

The Honorable Andrew Wheeler  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dear Administrator Wheeler:

I write today with concern over the recent decision from the Ninth Circuit Court of Appeals which vacates the registration of three dicamba labels, Engenia, FeXapan, and XtendiMax. These products are critically important tools for farmers in mitigating resistant weeds.

Many farmers have already made planting decisions to use dicamba tolerant crop systems and planned to use dicamba products in the very near future. These farmers invested substantial sums in the dicamba-resistant seeds in reliance on EPA's approval of dicamba on these crops. Without these products, not only are these substantial investments at risk, but farmers do not know how they will protect their crops. It is imperative EPA provide clarity to farmers expeditiously. Additionally, EPA should issue an existing stock order to ensure this product remains available to farmers throughout this growing season. In the existing stock order, EPA should ensure access to dicamba products that have already been purchased, as well as those that remain in the supply chain to be applied by custom applicators or farmers themselves later in accordance with the current EPA label.

AFBF does not condone off-label use of dicamba or any registered pesticide. But responsible farmers that have invested in – and often taken loans out to purchase – dicamba resistant products for the current growing season should not bear the financial burden caused by this legal dispute. Thank you for your consideration of this request.

Sincerely,



Zippy Duvall