

Willard Jack
P.O. Box 534
Belzoni, MS 39038

October 27, 2021

Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

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

To Whom It May Concern:

My name is Willard Jack, and I grow soybeans, cotton, rice, corn and wheat in Belzoni, Mississippi. I am writing to object to EPA's revocation of the tolerances of chlorpyrifos. This insecticide is an important tool for my farming operations as well as for thousands of other growers across the country. Losing access to chlorpyrifos through this rule would significantly increase my costs of doing business, increase the vulnerability of my crops to pests, reduce my ability to be a good environmental steward, and place me at risk of losing hundreds of thousands of dollars in agricultural goods. I urge EPA to rescind its rule revoking tolerances and allow growers to continue to use this important tool. Furthermore, I request EPA stay implementation of this rule to ensure these irreparable harms do not occur while EPA is considering and can formally respond to these objections.

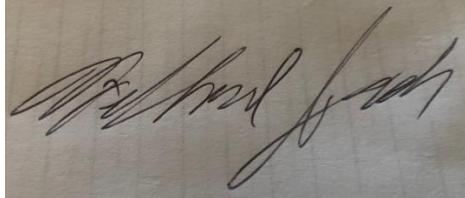
Chlorpyrifos is an important insect management tool for growers. It helps to protect against a wide array of pests, including cut worms, army worms, grasshoppers, stink bugs, and others. If left uncontrolled, these insect pests will inflict double-digit yield losses and cause tens of thousands of dollars in crop damages. Growers need effective insect management tools, like chlorpyrifos, to protect crops from these damaging pests. Many of these pests are not effectively controlled by other products currently on the market, which means growers may need two or more products to manage an insect pest currently controlled by chlorpyrifos. Not only will losing chlorpyrifos use through this rule increase my business costs and those of other growers by hundreds to tens of thousands of dollars annually in additional product purchases, but it means we will have to use a greater volume of pesticides to control insect pests, impacting our ability to be good environmental stewards.

Resistance management issues are also of concern with this rule. In the Delta Region, we are uniquely vulnerable to longer insect pest reproductive cycles than northern latitudes due to our warmer climate. More insect generations occur over the course of the year, allowing greater opportunity for insects to develop genetic resistance to an insecticide. As a result, it is imperative growers in our region adopt insect resistance management (IRM) strategies to minimize risks of insect populations developing resistance to any one tool. We use cultural controls, such as crop rotation and promoting beneficial control insects, and only apply insecticides when pests reach a damaging level. However, access to effective insecticides with varying biochemical modes of action (MOA) is vitally important to IRM strategies. Growers need to be able to rotate and mix chemistries with various MOAs to prevent insects from developing resistance to a chemistry. By losing access to chlorpyrifos, as would occur from this rule, growers will lose an important rotational insecticide, eroding the efficacy of remaining pest management tools as insects will have greater opportunity to develop resistance with fewer MOAs to provide layers of protection, ultimately placing growers at greater risk of crop damage.

Additionally, I am gravely concerned with the rule's intent to require that holders of food provide special, retroactive channels of trade application documents – for which neither EPA nor FDA have provided additional guidance for this rule – to verify any residues resulting from applications were made legally. Due to recent port disruptions from hurricanes, labor shortages, and shipping container shortages, many soybean export shipments in our region have been delayed. I and other growers have been holding soybeans harvested this year in on-site grain bins and may not be able to make delivery of these goods until February or March 2022, after the rule is set to take effect in late February. The rule necessitates that if chlorpyrifos residues are detected I provide retroactive channels of trade documents that I could have had no way of knowing would be required at the time of application, which in some instances occurred prior to EPA first announcing its intent to revoke chlorpyrifos tolerances on August 18, 2021. As a result, I may be subject to the loss of hundreds of thousands of dollars of perfectly-safe soybeans if chlorpyrifos residues are detected – residues which the rule acknowledges do not pose a dietary risk – at no fault of my own due to retroactive regulatory requirements imposed by this rule.

To lose access to chlorpyrifos, as would occur from this rule, would greatly harm my farming operation and those of others by thousands to tens of thousands of dollars in additional product purchases and crop damage, and undermine our ability to be good environmental stewards. This rule would also likely expedite insect populations developing resistance to the remaining insect management tools we have and would place me at risk of losing hundreds of thousands of dollars in perfectly-safe food product due to retroactive document requirements. I object to the revocation of chlorpyrifos tolerances, urge EPA to rescind this rule, and request the Agency stay implementation of this rule until it can consider and formally respond to objections to prevent the irreparable harms detailed above from occurring.

Sincerely,

A handwritten signature in black ink, appearing to read "Willard Jack".

Willard Jack