

Federal Court Rules in Favor of Science-Based Regulatory Review

Source: CropLife America

A California federal court ruled in favor of the U.S. Environmental Protection Agency (EPA) and an industry coalition including CropLife America, the American Seed Trade Association, the Agricultural Retailers Association, the National Cotton Council of America, the American Soybean Association, the National Association of Wheat Growers and the National Corn Growers Association (Intervenors) in *Anderson v. EPA*, a lawsuit brought against EPA by a number of plaintiffs. Plaintiffs had asked the court to order EPA to regulate seeds treated with pesticides as if the seeds were the pesticides themselves, the result of which would be to unnecessarily duplicate EPA's science-based regulatory review of the active ingredients used in treatment products. The Court ruled in favor of EPA and the Intervenors and against Plaintiffs on each of the Plaintiffs' claims.

The Court found that the 2013 Bee Guidance document on which Plaintiffs had relied was neither an "agency action" nor "final" under the Administrative Procedure Act, and that Plaintiffs claims were not reviewable by a Court. The Court also denied Plaintiffs' request to seek additional documents and information from EPA to support their claims.

"CLA applauds the court for reinforcing the importance of decisions built on the foundation of established science-based reviews of crop protection products," said Jay Vroom, president and CEO of CLA. "Our members depend on the consistency of the regulatory process to ensure they are able to get new and more advanced products to market, while ensuring these products have been thoroughly tested for environmental and human health safety," Vroom added.

This decision protects the ability of growers to continue using seed treatment technology that is vital to American agriculture, permits EPA to retain its current regulatory approach for treated seeds, and allows EPA and the agricultural value chain to continue their important work on pollinator health issues. CLA is an active member of a number of coalitions addressing the issue of pollinator health through research and innovation. We believe that an engaged partnership between farmers and beekeepers is an integral piece to long term pollinator health.