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June 5, 2019

Charles Smith  
Acting Director  
Pesticide Re-evaluation Division  
Office of Pesticide Programs  
Environmental Protection Agency  
OPP Docket  
Environmental Protection Agency Docket Center (EPA/DC), (28221T)  
1200 Pennsylvania Ave., NW,  
Washington, DC 20460-0001

RE: Docket Number: EPA-HQ-OPP-2019-0066

Dear Mr. Smith:

Thank you for the opportunity to comment on the petition seeking to reduce the tolerance of glyphosate in or on oats and requiring glyphosate-containing product labels to explicitly prohibit preharvest use on oats (Docket Number EPA-HQ-OPP-2019-0066). The National Association of Wheat Growers (NAWG) is a federation of 21 state wheat grower associations that works to represent the needs and interests of wheat producers before Congress and federal agencies. Based in Washington, D.C., NAWG is grower-governed and grower-funded, and works in areas as diverse as federal farm policy, trade, environmental regulation, agricultural research and sustainability. While NAWG's mission does not directly include representation of oat producers, our members felt it was important to provide comments on this Docket as it impacts EPA's science – based processes of pesticide chemistry review.

Wheat growers, like other farmers, work every day to produce a safe, affordable crop that balances crop rotation, input costs, production goals, and improvement of natural resources to protect the long-term sustainability of their farming operation. This is driven by the need to provide a lifelong business for their families, potentially across multiple generations.

Critical to wheat growers' operations is the understanding of the benefits and costs of all crop protection tools. Farmers trust the factual, science-based decisions of the Environmental Protection Agency's (EPA) regulatory system to approve crop protection chemistry products and make them available for use based on their safety assessment and efficacy. Our growers honor the EPA approved, labeled use of these products to ensure no harm is placed upon their crops, their property and themselves, which preserves the viability of their farming operation. Farmers know that the label is the law and they must abide by the pesticide labels, or they risk the loss of their continued use.

The Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Food, Drug and Cosmetic Act set strict regulatory standards for EPA for approving the use of pesticides and ensuring that our food supply is safe. EPA must find that a pesticide poses a "reasonable certainty of no harm" before it can be approved for use. Under the Food Quality Protection Act, reviews specifically address risk to children and add additional safety factors. When setting tolerance levels of remaining pesticide residue

in grain or plant material, EPA takes into consideration diets of adults and children, ensuring a safe level.

The EPA sets pesticide tolerance levels using extra safety factors to ensure that foods are safe. Without question, foods with residue levels that exceed those tolerance levels should not be sold or available for human consumption. However, the data provided in this docket shows that residues found in food tested were significantly below the EPA's approved safe tolerance level. These tested products listed in the docket were not close to reaching the approved tolerance level and would require massive and impossible daily food consumption rates to come close to reaching the tolerance level established by the EPA. As analytical technology improves, we expect to hear of residue levels found at lower levels – in parts per billion. Some may attempt to mislead the public and not include that the amount found is well below EPA established safety levels nor mention the rigor of the science and review undertaken by EPA in establishing these published, safe levels. We hope that the EPA will continue to defend their scientific review and regulatory oversight, in light of inflammatory reports by interest groups.

NAWG supports the U.S. Government regulatory system to ensure that crop protection tools are safe for grower use, farm worker use, and that any residue found on food is safe for human consumption, including consumption by children. NAWG requests that EPA reject this petition, as EPA has already set a safe tolerance level based on a thorough review of data and testing. Giving this petition any consideration would jeopardize the process EPA has developed to assess all pesticides within its jurisdiction. These are processes that growers have confidence in providing a scientific assessment of each pesticide's risk/benefit profile.

Additionally, the requested addition to the product label by this petition to “explicitly prohibit” preharvest use on oats should be rejected. As the petitioners noted in their documents, preharvest use of glyphosate on oats is not currently permitted in the United States. Therefore, additional action to make explicit prohibitions on the product label is not needed. As previously mentioned, growers understand off label use is prohibited and already abide by the label as currently written.

NAWG members urge the EPA not to act to modify product labels and head down a path of listing uses that are “explicitly prohibited”, but rather maintain an approach of providing approved uses on the product label. Farmers already know the importance of safe handling and application of pesticides and meeting federal and state requirements for their use. Farmers work hard to produce a high quality, safe product for their consumers. Understanding and following the strict requirements of the pesticide label is a part of the proper management of a grower's operation, which also protects their workers, their communities, themselves and their consumers.

NAWG requests that the EPA reject this petition in its entirety. The requests of this petition are covered in current pesticide review and labeling, and action by the EPA is not necessary.

Thank you for the opportunity to provide comments.

Sincerely,



Ben Scholz  
President  
National Association of Wheat Growers