



November 17, 2016

Dear Chlorpyrifos Stakeholder,

On October 30, 2015 EPA announced a proposal to revoke US food tolerances for the insecticide chlorpyrifos. This proposal was an outcome of a U.S. Ninth Circuit Court of Appeals decision ordering EPA to respond to allegations about chlorpyrifos in a 2007 petition from the Natural Resources Defense Council (NRDC) and Pesticide Action Network North America (PANNA), even before the Agency had finished its formal health and safety evaluations of the product currently underway in registration review.

EPA has just released a Notice of Data Availability (NODA) with accompanying assessments to notify the public of the data that EPA may use to support a proposed decision to revoke all tolerances. This NODA is not a final decision. EPA has until March 31, 2017 to make a final decision.

EPA said it would not act on its proposal to revoke tolerances until it received and responded to input from interested stakeholders, including growers who rely on chlorpyrifos-containing products to protect their crops and livelihood from destructive insect pests. As such, EPA's proposal to revoke chlorpyrifos tolerances was open to public comment and hundreds of growers, crop researchers and other agricultural stakeholders wrote to the public docket to explain why, in real-world terms, continued access to chlorpyrifos is essential to their operations and livelihood.

The primary issue driving the proposal to revoke was EPA's unrealistic modeling estimates for drinking water and over-reliance on non-replicated epidemiology data. DAS provided the Agency with a model refinement which is more extensive than what the Agency is relying on for the NODA and it which shows only a few geographic areas are still of concern, and further refinement will reduce those areas even more. In addition, a Scientific Advisory Panel (SAP), convened by EPA in April of this year, pushed back against the EPA proposal to use the epidemiology study EPA is attempting to rely on to regulate chlorpyrifos.

Dow AgroSciences strongly disagrees with the EPA's position in the NODA and with key aspects of the assessments that underlie that position. EPA's assessment lacks scientific rigor, is contrary to EPA and Administration policies of data access and transparency in scientific decision-making, and disregards EPA's statutory obligation to make decisions based on valid, complete and reliable scientific data. EPA has not responded to stakeholder and registrant comments submitted previously, as required by statute. These comments show that current uses of chlorpyrifos meet relevant safety standards and, thus, tolerances for chlorpyrifos should be retained.

Dow AgroSciences remains confident that authorized uses of chlorpyrifos products, when used according to the label, offer wide margins of protection for human health and safety.



Even if Dow AgroSciences is unsuccessful in preserving this critical tool for the producers of food and fiber in the U.S., the company estimates that chlorpyrifos products will continue to be available for use under the existing labels and tolerances through at least 2017. If actions are taken such that chlorpyrifos products are immediately taken off the market, Dow AgroSciences will work with you to manage existing inventories.

EPA needs to hear from U.S. Agriculture

EPA has opened a 60-day public comment period, which closes on January 17, 2017. EPA currently indicates it plans for this public comment for the NODA to be the last opportunity for stakeholders to express their critical need for chlorpyrifos. So, this will be the last opportunity for stakeholders to call for the EPA to rely on sound and transparent science and regulatory processes. Petitions to respond to the NODA are available at this link: www.chlorpyrifos.com/petition

If you have any questions or concerns, please contact your Dow AgroSciences' representative.

Sincerely,

Phil Jost

Phil Jost
U.S. Insecticides Marketing Leader