMBSC) located in Renville, Minnesota are writing in objection to the EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), we are writing to file formal objections regarding this action. Based on these objections, we urge the EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to the growers of SMBSC and our operation, we also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by the EPA.

The EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops that our growers raise and significantly diminish our cooperative's ability to operate. We use chlorpyrifos to combat the sugarbeet root maggot flies, lygus bugs, and other pests. Our growers annually raise about 120,000 acres of sugarbeets and chlorpyrifos is used on nearly half of those acres to combat lygus bugs alone. We have seen a continued increase in lygus bugs in our growing area and we anticipate this problem to only get worse. For SMBSC growers, chlorpyrifos is the only tool that has proven to be consistently effective in controlling these pests. Pest pressure can vary year to year. It is estimated that on average our grower's yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability of our growers to apply chlorpyrifos, the reduction in yield will lead to a large loss in profits for the growers and the cooperative due to a decrease in throughput of mature and healthy sugarbeets. In addition, the alternative pesticides that our growers would need to use in the absence of chlorpyrifos has been found to be much less effective.

The EPA's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our growers' operations. In the past, the EPA has been able to strike the proper balance between sound science and risks. SMBSC urges the EPA to fulfill its commitment to scientific integrity in this decision. The data does not support a revocation of chlorpyrifos tolerances for sugarbeets. Our understanding is that the EPA's own analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11

Southern Minnesota Beet Sugar Cooperative

83550 County Road 21, Renville, Minnesota 56284

specific crops, which includes sugarbeets. Thus, it does not make any sense to revoke a tolerance that the EPA has found to be safe for sugarbeets.

Given that the EPA has said using chlorpyrifos on sugarbeets is safe, we urge you to find an approach to allow the continued use on sugarbeets without revoking the tolerance. Give our growers the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,

Todd Geselius
Vice President of Agriculture
Southern Minnesota Beet Sugar Cooperative

October 29, 2021

Via EPA E-Filing System and Federal eRulemaking Portal

U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

American Crystal Sugar Company
101 North Third Street
Moorhead, MN 56560

To Whom It May Concern,

American Crystal Sugar Company is a grower-owned cooperative of 2,600 shareholders producing sugarbeets on approximately 400,000 acres in the Red River Valley in northwest Minnesota and northeast North Dakota. The 2,600 shareholders represent 643 farms on which the sugarbeets are grown. Sugar is extracted in our factories from the sugarbeets and then sold as refined sugar. The United States raises roughly 1.1 million acres of sugarbeets domestically. This is a relatively small acreage crop compared to other crops and keeping crop protection products labeled that work for sugarbeets is vital as there are very few tools and options available.

The revocation of chlorpyrifos tolerances will directly reduce the ability to adequately control sugarbeet root maggot (SBRM). In 2021, SBRM affected 348 of the 643 sugarbeet farms (54%) in the American Crystal Sugar Company growing area representing 150,000 acres affected (38% of acres). Dr. Mark Boetel (North Dakota State Entomologist) has stated that revenue losses of up to $500/acre can occur if SBRM is not adequately controlled[1]. Loss is caused from the injury of the SBRM larvae feeding on the sugarbeet root.

When chlorpyrifos is used, it used post emergence to control the adult, egg laying, fly population, thereby reducing the number of eventual larvae that would feed upon the sugarbeet. This application is an integral part of the SBRM control plan, which also includes at-plant insecticides being used. However, the at-plant insecticides are not adequate to control SBRM on their own and require a post emergence application of chlorpyrifos to help ensure adequate control.

It should be noted that chlorpyrifos is only used in a targeted and precise manner and only when required to prevent loss. This is accomplished through the use of degree day models developed by university research to accurately predict when SBRM fly will appear. Fly sticky stakes are placed in

[1] See https://www.ndsu.edu/vpag/newsletter/ndsu_helping_control_sugarbeet_root_maggot/

sugarbeet fields and monitored for the presence and population levels of the SBRM flies. Only when fly populations reach economic threshold levels is an application of chlorpyrifos applied[2].

Dr. Boetel has also evaluated alternatives to chlorpyrifos post emergence, and they are not nearly as effective or adequate for control. In high root maggot pressure areas, the next best alternative to chlorpyrifos shows $116/acre loss and a 764-pound reduction in sugar/acre[3]. The loss of adequate SBRM control greatly hurts the individual farm and the cooperative with a possible total loss of $11,000,000 to growers directly. This corresponds to 82,000,000 pounds of lost sugar production across severe and moderate levels of SBRM acres at American Crystal Sugar Company.

The loss of adequate control doesn't only hurt the current year's production, but the surviving, overwintering SBRM population will continue to increase and spread to additional acres increasing the size of the SBRM territory. This increase in population and area will then compound losses further.

SBRM is the major concern in sugarbeet production fields but chlorpyrifos is also used to control cutworms, lygus bugs, and grasshoppers. Chlorpyrifos is also used in sugarbeet seed production that occurs in Oregon for control of symphylans. Chlorpyrifos is the only registered option for symphylan control and if not available 25 – 33% of the sugarbeet seed production acreage will be affected with up to a 50% loss of seed production. Without adequate control, symphylan populations will increase and spread to additional acres compounding the amount of production lost.

In EPA's Proposed Interim Decision (PID) from December 2020, the EPA found chlorpyrifos to be highly beneficial and safe for sugarbeet production. The EPA recognized the fact of how important it was to maintain chlorpyrifos use for sugarbeet production. Based on EPA's analysis in the PID, American Crystal Sugar Company is urging the EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. Additionally, American Crystal Sugar Company also requests the Agency stay implementation of the rule until our objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Joe Hastings
General Agronomist
American Crystal Sugar Company
jhasting@crystalsugar.com

[2] EPA-HQ-OPP-2008-0850-0987 Comment https://www.regulations.gov/comment/EPA-HQ-OPP-2008-0850-0978
[3] Boetel (2019) A 3-Year Assessment of Postemergence Liquid Insecticide Rates, Timing, and Product Rotations For Sugarbeet Root Maggot Control.

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brodie Griffin and I represent Amalgamated Sugar Company as the Director of Agriculture. I am writing this letter on behalf of the over 500 Grower Members of Amalgamated Sugar.

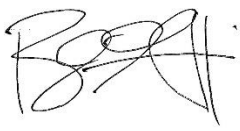
On an annual basis, we cultivate approximately 180,000 acres of sugarbeets in Idaho, Oregon, and Washington. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. We are aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections and on behalf of our Growers, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to our Growers, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops our Growers raise and could significantly diminish our Grower's ability to operate. Our Growers use chlorpyrifos to combat sugarbeet root maggot flies, lygus bugs, leaf miners, and aphids. According to U.S. Department of Agriculture's website, the sugarbeet root maggot alone affects almost half of sugarbeet acres in the U.S, and without control tools, can lead to 40% yield losses in certain areas. For our Growers, chlorpyrifos is the primary tool that has proven to be consistently effective in controlling those pests. While pest pressure can vary year to year, I estimate that, on average, our yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability to apply chlorpyrifos to the sugarbeet crop, the reduction in yield will lead to a large loss in profits for the cooperative, because we would have less throughput of mature and healthy sugarbeets. In addition, the alternative pesticides available to use in the absence of chlorpyrifos are much less effective and much more expensive.

EPA rule's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our Growers' operations. In the past, EPA has been able to strike the proper balance between sound science and risks, and I am urging the EPA to fulfill its commitment to scientific integrity in this decision. The data just does not support revocation of chlorpyrifos tolerances for sugarbeets. My understanding is that EPA's analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11 specific crops, including sugarbeets. Thus it does not make any sense to revoke a tolerance that EPA has found to be safe for sugarbeets.

Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for this crop without revoking the tolerance. Give our Growers the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry and cooperative.

Sincerely,



Brodie Griffin, on behalf of the Members of Amalgamated Sugar Company
Director of Agriculture
bgriffin@amalsugar.com

October 29, 2021

U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

American Crystal Sugar Company
101 North Third Street
Moorhead, MN 56560

To Whom it May Concern,

Sugarbeet seed production in the Willamette Valley of Oregon involves an estimated 2,000 acres, however, this small acreage supplies sugarbeet seed for over 1,000,000 acres of sugarbeet root production, which is a highly important specialty crop in the United States, both to consumers and producers for the refinement of sucrose. U.S. sugarbeet seed is mainly grown in Oregon and Washington. The majority of sugarbeet seed is grown in the Willamette Valley of Oregon, which leads in overall sugarbeet seed crop yield, quality, and climatic security. The Pacific coastal winds and temperate conditions are ideal and greatly limit frost exposure and damage to the sugarbeet seed crop, along with providing ideal temperatures with adequate precipitation for maximum pollination and overall seed production.

Chlorpyrifos use in sugarbeet seed production is vital to the industry. Without chlorpyrifos, sugarbeet seed production will require more production acreage to offset production losses, therefore becoming increasingly expensive and less viable to raise enough seed to meet the demands of the industry.

Sugarbeet seed production fields require physical distance buffers measured in miles from other known pollen sources to maintain genetic purity of sugarbeet seed. Having more acreage in this already active growing region further complicates the ability to maintain genetic purity in these sugarbeet varieties. If these genetic purity standards are not met, that seed may not be allowed for sale and would need to be destroyed. There is a very limited number of sugarbeet seed growers in Oregon. With over 200 other crop options in this region, any further production hurdles for growers in producing sugarbeet seed or reduced income from sugarbeet seed production, will drive them into other crop production options, leaving the sugarbeet seed industry with fewer farms to produce the sugarbeet industries' seed supply.

In Oregon, the primary insect threat results from symphylan damage, especially following perennial grass seed production where the soil is left unworked for multiple years. As a result, symphylan populations can increase in the soil prior to sugarbeet seed production. Symphylans are a subterranean insect pest, whose presence negatively affects proper primary root and secondary root development, which in turn negatively affects yield and sugarbeet seed production. Chlorpyrifos is the only fully

registered rescue option available in early spring to control symphylans. It is typically applied on 25% - 33% of total sugarbeet seed production acres. Other than chlorpyrifos, there are no other options for symphylan control in sugarbeet seed production after the crop has been transplanted. Sugarbeet seed production fields vary in soil type, pest content, and productivity. The production fields are small in acreage and assigned to one varietal production per field. Without proper management control of a pest such as symphylans, these small fields could be devastated by symphylan damage thus eliminating an entire sugarbeet variety. This in turn could cause a ripple effect by limiting access to that specific sugarbeet variety and then forcing farms to accept a lesser variety and a negative economic impact for that farm or the region needing that specific variety of sugarbeet seed.

In Oregon, chlorpyrifos is also utilized to offset the damaging impact of more than one species of aphid along with spittlebug, winter cutworms, and other minor insects. Currently there are two other insecticide alternatives available for aphids; however, these are both taken into the plant systemically, and therefore slowly, unlike chlorpyrifos which provides the quick knockdown that is needed once these pests are identified. This knockdown is vital before these insect populations rapidly populate causing escalating crop damage.

In 2021, 27 percent of sugarbeet seed production acres in the Willamette Valley region were treated with chlorpyrifos for symphylan control. Putting this into perspective, potential further losses on the low end of the production spectrum, assuming 25 percent of crop production had symphylan infestations along with 50 percent seed loss, equates to a low-end loss of seed production yield of 12.5 percent or $125,000 in lost revenue. As symphylan populations increase, Oregon growers estimate that they could realistically see a 25 percent loss of seed production yield resulting in $251,000 in revenue losses and a worse-case scenario of 75 percent loss of seed production yield resulting in up to $753,000 in revenue losses.

More importantly, a loss of this magnitude, combined with pressure on available acreage for seed production resulting from reduced yields, could seriously affect the limited supply of sugarbeet seed available to growers around the country and have broad implications for the viability of the entire sugarbeet industry.

Based on these objections, American Crystal Sugar Company is urging the EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. Additionally, American Crystal Sugar Company also requests the Agency stay implementation of the rule until our objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Tyler Grove
General Manager Beet Seed Division
American Crystal Sugar Company
tgrove@crystalsugar.com

October 28, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Minn-Dak Farmers Cooperative is a grower-owned sugarbeet processing facility located at the southern end of the Red River Valley in Wahpeton, North Dakota. We have proudly been in business since 1974 and continue to be one of the industry's most advanced and proficient sugar production facilities today. My primary area of responsibility is focused upon the research and production aspects of the agricultural arena. I am responsible for the research of both current production techniques and future technologies encompassing the growing, harvesting and delivering of sugarbeets for processing from 500 shareholders raising sugarbeets on 105,000+ acres.

Year in and out, pest control has been and continues to be one of the most predominant production challenges of raising sugarbeets in the Red River Valley of Minnesota and North Dakota. Unlike corn and soybean (which have a combined acreage of 175 million across the United States), sugarbeets are a very small market by comparison, raising only 1.1 million acres annually. As such, the pesticide portfolio that is currently available to our growers has not only dwindled over the past decade, but the major chemical manufacturers are no longer producing sugarbeet-specific products. Instead, our industry is at the mercy of the 'table scraps' developed for the corn and/or soybean market and actually consider ourselves lucky that they still continue to screen these chemistries on sugarbeets during part of their developmental process. This simple fact makes the continued use of existing chemistries within our current pesticide portfolio vital to our small industry.

Chlorpyrifos is by far the most effective post-emerge insecticide product that is utilized by our growers for the control of various insects, the most notable being the Sugarbeet Root Maggot (SBRM - an insect pest in which larvae feed on and damage sugarbeet roots). Our Cooperative is very aware of the U.S. Environmental Protection Agency's (EPA) August 30th ruling that would revoke all pesticide tolerances for this unique chemistry (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), please consider this letter a formal objection regarding this recent action. Chlorpyrifos has been registered for use in sugarbeets by both the North Dakota Department of Agriculture (NDDA) and the Minnesota Department of Agriculture (MDA) for decades and when applied according to the label, is a safe an effective crop protection product. I implore the EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of this active ingredient. Simply put, this ruling will cause significant and irreparable harm to our Cooperative. As a reference, where Chlorpyrifos is needed but is not used, we can see losses of up to 2,042 lbs. (> 30%) of Recoverable Sugar/Acre and $400/acre in lost revenue. (Dr. Boetel, NDSU - Combined Analysis 2016-2019 Research).

A common misconception surrounding the use of Chlorpyrifos in sugarbeets is that it is annually applied as a 'blanket' application – nothing could be farther from the truth. Chlorpyrifos applications within our Cooperative are structured in a very targeted and precise manner. Carefully monitoring the SBRM population through the use of insect traps and an advance population forecasting system, our Agricultural Staff works on a one-on-one basis with each of our growers (who are licensed pesticide applicators) to make the decision whether or not a field needs to be treated based upon a proven economic threshold developed by the entomology departments of both North Dakota State University and the University of Minnesota.

The EPA's extremely short timeline for rescinding the tolerance does not allow our Ag Staff or our growers sufficient time to plan for such a significant change to our production practices. As I recall, the

EPA has always been able to strike the proper balance between sound science and risks and I am urging the EPA to fulfill its commitment to scientific integrity in this specific decision. The EPA's own December 2020 analysis found that this active ingredient could continue to be safely used on eleven different crops, including sugarbeets. The data just does not support a revocation of Chlorpyrifos tolerances for sugarbeets and it clearly does not make any sense to revoke a tolerance that the EPA has found to be safe for sugarbeets.

It is vitally important to our Cooperative to continue to have Chlorpyrifos available as insecticide in our arsenal to control SBRM and other insect pests. Given that the EPA has indicated using Chlorpyrifos on sugarbeets is safe, I strongly urge you to find a way to allow the continued use of this for sugarbeets without revoking the tolerance. Minn-Dak Farmers Cooperative requests the Agency stay implementation of the rule until our objections and those of others in the industry can be formally addressed by EPA. Sugarbeets are a relatively small acreage crop compared to others and keeping crop protection products labeled that are proven to work in a safe and effective manner is crucial as there are very few tools and options available. Sugarbeets have a major impact on the viability of farms and production agriculture in our region, it is important that you allow us to continue to be good stewards of this product.

Thank you for your consideration.

Sincerely,

Mike Metzger, Ph.D.
Vice President – Agriculture & Research
Minn-Dak Farmers Cooperative

Via EPA E-Filing System and Federal eRulemaking Portal

U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

RE: Transmittal of Objections to Decision Revoking All Chlorpyrifos Tolerances (EPA-HQ-OPP-2021-0523)

To Whom It May Concern:

The American Sugarbeet Growers Association members associations represent 10,000 family farmers in all 11 producing states (California, Colorado, Idaho, Michigan, Minnesota, Montana, Nebraska, North Dakota, Oregon, Washington, Wyoming). As a matter of administrative convenience, the ASGA has enclosed with this transmittal letter 93 independent comment letters objecting under Section 408(g) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 346a(g), to the U.S. Environmental Protection Agency's August 30, 2021 decision to revoke all chlorpyrifos tolerances, 86 Fed. Reg. 48,315 (Aug. 30, 2021). Each of these individual letters complies with the requirements of 40 C.F.R. § 178.25(a) and each contains the email of the commenter. The objections expressed in each letter are those of the respective signatories and are not the objections of the ASGA.[1]

Sincerely,

Luther Markwart
Executive Vice President
American Sugarbeet Growers Association
1155 15th Street NW, Suite 1100
Washington, DC 20005

[1] ASGA has separately filed its own substantive comments on the regulatory docket (EPA-HQ-OPP-2021-0523).

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Nate Hultgren and my family own and operate Hultgren farms in Minnesota. My family has been farming since 1932. On an annual basis, I cultivate approximately 1,200 acres of sugarbeets, and I have been growing sugarbeets for over 20 years. I also grow the following other crops: Soybeans, Corn, Sweet Corn, Alfalfa, Dry Beans, and Green Peas. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops that we raise and significantly diminish my farm's ability to operate. We use chlorpyrifos to combat cutworm, lygus bugs, and aphids. According to U.S. Department of Agriculture's website, the sugarbeet root maggot alone affects almost half of sugarbeet acres in the U.S, and without control tools, can lead to 40% yield losses in certain areas. At my farm, chlorpyrifos is the only tool that has proven to be consistently effective in controlling those pests. In an average year, I apply chlorpyrifos on approximately 500 acres. While pest pressure can vary year to year, I estimate that on average my yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability to apply chlorpyrifos to my sugarbeet crop, the reduction in yield will lead to a large loss in profits for me and my cooperative, because we would have less throughput of mature and healthy sugarbeets. In addition, the alternative pesticides that I would need to use in the absence of chlorpyrifos I have found to be much less effective. I have found that my farm is forced to apply greater volumes of other pesticides raising costs and potentially other environmental impacts.

EPA's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our operation. In the past, EPA has been able to strike the proper balance between sound science and risks, and I am urging EPA to fulfill its commitment to scientific integrity in this decision. The data just does not support a revocation of chlorpyrifos tolerances for sugarbeets. My understanding is that EPA's own analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11 specific crops, including sugarbeets. Thus, it does not make any sense to revoke a tolerance that EPA has found to be safe for sugarbeets.

Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for sugarbeets without revoking the tolerance. Give my farm the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,

Nate Hultgren
nate@hultgrenfarms.com
11804 15th Ave SW//Raymond, MN 56282

Allen R. Tucker
207 7th Avenue
St. Thomas, ND 58276
10/27/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

To whom it may concern:

My name is Allen Tucker and I am a farmer from St. Thomas, ND. I farm with my father, three brothers and three nephews. My grandfather farmed our first crop of American Crystal sugarbeets in 1928 and we have grown sugarbeets ever since. Our family still farms the land where those 1928 sugarbeets were grown. We also grow wheat, potatoes, and beans.

I am writing in opposition to the EPA's action that would revoke all pesticide tolerances for chlorpyrifos.

Our farm uses chlorpyrifos to help manage outbreaks of sugarbeet root maggot (SBRM). There are a limited number of tools to control SBRM and it would be difficult to maintain our sugarbeet farm without chlorpyrifos. Other tools would include at-plant treatments such as Counter and post-plant treatments such as Thimet. Liquid chlorpyrifos is our last line of defense because it works well even after the SBRM population is at its peak for the year.

SBRM is the number one production problem on our sugarbeet acres. We can lose over $100 per acre if our control system fails. For our 900 acres of sugarbeets, that equates to over $90,000 for our family farm.

My greatest concern is if we lose chlorpyrifos, it will cause us to be more aggressive on treating for SBRM before we know how much of an outbreak to expect. With chlorpyrifos as a tool, we can judiciously apply a base product like Counter and then monitor insect activity for a chlorpyrifos rescue treatment when necessary. Without chlorpyrifos as a tool, we will need to be more aggressive with at-plant and post-plant granular applications. The net result would likely be an increase of insecticide active ingredients applied and at greater cost. I feel it would be more appropriate to generate other tools to deter SBRM damage before we give up the tools we have. Researchers are currently working on grower-funded projects that will help beet growers reduce insecticide applications and lower on-farm costs. Removing chlorpyrifos from the market will not help this effort. The goal should be to safely maximize yield with minimal input. Because it is only used if and when necessary, I believe chlorpyrifos is an excellent tool. The sugarbeet farmers of MN and ND have done a good job at keeping this insecticide contained to the target area and we should not be punished by hypothetical modeling that creates a problem where one does not actually exist. In December of 2020, EPA's analysis found that chlorpyrifos could be safely applied to sugarbeets. That sound science should be allowed to stand until our sugarbeet industry has a reasonable opportunity to develop an alternative.

Thank you for the opportunity to comment. Feel free to call or write if you would like additional input.

Sincerely,
Allen R. Tucker
701-520-0720 cell
allentucker@polarcomm.com

Bjorge Brothers Farm/Jeffrey Bjorge
16958 11th St NE
Buxton, ND 58218
10-28-2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Jeffrey Bjorge, I farm in Buxton, ND. I am an 4th generation farmer, 1st generation Sugarbeet grower, and I am hoping my Son's Paul and Bowen will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 750 acres of sugarbeets annually, in addition to sugarbeets I also grow Corn, Soybeans, Spring Wheat, Pinto Bean, Navy Beans, Black Beans, and Great Northern Beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling Sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all my 750 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $73.65/Acre loss or an annual loss of $55,237.50 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Jeffrey Bjorge

President, Bjorge Brothers Farm Inc

Jeff@BjorgeBrothersFarm.com

Jim Murn
3897 170th Ave, Twin Valley, MN 56584
10/25/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Jim Murn, I am an agronomist and partner with Skaurud Grain Farms in Gary, Minnesota, and have been for the last 12 years. Prior to that I was a crop consultant for 27 years in the Ada/Ulen/Beltrami area of the Red River Valley. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. We raise approximately 3,200 acres of sugarbeets annually, in addition to sugarbeets we also grow edible beans, corn, soybeans, wheat and barley.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

We have safely applied, when needed, chlorpyrifos, to our sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

As mentioned above, if needed, we apply chlorpyrifos on up to 500 acres of our sugarbeets in the years our rotation dictates that we raise our sugarbeets in the maggot prone areas. Because of extensive research and reporting by U of MN/NDSU extension services and our American Crystal co-op, these areas are forecasted to growers so we can carefully time applications to make sure they only occur at the right time and in the right place, if at all. The "if at all" decision is ultimately made by scouting the crop to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss could equate to as much as $43 to $116 loss an acre or an annual loss of up $58,000 for our farm. This has a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Jim Murn

Agronomist/American Crystal Sugarbeet grower

jmurn@skaurud.com

Aaron Rogenes
16870 14th St NE
Buxton, ND 58218
10/27/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Aaron Rogenes, I farm with my family near Buxton, North Dakota. I am an 4th generation farmer, and I am hoping my two sons will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1800 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, corn soybeans and dry beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 360-1440 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss up to $167,040 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Aaron Rogenes

Owner

Rogenes4@icloud.com

AJ Lundeen
1519 430th Ave
Karlstad, MN 56732

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is AJ Lundeen, I farm in Karlstad, MN. I am an 2nd generation farmer. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 168 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, sunflowers, canola, and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 168 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43 loss or an annual loss of $7,224 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

AJ Lundeen

Farmer

Ajlundeen03@gmail.com

Alysia Osowski
Grafton, North Dakota
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Alysia Osowski, I farm with family near Grafton, North Dakota. I am an 5th generation farmer, and I am hoping my son and daughter will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1200 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, dry beans, soybeans, corn, and sunflowers.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1200 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $85.81/acre loss or an annual loss of $102,972 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Alysia Osowski

Farmer

Alysiao88@gmail.com

Amber Meyer
8508 HWY 81
St. Thomas, ND 58276

October 27, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Amber Meyer, I farm with my husband, Jason, in St. Thomas, ND. I am a 3rd generation farmer, and I am hoping my son will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 464 acres of sugarbeets annually, in addition to sugarbeets I also grow hard red spring wheat and pinto beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all 464 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $53,824 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Amber Meyer, CFP®, APMA

Owner/Financial Advisor

amberv@polarcomm.com

Benjamin Tinkham
34362 220 St. SW Fisher MN 56723
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Benjamin Tinkham, I farm with my family near Fisher. I am an 5th generation farmer, and I am hoping two daughters will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 666 acres of sugarbeets annually, in addition to sugarbeets I also grow spring wheat and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 160 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $6,880 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Benjamin Tinkham

Farmer/Owner

tinkhamfarms@gmail.com

Brad Pecka
1967 36th Ave NE
Ardoch, ND 58261
10/27/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brad Pecka, I farm with my wife near Ardoch, North Dakota. I am a 4th generation farmer, and I am hoping my two boys will be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 85 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans, edible beans, and corn.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all 85 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $3,655 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brad Pecka

Small Farmer

Pecka77@hotmail.com

Brad Schuster
15991 81st St NE
Drayton, ND 58225

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brad Schuster, I farm with my family near Drayton, North Dakota. I am a 5th generation farmer, and I am hoping my son, Collin, will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 670 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans and corn.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 500 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $58,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brad Schuster

Farmer

bschus@polarcomm.com

Brent Baldwin
8244 144th Ave NE
Saint Thomas North Dakota, 58276
10/26/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brent Baldwin, I farm with my parents, wife, daughter, and sons in rural North Dakota, near the town of Saint Thomas. I am an 4th generation farmer, and I am hoping for my kids and grandkids will one day be the 5th and 6th generations to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 3000 acres of sugarbeets annually, in addition to sugarbeets I also grow soybeans, wheat, and edible beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 2000 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $114.97/acre loss or an annual loss of about $229,940 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brent Baldwin

Sugarbeet Grower

baldwin@polarcomm.com

Brent Halfmann
32512 430th St NW
Stephen, Minnesota 56757
October 25, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brent Halfmann, I farm with my dad and brother near Stephen, Minnesota. I am a third-generation farmer, and I am hoping for my daughter or nephew will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 800 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans, navy beans, pinto beans, and corn.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 400 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of over $17,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brent Halfmann

Young Farmer

Brent_halfmann@hotmail.com

Brent Schmitz
2312 25th St. NE
Mekinock, ND 58258
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brent Schmitz, I farm with family near Mekinock, North Dakota. I am a 1st generation farmer, and I am hoping my children will one day be the 2nd generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 365 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans and sunflowers.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all 365 acres of sugarbeets. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $15,695 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brent Schmitz

First Generation Farmer

Brentschmitz1@gmail.com

Brian Jensen
41439 330th Ave NW
Stephen, MN 56757
October 25th, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brian Jensen, I farm with my wife and son near Stephen, Minnesota. I am the 5th generation farmer on our ground, and I am hoping for my son, Conner, will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 580 acres of sugarbeets annually, in addition to sugarbeets I also grow corn, edible beans, wheat, soybeans and canola.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 100-200 acres depending on severity. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $/43 loss or an annual loss of up to $8,600 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brian Jensen

Family Farmer

jensenfarmmn@gmail.com

Brian Kiner
15463 100th ST NE
Bathgate, ND 58216
10/26/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Hello,

My name is Brian Kiner, I farm with my family in Bathgate, ND. I am farmer, and I am hoping my daughter and son in law will one day be the next generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 300 acres of sugarbeets annually, in addition to sugarbeets I also grow soybeans, wheat, and canola.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 300 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $34,800 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brian Kiner

Farmer

bks@polarcomm.com

G&B Thompson Farms
Grafton, North Dakota
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brian Thompson, I farm near Grafton, North Dakota. I am an 3rd generation farmer, and I am hoping my two sons will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1000 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, dry beans, soybeans, corn and sunflowers.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1000 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $65.97/acre loss or an annual loss of $65,970 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brian Thompson

Farmer

bthompson@gft.midco.net

Brooks Stellon
Drayton, ND
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Brooks Stellon, I farm with my family near Drayton, North Dakota. I am an 4th generation farmer, and I am hoping for my son and daughter will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 2740 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans and corn.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 2740 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $117,820 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Brooks Stellon

Farmer

brooksstellon@gmail.com

Bruce Erdmann
28964 290th Ave SW
Crookston, MN 56716
October 25, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Bruce Erdmann, I farm with my father and wife near Crookston, Minnesota. I am a third-generation farmer, and I am hoping my three sons will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 865 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans, and corn.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 160 to 300 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a severe reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of up to $34,800 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Bruce Erdmann

Small Family Farmer

bruceerdmann@yahoo.com

Bruce Newhouse
27093 350th Ave SW
Fisher, MN 56723
October 25, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Bruce Newhouse, I farm with my son, Troy, near Fisher Minnesota. My great-great grandparent came here from Norway in 1864, and our family has farmed in the RRV ever since. We will farm the same land that my wife's family homesteaded in 1882, we have hope that our Grandson will be the next generation to farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. we raise approximately 950 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and various species of beans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to about 1/3 of our acres or 315 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $64.04 loss or an annual loss of over $20,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Bruce Newhouse

Fisher Minnesota Farmer

bnewhous@cryalsugar.com

Charles Thompson
Grafton, North Dakota
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Charles Thompson, I farm with my family near Grafton, North Dakota. I am a 4th generation farmer. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 450 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans and edible beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 450 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $52,200X for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Charles Thompson

Farmer

Charles.thompson2@simplot.com

Chris Hong
5657 Adams Drive, Grand Forks, ND 58201
10/29/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

To Whom It May Concern,

My name is Chris Hong, I farm with my brother and my father, in Buxton, ND. I am an 3rd generation farmer, and I am hoping my two sons will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I also sit on the Board of American Crystal Sugar Company. I raise approximately 5,620 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, corn, navy beans, and pinto beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I applied chlorpyrifos to 4,552 acres this year. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $86loss or an annual loss of $391,472 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Chris Hong
Farmer and ACSC Board Member
chris@hongfarms.com

Chris Thompson
15320 71st PL NE Grafton ND 58237
10/26/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Chris Thompson, I farm with wife Jennifer in Grafton ND. I am an 3rd generation farmer, and I am hoping my children will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 500 acres of sugarbeets annually, in addition to sugarbeets I also grow potatoes, wheat, soybeans, and edible beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 500 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of at least $58,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Chris Thompson

Family Farmer

bigredcrt@gmail.com

Chris Vancamp
Drayton, ND
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Chris Van Camp, I farm near Drayton, North Dakota. I am a 5th generation farmer, and I am hoping my son will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 145 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 145 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $16,820 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Chris Van Camp

Farmer

cjvanc@hotmail.com

Christian Kiel, Kiel Corporation
36044 275th Ave. SW, Crookston, MN 56716
10/26/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Christian Kiel, I farm with my parents in Crookston, Minnesota. I am an 4th generation farmer, and I am hoping my Children will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 730 acres of sugarbeets annually, in addition to sugarbeets I also grow Spring Wheat, Soybeans, and Corn.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 100 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $4,300 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Christian Kiel

President, Kiel Corporation

kielinnovation@yahoo.com

Cole Perry
25935 240th Ave SW Crookston, MN 56716
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Cole Perry, I farm with my brother and dad near Crookston, Minnesota. I am aa 5th generation farmer, and I am hoping for my song, Caden, will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 783 acres of sugarbeets annually, in addition to sugarbeets I also grow corn, soybeans and wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 250 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $10,750 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Cole Perry

Family Farmer

Cole.w.perrry@gmail.com

Connor Oihus
Saint Thomas, North Dakota
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Connor Oihus, I farm with family near Saint Thomas, North Dakota. I am a 4th generation farmer, and I am hoping my nephews will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 900 acres of sugarbeets annually, in addition to sugarbeets I also grow potatoes, wheat and edible beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 750 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $87,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Connor Oihus

Farmer

connoroihus@gmail.com

Corey Jacobson
1960 CT HWY 35
Ada MN, 56510
RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Corey Jacobson, I farm with my family near Ada, Minnesota. I am a 5th generation farmer, and I am hoping for my son and daughter will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1100 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, corn, soybeans, and dry beans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 400 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $46,400 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Corey Jacobson

Family Farmer

cjacobso@hotmail.com

Darin Moen
Rural Alvarado, Minnesota
10/26/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Darin Moen, I farm with my dad and family near Alvarado, Minnesota. I am a 4th generation farmer, and I am hoping for my son, Harrison, will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 840 acres of sugarbeets annually, in addition to sugarbeets I also grow corn, soybeans and spring wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 500 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximately between $43/acre and $116/acre loss or an annual loss of between $21,000 and $58,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Darin Moen

4th Generation Farmer

Dmoen77@hotmail.com

Darrell Slominski
Minto, North Dakota
10/28/21
RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Darrell Slominski, I farm with my son and son-in-law near Minto, North Dakota. I am a 3rd generation farmer, and I am hoping for my son and son-in-law will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 377 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans, and dry beans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 285 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $12,255 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Darrell Slominski

Family Farmer

clgus@yahoo.com

Dave Hankey
6874 138th Ave NE, Park River, ND 58270
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Dave Hankey, I farm with my wife and Son in Park River, North Dakota. I am a 4th generation farmer, and I am hoping for my sons, Abraham, and Jackson, will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 795 acres of sugarbeets annually, in addition to sugarbeets I also grow seed wheat, soybeans, barley, corn, dry beans, and canola.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 795 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $67.75/acre loss or an annual loss of at least $54,064.50 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Dave Hankey & Abraham Hankey

Farmers

dave@hankeyfarm.com

Abraham.hankey@gmail.com

Douglas W. Olason
9037 134th Ave. N.E. Hensel, ND 58241
October 27, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Dear EPA Administrator,

My name is Douglas W. Olason, I farm near Hensel, North Dakota. I am a 4th generation farmer, and I am hoping my son will one day be the 5ht generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 210 acres of sugarbeets annually, in addition to sugarbeets I also grow black turtle beans, pinto beans, barley, soybeans, navy beans, and winter wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

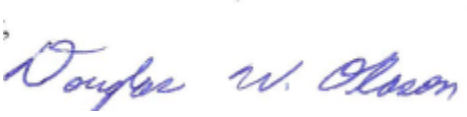
I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 210 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $24,360 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,



Douglas W. Olason

Farmer-Owner

icelander@polarcomm.com

George Cariveau
1909 20th St. NW
East Grand Forks, MN 56721
10/27/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is George Cariveau, I farm with my family near East Grand Forks, Minnesota. I am a 4th generation farmer on my side of the family, and 6th generation on my wife's side. Hopefully, one of our three children will take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 300 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 120 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $5,160 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

George Cariveau

Family Farmer

geofarms@ymail.com

Greg Cotton
304 163rd Ave SE
Hillsboro ND 58045

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Greg Cotton, I farm with family near Hillsboro, North Dakota. I am a 3rd generation farmer, and I am hoping my son will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 975 acres of sugarbeets annually, in addition to sugarbeets I also grow corn, soybeans, black beans, navy beans, wheat and barley.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to about 200 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $8,385 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Greg Cotton

Farmer

greg@gkcottonfarms.com

James Reitmeier
20903 275th Ave SW
Crookston MN 56716

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is James Reitmeier, I farm with my wife near Crookston, Minnesota. I am a 3rd generation farmer, and I am hoping my son-in-law will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 700 acres of sugarbeets annually, in addition to sugarbeets I also grow corn, wheat, navy beans and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 700 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $30,100 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

James Reitmeier

Farm Owner

crystalfarmer@rrv.net

Jared Kovar
29 Garden Ct NW EGF MN
10-25-21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Jared Kovar, I farm with Bob Kovar in East Grand Forks, MN. I am an 4th generation farmer, and I am hoping my son Grant will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 350 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans and dry beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 200 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate up to an approximate $/43 loss or an annual loss of nearly $8,600 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Jared Kovar

Farmer

Jaredkovar75@gmail.com

Jason Cadieux
1878 230th ST
Hallock, MN 56728

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Jason Cadieux, I farm near Hallock, Minnesota. I am a 1st generation farmer, and I am hoping my nephew, Justin, will one day be the 2nd generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 445 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans, corn and sunflowers.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 400 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $17,200 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Jason Cadieux

1st Generation Farmer

cadieux@frontier.com

Jeff Whelan
14211 84th Street NE, Crystal ND 58222
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Jeff Whelan, I farm with my brother, Doug, near Crystal, North Dakota. I am a 5th generation farmer, and I am hoping my daughter Kate and Grandson Cole will one day be the 6th and 7th generations to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 600 acres of sugarbeets annually, in addition to sugarbeets I also grow potatoes, dry edible beans, soybeans and wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1200 acres (600 acres, twice a year). We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $/116acre loss or an annual loss of $69,600 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Jeff Whelan

Farmer

Jgwhelan58@gmail.com

Jerod Hanson
1952 175TH Ave
Hallock, MN 56726
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

To Whom It May Concern.

My name is Jerod Hanson, I farm in Hallock, MN. I am an 5th generation farmer, and I am hoping my two sons will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 500 acres of sugarbeets annually, in addition to sugarbeets I also grow hard red spring wheat and spybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 500 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43 loss or an annual loss of $21,500 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Jerod Hanson

Farmer

hanson@invisimax.com

Joel Gasper
22779 265th St SW
Crookston, MN 56716
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Joel Gasper, I farm with my dad near Crookston. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. We raise approximately 2500 acres of sugarbeets annually, in addition to sugarbeets I also grow edible beans, corn and wheat.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, we apply chlorpyrifos to 1000 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $52.11/acre loss or an annual loss of $52,110 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Joel Gasper

Farmer

Jmgasper21@gmail.com

Joel Muir
Hallock, MN
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Joel Muir, I farm near Hallock, Minnesota. I am a 5th generation farmer, and I am hoping for my son will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 400 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans and dry beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 400 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $17,200 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Joel Muir

Farmer Owner

Amuir321@gmail.com

John Ostenrude
1054 Dale Ave. Hoople, ND 58243
10/27/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is John Ostenrude, I am a 4th generation farmer, and I am hoping for my son or daughter will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 120 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, dry edible beans, soybeans, canola, and sunflowers.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 120 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $13,920 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

John Ostenrude

Owner/Operator

John.t.ostenrude@gmail.com

John Schumacher
Drayton, ND
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is John Schumacher, I farm near Drayton, North Dakota. I am a 4th generation farmer, and I am hoping my son will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 615 acres of sugarbeets annually, in addition to sugarbeets I also grow potatoes, wheat, soybeans and corn.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 615 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $82.30/acre loss or an annual loss of $50,614.50 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

John Schumacher

Farmer

Mjschu1@yahoo.com

Justin Osowski
716 7th St SE
Hallock MN 56728

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Justin Osowski, I farm with my father in Hallock, MN. I am an 5th generation farmer, and I am hoping my children will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 580 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans, and sunflowers

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 300 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/ac loss or an annual loss of $34,800 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Justin Osowski

Owner of S&O Beet Farms

jposowski@hotmail.com

Kameron Slominski
6038 157 Dr. NE
Minto ND, 58261

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Kameron Slominski, I farm with my dad and son near Minto, North Dakota. I am a 4th generation farmer, and I am hoping for my son, Gavin, will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 638 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans, and dry beans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 475 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $20,425 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Kameron Slominski

Farmer

kameronslominski@yahoo.com

Kelly Erickson
PO Box 87
Hallock MN 56728
10/26/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Kelly Erickson, I farm with my son, Scott, near Hallock Minnesota. I am the 4th generation farmer on our land, my son is the 5th generation, and I am hoping one day a grandchild will be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 900 acres of sugarbeets annually, in addition to sugarbeets I also grow soybeans, canola and wheat.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 300 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $34,800 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Kelly Erickson

Sugarbeet Grower

kerickso@crystalsugar.com

Ken Elliott
Drayton, North Dakota
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Ken Elliot I farm near Drayton, North Dakota. I am an 5th generation farmer, and I am hoping my son, James, will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1290 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1290 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $65.35/acre loss or an annual loss of $84,301.50 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Ken Elliott

Farmer

Elliot_farms@hotmail.com

Kenneth Slominski
Minto, North Dakota
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Kenneth Slominski, I farm with my son near Minto, North Dakota. I am a 3rd generation farmer. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 180 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, dry beans, and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 135 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $5,805 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Kenneth Slominski

Farm Owner

koffeekup@hotmail.com

Kevin Lee
PO Box 173, St. Thomas ND 58276
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Kevin, Lee, I farm with my family near Saint Thomas, North Dakota. I am a 2nd generation farmer. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 700 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans, edible beans, canola and barley.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 700 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $83.98/acre loss or an annual loss of $58,786 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Kevin Lee

Owner

Kleefarms79@gmail.com

Kody Pierce
5453 Mac Dr
Grand Forks, ND 58201
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Kody Pierce, I am an 1st generation farmer and I hope to one day pass my farm to my brother. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 216 acres of sugarbeets annually, in addition to sugarbeets I also grow hard red spring wheat and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 216 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43 loss or an annual loss of $9,288 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Kody Pierce

Farmer

kodypierce007@gmail.com

Mark DeMars
10059 147th Ave NE
Bathgate, ND 58216
October 25th, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Mark DeMars, I farm with Dad and Brother and our wives in Bathgate, North Dakota. I am a 5th generation farmer, and I am hoping my nephews will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 3200 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and pinto beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I must apply chlorpyrifos to over 1800 acres, sometimes I have to spray two times because our outbreaks are so bad. Regardless, we carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $62.58/acre loss or an annual loss of at least $112,644 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Mark DeMars

Sugarbeet Grower

demmark@polarcomm.com

Matt Larson
213 7th Ave East
Halstad MN, 56548

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Matt Larson, I farm with my brother in Climax MN. I am an 3rd generation farmer, and I am hoping my kids will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1930 acres of sugarbeets annually, in addition to sugarbeets I also grow soybeans and wheat.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 500 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. Depending on the severity, that loss would equate to an approximate $43/acre loss to over $116/acre loss or an annual loss of at least $58,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Matt Larson

Larson Family Farms

Farmboy2617779@gmail.com

Michael J Thompson
Grafton North Dakota
10/25/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Michael Thompson, I farm with my wife Cindy in Grafton North Dakota. I am an 4th generation farmer, and I am hoping my nephew will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 600 acres of sugarbeets annually, in addition to sugarbeets I also grow Wheat, Soybeans, Pinto Beans and Navy Beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies and as necessary to control other pests that may threaten our crop to avoid economic loss. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 430 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $49,880 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Michael J Thompson

Farm Owner

Mjthomps1@gmail.com

Mike Bergeron
Fisher, Minnesota
10/26/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Mike Bergeron, I farm with my family and friend Jon Ross, near Fisher, Minnesota. I am an 1st generation farmer, and I am hoping either a family member or one of our dedicated employees will one day be the 2nd generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1150 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans and sunflowers.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all of my 1150 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $49,450 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Mike Bergeron

1st Generation Farmer

mikebergeron@gra.midco.net

Michael Bienek
PO Box 65, Warren MN 56762
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Mike Bienek, I farm with my family near Warren, Minnesota. I am a 3rd generation farmer and a 1st generation sugarbeet grower. I am hoping my sons, will one day be the next generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 550 acres of sugarbeets annually, in addition to sugarbeets I also grow soybeans, wheat, pinto beans, corn.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 550 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $23,650 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Mike Bienek

Farmer

michaelbienek@yahoo.com

Michael Rosendahl
Warren, Minnesota 56762
October 25th, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Mike Rosendahl, I farm with my family in Warren, Minnesota as R&R Farms. I am a 3rd generation farmer, and I am hoping my kids will take over the operation and will be the 4th generation to farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 2300 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, corn, soybeans and black turtle beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 300 to 400 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $17,200 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Mike Rosendahl

Family Farmer

Michael.rosendahl@gmail.com

Nathan Green
15162 Highway 66, St. Thomas, ND 58276
10/27/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Nathan Green, I farm with my father in St. Thomas, North Dakota. I am a 5th generation farmer, and I am hoping my three sons will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1000 acres of sugarbeets annually, in addition to sugarbeets I also grow soybeans, navy beans, and hard red spring wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1000 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $80/ acre loss or an annual loss of $80,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Nathan Green

Sugarbeet Grower

ngreen@polarcomm.com

Nick Hagen
East Grand Forks, Minnesota
10/28/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Nick Hagen, I farm with my dad and wife near East Grand Forks, Minnesota. I am an 5th generation farmer. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 450 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all 450 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $90.25/acre loss or an annual loss of $40,612.50 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Nick Hagen

Young Farmer

Nicholas.hags@gmail.com

Pat Mahar
501 E 3rd Ave S
Cavalier ND 58220

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Pat Mahar, I farm with my brother and son near Cavalier, North Dakota. I am a 3rd generation farmer; my son is the 4th generation, and I am hoping we can pass our farm onto the 5th generation someday. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 2000 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, corn, edible beans and soybeans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all my sugarbeet acres, or nearly 2000 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. Depending on severity, that loss would range approximately from $43/acre loss to $116/acre loss or an annual loss of $86,000 up to $230,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Pat Mahar

Mahar Farms

patmahar@polarcomm.com

Paul Mathiason
275 Circle Hills Drive
Grand Forks, ND 58201
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Paul Mathiason, I farm with my family near Grand Forks, North Dakota. I am a 4th generation farmer, and I am hoping my nephew will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 800 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and dry beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 800 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $92,800 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Paul Mathiason

Sugarbeet Grower

sugarmath@hotmail.com

PS O'Toole Inc.
13551 Hwy66
Crystal, ND 58222
10/27/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Dear Sirs,

My name is Paul O'Toole, I farm with my son, daughter and son in law near Crystal, ND. I am a 5th generation farmer, and I am hoping my kids will one day be the 7th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 425 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, corn, navy beans, pinto beans and soybeans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all 425 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $18,275 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Paul O'Toole

Pres PS O'Toole Inc.

O2lfarms@yahoo.com

Randy Green
3267 CTY HWY 23
Gary, Minnesota 56545

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Randy Green, I farm by myself near Gary, Minnesota. I am a 5th generation farmer. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 300 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and soybeans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 300 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $85.54/acre loss or an annual loss of $25,662 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Randy Green

Farmer

arheit@hotmail.com

Reid Christenson
16060 Water St
Drayton, ND 58225
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

To Whom It May Concern,

My name is Reid Christenson, I farm in Drayton, ND. I am an 5th generation farmer, and I am hoping my my son, Bryson, will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1,930 acres of sugarbeets annually, in addition to sugarbeets I also grow hard red spring wheat and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1,000 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $75.60 loss or an annual loss of $75,600 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Reid Christenson

Farmer

christenson_farms@hotmail.com

Richard Krueger
37580 150th St SW
East Grand Forks, MN 56721
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Richard Krueger, I farm with son near East Grand Forks, MN. I am a 3rd generation farmer, and I am hoping my son, Nathanial, will one day be the 4th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 450 acres of sugarbeets annually, in addition to sugarbeets I also grow soybeans, navy beans, and wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all 450 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $52,200 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Richard Krueger

Sugarbeet Grower

rkrueger@rrv.net

Robert W. Vivatson
9417 138th Ave NE Cavalier, ND 58220
10/27/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Robert W. Vivatson, I farm with my father and uncle in Cavalier, ND. I am an 5th generation farmer, and I am hoping my children will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 2000 acres of sugarbeets annually, in addition to sugarbeets I also grow Edible Beans, Soybeans, Corn, Potatoes, Wheat, and Barley.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to over 2000 acres of sugarbeets. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116 per acre loss or an annual loss of $232,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Robert W. Vivatson

Owner Operator

rwv@polarcomm.com

Rod Olson
1592 255th Ave
Halstad, MN 56548
10/26/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Rod Olson, I farm with my wife and son near Halstad, Minnesota. I am a 4th generation farmer, and I am hoping my son Ryan, will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1600 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, soybeans and black beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 800 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of at least $34,400 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Rodney Olson

Family Farmer

Olson428@gmail.com

Ryan Gilbertson
1757 CTY HWY 24
Ada, Minnesota 56510
10/27/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Ryan Gilbertson, I farm with my family near Ada, Minnesota. I am a 5th generation farmer, and I am hoping my kids will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 404 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 404 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $17,372 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Ryan Gilbertson

Family Farmer

ragilbertson@hotmail.com

Samantha Kiner
15624 95th ST NE
Hamilton ND 58238
10/26/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Hello,

My name is Samantha Kiner, I farm with my family in Hamilton, ND. I am farmer, and I am hoping my children will one day be the 3rd generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 300 acres of sugarbeets annually, in addition to sugarbeets I also grow soybeans, wheat, and canola.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 300 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximately $116/acre loss or an annual loss of $34,800 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Samantha Kiner

Farmer

kinersamantha@gmail.com

Scott Erickson
Hallock, MN
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

To Whom It My Concern,

My name is Scott Erickson, I farm with father in Hallock, MN. I am an 5th generation farmer. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 715 acres of sugarbeets annually, in addition to sugarbeets I also grow hard red spring wheat, soybeans, and canola.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 300 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $49,800 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Scott Erickson

Farmer

kellyray57@hotmail.com

Scott W. Knutson Inc
31109 290th St. Sw
Crookston, MN 56716
10/27/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Scott Knutson, I farm with my son Matt in Crookston, MN. I am an 4th generation farmer, and I am hoping my son will one day be the 5 generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 440 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and soybeans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 75 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $3,225 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Scott Knutson

President

scottwknutsonfarm@gmail.com

Scott Love
37390 210th ST. SW Fisher, MN
10/27/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Scott Love, I farm with my brother and son in Euclid, MN. I am an 4th generation farmer, and I am hoping my son Jeremy will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 425 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, edible beans and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to over half my acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of over $10,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Scott Love

President Love Farms Inc.

slove@invisimax.com

Richard Staveteig
1083 10th Ave NE, Thompson, ND 58278
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Richard Staveteig, I farm with my parents and brother near Thompson, ND. I am a 4th generation farmer, and I am hoping one of my children will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1224 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, dry beans, soybeans, and corn.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to all 1224 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $101.09/acre loss or an annual loss of $123,734.16 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Richard Staveteig

Farmer

staveteigfarming@gmail.com

Steve Helm
15858 CTY RD 7
Drayton ND, 58225
10/26/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Steve Helm, I farm with my wife and four young kids near Drayton, ND. I am hoping one of my kids will have the opportunity available for them to take over my farm in the future. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1360 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat and sunflowers.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 500 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $58,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Steve Helm

Farmer

helmfarmsND@gmail.com

Steven Schuster
PO Box 87
Minto, ND 58261
October 25, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Steven Schuster, I farm with my family in Minto, North Dakota. I am a 5th generation farmer, and I am hoping for my kids and sons-in-law will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 650 acres of sugarbeets annually, in addition to sugarbeets I also grow edible beans, corn, soybeans, wheat, sunflowers.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos between 400 to 650 acres depending on outbreaks. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $27,950 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Steven Schuster

Farmer

Steven.schuster857@gmail.com

Steven Slominski
Minto, North Dakota
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Steven Slominski, I farm with relatives near Minto, North Dakota. I am a 4th generation farmer, and I am hoping someday my young son will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 100 acres of sugarbeets annually, in addition to sugarbeets I also grow dry beans, wheat and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 75 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $3,225 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Steven Slominski

4th Generation Farmer

Slominski2005@yahoo.com

Todd Mack
PO Box 452
East Grand Forks MN 56721
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Todd Mack, I farm with my family near East Grand Forks, MN. I am aa 4th generation farmer, and I am hoping for my son, Casey, will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 470 acres of sugarbeets annually, in addition to sugarbeets I also grow edible beans, soybeans, and wheat.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 235 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $102.35/acre loss or an annual loss of at least $24,052 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Todd Mack

Owner

agmacfarms@hotmail.com

Tom Grzadzieleski
Drayton, North Dakota
10/29/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Tom Grzadzieleski, I farm near Drayton, North Dakota. I am an 4th generation farmer, and I am hoping my children will one day be the 5th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1935 acres of sugarbeets annually, in addition to sugarbeets I also grow spring wheat, and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1935 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $59.85/acre loss or an annual loss of $115,809 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Tom Grzadzieleski

Farmer

Jdfarmer64@hotmail.com

Kennelly Farms
PO Box 158
St Thomas ND
October 27, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Dear Sir/Madam,

My name is Tom Kennelly, I farm with Mark Kennelly in St. Thomas, ND. I am a fifth-generation farmer, and I am hoping my nephew, Daughters and Grandson will one day be the Sixth generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 1000 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, pinto beans, navy beans, and soybeans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugar beet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1000 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $116,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Thomas J Kennelly

Owner

Tomly@polarcomm.com

William Petersen
1465 Kittson Ave. Grafton, ND 58237
October 28, 2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

To whom it may concern,

My name is William Petersen, I farm on our family land with my father and uncles in Saint Thomas, ND. I am a 5th generation farmer and a 4th generation sugarbeet farmer, and I am hoping my children will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. Our farm raises approximately 1000 acres of sugarbeets annually, in addition to sugarbeets we also grow spring wheat, pinto beans, navy beans, and fresh market potatoes.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an effect on the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 1000 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $100/acre loss or an annual loss of $100,000 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

William Petersen

petersen.william15@gmail.com

Mike Loyland
Loyland Farms
712 8th ave NE
Thompson, ND 58278

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Dear EPA,

My name is Mike Loyland. I farm in Thompson, ND and am a 5th generation farmer. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 800 acres of sugarbeets annually, in addition to sugarbeets our farm raises potatoes, small grains and beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to protect our sugarbeet crop from root maggot damage, and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm.

In past years, I typically apply chlorpyrifos to between 500 and 840 acres depending on seasonal pressure and fly activity. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is applied only our licensed certified applicators through ground sprayers in the field. It is applied to the sugarbeet row in a 5-inch band, with low drift nozzles that are 8-10 inches above the ground. No one, other than the operator, is in the field during or immediately after these applications.

Without applying to apply chlorpyrifos I estimate I would have a 30-50% reduction in yield on my sugarbeet crop, depending on pressure, which would equate to approximately $116/acre loss or an annual loss of nearly $60,000. If alternative pesticides are used, additional applications will be needed, and treatments will not achieve the efficacy of chlorpyrifos. The additional pesticide applications will have an increased environmental impact and will increase cost of production and decrease the sustainability of our sugarbeet crop due to increased carbon footprint.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Mike Loyland

Loyland@invisimax.com

Les Puppe
148 W Main St.
Hensel, ND 58241
10-27-2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Dear EPA,

My name is Les Puppe. I farm with my son Chris in Hensel, ND. I am a 2nd generation farmer, and I am hoping my son will one day be the 3rd generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 170 acres of sugarbeets annually, in addition to sugarbeets I also grow sunflowers, corn, wheat, pinto beans, and soybeans.

This letter is in response to EPA's August 30, 2021, rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 170 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $116/acre loss or an annual loss of $19,720 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Les Puppe

puppe@polarcomm.com

Emma Torkelson
14156 67th St. NE Grafton, ND 58237
10/29/2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Emma Torkelosn I farm with Kevin Lee in St. Thomas, ND. I am a first-generation farmer, and I am hoping my children will one day be the 2nd generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 120 acres of sugarbeets annually, in addition to sugarbeets I also grow dry beans, wheat, soybeans, and corn.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot and as necessary to control other pests that may threaten our crop to avoid economic loss. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 120 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $5,160 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Emma Torkelson

Farmer

AETorkelson@gmail.com

Hensel Sugar
304 spruce lane Cavalier, ND 58220
10/28/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

Dear Sir or Madam,

My name is Josh Heuchert., I farm with three family members in Cavalier ND, I am a 2nd generation farmer, and I am hoping our kids will one day be the 3rd generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 700 acres of sugarbeets annually, in addition to sugarbeets I also grow Potatoes, pintos, corn, soybeans, canola, and 1000 head of cattle.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugar beet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 400 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $70.72/acre loss or an annual loss of $28,288 for my farm if, and when root maggots destroy my crop. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming. This does not include the damage on soybeans or other use labeled crops.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Hensel Sugar, Josh Heuchert

Partner

joshheuc@hotmail.com

TE O'Toole Farms
8132 County Road 12
Crystal, ND 58222
10/27/21

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Kelly O'Toole, I farm with Brian O'Toole (father) and Allison Olimb (Sister) in (Crystal, ND). I am a 5th generation farmer, and I am hoping my children/nieces and nephew will one day be the 6th generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 300 acres of sugarbeets annually; in addition to sugarbeets I also grow wheat, pinto beans, navy beans, soybeans and corn.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 300 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $43/acre loss or an annual loss of $12,900 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Kelly O'Toole

Partner

kellybotoole@gmail.com

Richard Bigwood
15035 County 11
St.Thomas, ND
10-27-2021

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Rick, I farm with my brother in St. Thomas, North Dakota. I am a 5thgeneration farmer, and I am hoping my son will one day be the 6 generation to take over my farm. I am a member of American Crystal Sugar Company, a farmer-owned beet sugar cooperative in the Red River Valley of Minnesota and North Dakota. I raise approximately 450 acres of sugarbeets annually, in addition to sugarbeets I also grow wheat, barley, soybeans, and dry beans.

This letter is in response to EPA's August 30, 2021 rule that would revoke all pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action.

I have safely applied chlorpyrifos on my sugarbeet crop for many years to combat sugarbeet root maggot. It is the most effective management tool we have for controlling sugarbeet root maggot flies. There are very few options to treat sugarbeet root maggot and none are as effective as chlorpyrifos. The loss of this treatment would reduce crop yields and significantly impact the profitability of our sugarbeet operation and may affect the long-term viability of the entire farm. The combined impacts on many sugarbeet farmers will also have an affect the future success of American Crystal, which will further reduce financial returns to all members of the cooperative, whether affected by root maggots or not.

In an average year, I apply chlorpyrifos to 450 acres. We carefully time applications to make sure they only occur at the right time and in the right place, if at all. This is done by scouting to determine when the population of flies is present and in high enough numbers that justify an application. Chlorpyrifos is typically applied by licensed certified applicators through ground sprayers in the field. It is important to note that no one, other than the operator, is in the field during or immediately after these applications.

Without the ability to apply chlorpyrifos I estimate I would have a reduction in yield on my sugarbeet crop. That loss would equate to an approximate $104.72 loss or an annual loss of at least $47,124 for my farm. This is a material financial impact on our farm, especially given the continued reduction in the overall economics of farming.

Through EPA's analysis in December of 2020, it was found that chlorpyrifos could be safely applied on 11 crops, one of which was sugarbeets. Given this analysis and based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and permit farmers to continue the safe use of chlorpyrifos on sugarbeets. The loss of chlorpyrifos will cause significant and irreparable harm to my farming operation. I also request the Agency stay implementation of the rule until my objections and those of others in the industry can be formally addressed by EPA.

Sincerely,

Richard Bigwood

Owner operator

Mrbigs77@hotmail.com

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Daniel Ray Corn, and I/my family own and operate Arcadia valley farms llc in Nyssa, Oregon. On an annual basis, I cultivate approximately 360 acres of sugarbeets, and I have been growing sugarbeets for 15 years. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops that we raise and significantly diminish my farm's ability to operate. We use chlorpyrifos to combat the (sugarbeet root maggot flies/lygus bugs/leaf miner/aphids). According to U.S. Department of Agriculture's website, the sugarbeet root maggot alone affects almost half of sugarbeet acres in the U.S, and without control tools, can lead to 40% yield losses in certain areas. At my farm, chlorpyrifos is the only tool that has proven to be consistently effective in controlling those pests. In an average year, I apply chlorpyrifos on approximately 400 acres. While pest pressure can vary year to year, I estimate that on average my yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability to apply chlorpyrifos to my sugarbeet crop, the reduction in yield will lead a large loss in profits for me and my cooperative, because we would have less throughput of mature and healthy sugarbeets. In addition, the alternative pesticides that I would need to use in the absence of chlorpyrifos I have found to be much less effective. I have found that my farm is forced to apply greater volumes of other pesticides raising costs and potentially other environmental impacts.

EPA rule's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our operation. In the past, EPA has been able to strike the proper balance between sound science and risks, and I am urging the EPA to fulfill its commitment to scientific integrity in this decision. The data just does not support a revocation of chlorpyrifos tolerances for sugarbeets. My understanding is that EPA's own analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11 specific crops, including sugarbeets. Thus it does not make any sense to revoke a tolerance that EPA has found to be safe for sugarbeets.

Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for this crop without revoking the tolerance. Give my farm the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,

DocuSigned by:
8F35C25AFA88477...

Dan Corn
Arcadia Valley Farms LLC
dan@arcadiaproco.com

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQOPP-2021-0523)

My name is Dean Edgar, and I/my family own and operate our farm in Burley, (Idaho). On an annual basis, I cultivate approximately 150 acres of sugarbeets, and I have been growing sugarbeets for 30+ years. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops that we raise and significantly diminish my farm's ability to operate. We use chlorpyrifos to combat the (sugarbeet root maggot flies/lygus bugs/leaf miner/aphids). According to U.S. Department of Agriculture's website, the sugarbeet root maggot alone affects almost half of sugarbeet acres in the U.S, and without control tools, can lead to 40% yield losses in certain areas. At my farm, chlorpyrifos is the only tool that has proven to be consistently effective in controlling those pests. In an average year, I apply chlorpyrifos on approximately 150 acres. While pest pressure can vary year to year, I estimate that on average my yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability to apply chlorpyrifos to my sugarbeet crop, the reduction in yield will lead a large loss in profits for me and my cooperative, because we would have less throughput of mature and healthy sugarbeets. In addition, the alternative pesticides that I would need to use in the absence of chlorpyrifos I have found to be much less effective. I have found that my farm is forced to apply greater volumes of other pesticides raising costs and potentially other environmental impacts.

EPA rule's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our operation. In the past, EPA has been able to strike the proper balance between sound science and risks, and I am urging the EPA to fulfill its commitment to scientific integrity in this decision. The data just does not support a revocation of chlorpyrifos tolerances for sugarbeets. My understanding is that EPA's own analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11 specific crops, including sugarbeets. Thus it does not make any sense to revoke a tolerance that EPA has found to be safe for sugarbeets.

Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for this crop without revoking the tolerance. Give my farm the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,

Dean Edgar

Dean Edgar
Robert Dean Edgar
edgarinc007@gmail.com

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

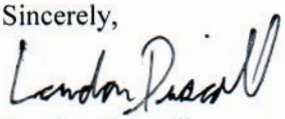
My name is Landon Driscoll, and I/my family own and operate Driscoll Brothers farm in Idaho. On an annual basis, I cultivate approximately 5477 acres of sugarbeets, and I have been growing sugarbeets for 24 years. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops that we raise and significantly diminish my farm's ability to operate. We use chlorpyrifos to combat the (sugarbeet root maggot flies/lygus bugs/leaf miner/aphids). According to U.S. Department of Agriculture's website, the sugarbeet root maggot alone affects almost half of sugarbeet acres in the U.S, and without control tools, can lead to 40% yield losses in certain areas. At my farm, chlorpyrifos is the only tool that has proven to be consistently effective in controlling those pests. In an average year, I apply chlorpyrifos on approximately 5477 acres. While pest pressure can vary year to year, I estimate that on average my yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability to apply chlorpyrifos to my sugarbeet crop, the reduction in yield will lead a large loss in profits for me and my cooperative, because we would have less throughput of mature and healthy sugarbeets. In addition, the alternative pesticides that I would need to use in the absence of chlorpyrifos I have found to be much less effective. I have found that my farm is forced to apply greater volumes of other pesticides raising costs and potentially other environmental impacts.

EPA rule's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our operation. In the past, EPA has been able to strike the proper balance between sound science and risks, and I am urging the EPA to fulfill its commitment to scientific integrity in this decision. The data just does not support a revocation of chlorpyrifos tolerances for sugarbeets. My understanding is that EPA's own analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11 specific crops, including sugarbeets. Thus it does not make any sense to revoke a tolerance that EPA has found to be safe for sugarbeets.

Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for this crop without revoking the tolerance. Give my farm the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,



Landon Driscoll

Landon Driscoll
Driscoll Brothers
dirk@driscollbros.com

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Kody Youree, and I/my family own and operate Youree Land & Livestock INC. a farm in Idaho. On an annual basis, I cultivate approximately 166 acres of sugarbeets, and I have been growing sugarbeets for 10 years. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops that we raise and significantly diminish my farm's ability to operate. We use chlorpyrifos to combat the (sugarbeet root maggot flies/lygus bugs/leaf miner/aphids). According to U.S. Department of Agriculture's website, the sugarbeet root maggot alone affects almost half of sugarbeet acres in the U.S, and without control tools, can lead to 40% yield losses in certain areas. At my farm, chlorpyrifos is the only tool that has proven to be consistently effective in controlling those pests. In an average year, I apply chlorpyrifos on approximately 166 acres. While pest pressure can vary year to year, I estimate that on average my yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability to apply chlorpyrifos to my sugarbeet crop, the reduction in yield will lead a large loss in profits for me and my cooperative, because we would have less throughput of mature and healthy sugarbeets. In addition, the alternative pesticides that I would need to use in the absence of chlorpyrifos I have found to be much less effective. I have found that my farm is forced to apply greater volumes of other pesticides raising costs and potentially other environmental impacts.

EPA rule's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our operation. In the past, EPA has been able to strike the proper balance between sound science and risks, and I am urging the EPA to fulfill its commitment to scientific integrity in this decision. The data just does not support a revocation of chlorpyrifos tolerances for sugarbeets. My understanding is that EPA's own analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11 specific crops, including sugarbeets. Thus it does not make any sense to revoke a tolerance that EPA has found to be safe for sugarbeets.

Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for this crop without revoking the tolerance. Give my farm the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,

Kody Youree

Youree Land and
Livestock, LLC
kyouree@amalsugar.com

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Nic Christensen, and I/my family own and operate 7000 acre farm in Idaho. On an annual basis, I cultivate approximately 25 acres of sugarbeets, and I have been growing sugarbeets for 1006 years. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops that we raise and significantly diminish my farm's ability to operate. We use chlorpyrifos to combat the (sugarbeet root maggot flies/lygus bugs/leaf miner/aphids). According to U.S. Department of Agriculture's website, the sugarbeet root maggot alone affects almost half of sugarbeet acres in the U.S, and without control tools, can lead to 40% yield losses in certain areas. At my farm, chlorpyrifos is the only tool that has proven to be consistently effective in controlling those pests. In an average year, I apply chlorpyrifos on approximately 1006 acres. While pest pressure can vary year to year, I estimate that on average my yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability to apply chlorpyrifos to my sugarbeet crop, the reduction in yield will lead a large loss in profits for me and my cooperative, because we would have less throughput of mature and healthy sugarbeets. In addition, the alternative pesticides that I would need to use in the absence of chlorpyrifos I have found to be much less effective. I have found that my farm is forced to apply greater volumes of other pesticides raising costs and potentially other environmental impacts.

EPA rule's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our operation. In the past, EPA has been able to strike the proper balance between sound science and risks, and I am urging the EPA to fulfill its commitment to scientific integrity in this decision. The data just does not support a revocation of chlorpyrifos tolerances for sugarbeets. My understanding is that EPA's own analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11 specific crops, including sugarbeets. Thus it does not make any sense to revoke a tolerance that EPA has found to be safe for sugarbeets.

Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for this crop without revoking the tolerance. Give my farm the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,

Nic Christensen

bjcandsons@gmail.com

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Paul Rasgorshek, and I/my family own and operate Rasgorshek Farms farm in ID, (State). On an annual basis, I cultivate approximately 300 acres of sugarbeets, and I have been growing sugarbeets for 37 years. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

EPA's rule will completely remove the ability to apply chlorpyrifos to sugarbeets. If this rule is permitted to become effective as currently scheduled on February 28, 2022, it would have a devastating effect on the productivity of the crops that we raise and significantly diminish my farm's ability to operate. We use chlorpyrifos to combat the (sugarbeet root maggot flies/lygus bugs/leaf miner/aphids). According to U.S. Department of Agriculture's website, the sugarbeet root maggot alone affects almost half of sugarbeet acres in the U.S, and without control tools, can lead to 40% yield losses in certain areas. At my farm, chlorpyrifos is the only tool that has proven to be consistently effective in controlling those pests. In an average year, I apply chlorpyrifos on approximately 1200 acres. While pest pressure can vary year to year, I estimate that on average my yield per acre is significantly greater using chlorpyrifos than using any other pesticide. Without the ability to apply chlorpyrifos to my sugarbeet crop, the reduction in yield will lead a large loss in profits for me and my cooperative, because we would have less throughput of mature and healthy sugarbeets. In addition, the alternative pesticides that I would need to use in the absence of chlorpyrifos I have found to be much less effective. I have found that my farm is forced to apply greater volumes of other pesticides raising costs and potentially other environmental impacts.

EPA rule's extremely short timeline for rescinding the tolerance does not allow sufficient time to plan for a dramatic change to our operation. In the past, EPA has been able to strike the proper balance between sound science and risks, and I am urging the EPA to fulfill its commitment to scientific integrity in this decision. The data just does not support a revocation of chlorpyrifos tolerances for sugarbeets. My understanding is that EPA's own analysis in December 2020 found that chlorpyrifos could continue to be safely used on 11 specific crops, including sugarbeets. Thus it does not make any sense to revoke a tolerance that EPA has found to be safe for sugarbeets.

Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for this crop without revoking the tolerance. Give my farm the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,

Paul A. Rasgorshek

Paul Rasgorshek
Rasgorshek Farms Inc
paulrasgorshek@gmail.com

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Terry Reed, and I/my family own and operate _____ farm in Idaho . On an annual basis, I cultivate approximately 750 acres of sugarbeets, and I have been growing sugarbeets for 25 years. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

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Sincerely,

Terry Reed

Terry Reed

Terry Reed
spudfarmer1@gmail.com

Submitted electronically via Federal eRulemaking Portal

RE: Formal Written Objections and Request to Stay Tolerance Revocations: Chlorpyrifos (EPA-HQ-OPP-2021-0523)

My name is Thane Christensen and I/my family own and operate 7000 farm in Blackfoot (Idaho). On an annual basis, I cultivate approximately 1006 acres of sugarbeets, and I have been growing sugarbeets for 22 years. We have used the pesticide chlorpyrifos on our sugarbeet crop for many years in full compliance with all EPA regulations. I am aware of EPA's August 30, 2021 rule that would revoke pesticide tolerances for chlorpyrifos, (EPA-HQ-OPP-2021-0523). Pursuant to the Federal Food, Drug, and Cosmetics Act (FFDCA) section 408(g) (21 U.S.C. § 346a), I am writing to file formal objections regarding this action. Based on these objections, I urge EPA to rescind the final rule revoking tolerances for sugarbeets and consider continued safe uses of chlorpyrifos. This rule will cause significant and irreparable harm to me and my operation, and I also request the Agency stay implementation of the rule until these objections can be formally addressed and responded to by EPA.

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Given that EPA has said using chlorpyrifos on sugarbeets is safe, I urge you to find some way to allow the continued use for this crop without revoking the tolerance. Give my farm the chance to continue to thrive, and do not inflict this unnecessary and irreparable harm on our industry.

Sincerely,

Thane Christensen
bjcandsons@gmail.com