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September 13, 2021

The Honorable Michal Freedhoff
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Assistant Administrator Freedhoff:

I am writing to share my concerns regarding the US EPA's recent decision to revoke tolerances for all food uses for the insecticide chlorpyrifos, and to request regulatory flexibility for producers of commodities for which no commercially viable alternative pesticide registration exists. The final rule announced on August 18, 2021 in response to an order from the 9th Circuit Court will present unique challenges for peanut growers in Georgia and across the southeast because chlorpyrifos is currently the only insecticide registered for use on peanuts that is effective at controlling the peanut burrower bug and the rootworm complex (southern corn rootworm and banded cucumber beetle).

These pests live in the soil and feed directly on developing peanut pods. The injury they cause can result in direct yield loss and/or reduction in quality. Even the presence of only 3.5% insect damaged seed in a load of peanuts at harvest results in grade reduction and a loss of 65% of the crop's value. While irrigation and deep conventional tillage before planting can reduce the prevalence of the burrower bug, conventional tillage does not guarantee peanuts to be free from burrower bug injury and carries with it significant economic and environmental costs – especially if the producer has already converted to conservation tillage methods to attain climate and soil health benefits.

Ongoing research is testing alternative insecticides, but to date no combination of products have achieved commercial viability. Additional research is needed to develop host plant resistant cultivars, and other integrated pest management (IPM) strategies for the burrower bug. That is why I am requesting that the EPA consider increasing the six-month grace period in implementing the final rule on chlorpyrifos for uses on commodities for which there is no commercially viable alternative product registration (or combinations of products) available. Even a delay of one additional growing season will give peanut producers time to adjust their crop rotation schedules and shift resources to prepare for the necessary shifts in production practices. An additional year of research could also reveal more effective IPM and chemical alternatives to chlorpyrifos.

I look forward to working with your office on this issue, and I thank you for your attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Sanford D. Bishop, Jr.", with a stylized flourish at the end.

Sanford D. Bishop, Jr.
Member of Congress