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August 22, 2018

Nancy Beck
Deputy Assistant Administrator
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
1201 Constitution Ave., NW
Washington, DC 20460

Dear Ms. Beck:

The National Cotton Council (NCC) is the central organization of the United States cotton industry, the majority of which is concentrated in 17 states. Its members include producers, ginnerers, cottonseed processors and merchandizers, merchants, cooperatives, warehousemen and textile manufacturers. Farms and businesses directly involved in the production, distribution and processing of cotton employ more than 125,000 workers and produce direct business revenue of more than \$21 billion. Annual cotton production is valued at more than \$5.5 billion at the farm gate, the point at which the producer markets the crop. Accounting for the ripple effect of cotton through the broader economy, direct and indirect employment surpasses 280,000 workers with economic activity of almost \$100 billion. The NCC is deeply concerned about the recent decision of the U.S. Court of Appeals for the Ninth Circuit ordering EPA to revoke tolerances and registrations for chlorpyrifos, a critical cotton pesticide. This decision is unprecedented and its significance goes beyond chlorpyrifos, threatening the established regulatory process for all crop protection tools and regulatory certainty that producers rely on when making critical, seasonal, farming decisions.

Chlorpyrifos is used on cotton to control aphids, lygus and whiteflies. It is one of the few remaining crop protection products that provides a broad spectrum of control for multiple insect pests. Without control of these pests, producers can sustain yield loss and quality loss. The quality loss results from the sugary excrement of honey dew by the insect pests followed by sooty mold, a black mold that infests the honey dew deposits. The contaminated cotton fiber has a black appearance with a sticky secretion that interferes with textile processing and is referred to as "sticky cotton." Sticky cotton is known to deposit the sticky residue in fiber processing equipment and clog equipment until the residue is removed. Sticky cotton is a major threat to potential sales of U. S. cotton fiber world-wide. Chlorpyrifos is an important component of Integrated Pest Management (IPM) systems that rotate chemistry modes of action as necessary for control of the cotton insect pests responsible for creating this contamination and to manage development of pest resistance.

The EPA is currently within its ongoing registration review period and was studying all of the pertinent science. Despite misstatements by the court that EPA had made findings that chlorpyrifos was unsafe at its current regulatory standard, the agency has not changed its 2006 final determination done pursuant to statutorily-mandated reregistration that current chlorpyrifos uses meet the Federal Food, Drug, and

Cosmetic Act's (FFDCA) safety standard. The only EPA materials raising issues about the 2006 determination are preliminary, non-binding assessments made during the ongoing registration review of chlorpyrifos that are not final "findings." Moreover, these non-final assessments were based in large part on an epidemiology study that has been consistently criticized as unreliable for purposes of regulatory decision-making by an EPA Scientific Advisory Panel, the U.S. Department of Agriculture, and many other interested stakeholders.

The goals envisioned by Congress of providing food security and public safety through the availability of pesticides can only be achieved if EPA's expertise in science and risk assessment is validated by Congress and the courts. This decision on chlorpyrifos not only threatens that product and the cotton users that rely on it, but it threatens all future pesticide registration decisions.

The NCC supports the protection of human health and the environment but is deeply concerned over this decision. The NCC urges EPA to continue the historic path of reliance on credible scientific data and require all studies submitted to meet the same requirements as those required of registrants. We urge the agency to petition the Ninth Circuit Court for a rehearing.

Respectfully submitted,

A handwritten signature in black ink that reads "Reece Langley". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Reece Langley
VP – Washington Operations
National Cotton Council