



Congress of the United States

House of Representatives

April 2, 2010

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson,

I am writing in regards to the Draft Guidance released by the Environmental Protection Agency (EPA) on November 4th regarding pesticide drift labeling (Docket No. EPA-HQ-OPP-2009-0628). As the Representative of one of the most diverse agricultural areas in the nation, I am deeply concerned about the drastic impact this proposal would have on growers.

As you know, the application of pesticides is currently regulated under the Federal Insecticide Fungicide and Rodenticide Act (FIFRA). This law requires that all pesticides go through a thorough scientific review to determine whether, and how, pesticides can be used by the agricultural community. This process is so rigorous that only one out of every 250,000 chemicals submitted are actually approved by the EPA. Each pesticide that is approved includes a label detailing how it is permitted to be used to maintain the safety of the applicator, the community, and the environment.

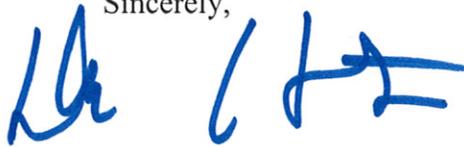
The draft guidance that was proposed by the EPA in November 2009 would undermine the scientific-based FIFRA process by adding a general label on all pesticide products prohibiting application "in a manner that results in spray drift that could cause an adverse effect to people or any other non-target organism." Not only does this nullify the product-specific labels that are carefully written based on sound science under FIFRA, but it reverses the EPA's long-standing policy of mitigating against reasonable risks and recognizing that a no-drift requirement is simply unrealistic.

Without question, safety must be a top priority when dealing with pesticides – no one wants these products to harm people or the environment. However, the evidence shows that the current process for ensuring the safety of these products is working.

Instead of creating vague standards that are likely to only lead to confusion among both applicators and enforcers, I encourage you to focus on educating applicators on safe practices. Concerns about the need for additional restrictions on a particular product can and should be addressed through the established FIFRA process that is based on science instead of rewriting the rulebook.

In conclusion, I am concerned that this draft guidance would create confusion for state regulators and expose growers to frivolous lawsuits, without improving safety. I respectfully request that you reconsider this drastic change in EPA policy, and instead focus on modifying labels for individual products through the FIFRA process to address concerns regarding drift.

Sincerely,

A handwritten signature in blue ink, consisting of stylized initials 'DH' followed by a horizontal line and a vertical stroke.

Doc Hastings
Member of Congress