



March 25, 2022

Ruthanne Loudon, Team Leader
Emergency Response Team
Minor Use and Emergency Response Branch
Registration Division, Office of Pesticide Programs
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: FIFRA Section 24(c) registration for Special Local Need label for Enlist One and Enlist Duo products, letter of support from Kansas Agribusiness Retailers Association.

Ms. Loudon,

The Kansas Agribusiness Retailers Association (KARA) is a voluntary trade association whose membership includes over 700 agribusiness firms that are primarily retail facilities supplying fertilizers, crop protection chemicals, commercial application services and seed to Kansas farmers. KARA serves as a representative voice for the agribusiness industry.

Enlist One® herbicide is a 2,4-D choline that provides exceptional weed control. Liberty® herbicide is a glufosinate in the Enlist® weed control system. These herbicides provides farmers flexibility in their weed control options and allow them to customize their herbicide ratio to best match their weed spectrum. These products also allow farmers to choose between multiple modes of action to better manage increasing weed resistance.

Enlist Duo® is a premix herbicide containing both 2,4-D choline salt (2,4-D) and glyphosate dimethylammonium salt (glyphosate). Enlist Duo® is used to control weeds in corn, cotton, and soybean crops, and was first registered in 2014.

In January 2022, EPA renewed time-limited registrations for both Enlist One® and Enlist Duo® with additional measures to protect plants and animals, including those that are federally threatened or endangered. The updated product labels prohibit application in 10 Kansas counties in mostly the southeast region of the state to protect the American Burying Beetle. Those counties include Chautauqua, Cherokee, Cowley, Elk, Greenwood, Labette, Montgomery, Neosho, Wilson, and Woodson.

Enlist product manufacturers are working with the Kansas Department of Agriculture (KDA) to seek approval from US EPA of a section 24(c), *Special Local Need* label for these Enlist products in the prohibited counties, as regional producers have not had sufficient time to source substitute herbicide products since the time the new restrictions were established.

Kansas is a leading producer in agricultural commodities. Regulatory actions affecting use or access to crop protection inputs, such as 2,4-D choline and glyphosate, directly impact the ability of agricultural producers to successfully control weeds. KARA submits this letter in support of the section 24(c), *Special Local Need* label request.



Most crop planting decisions are made in the fall. This includes the crop protection chemicals that are purchased for those crops. The updated USEPA approved labels for the Enlist products were released in January of 2022. The timing of this release makes it very difficult for many Kansas producers to adjust their crop protection products for the current growing season.

In addition, current supply chain issues in the agricultural chemical industry have compounded the limited access to other short-notice options. These crop protection products are essential to growers in protecting their crops and maximizing current crop genetic potential. There is a need for continued access to these tools for all producers.

The newly adopted county-level label prohibitions will cause significant economic harm to food and agricultural stakeholders in the affected Kansas counties.

For these reasons, we respectfully request that the agency approve KDA's 24(c), Special Local Need labels for the Enlist One and Enlist Duo products.

Sincerely,

Ron Seeber, IOM
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