Spray Drift Talking Points

In our world today, food production relies on pesticides. According to the United Nations, nearly 1/3 of the world's food production is lost because of weeds and pests. The hope that organic agriculture will produce adequate food without the use of pesticides is shown not to be based in reality.

The Missouri Department of Agriculture is the state lead agency for enforcing pesticide labels in Missouri under the authority granted through the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). FIFRA requires that pesticide application does not result in spray drift that poses an "unreasonable adverse effect."

EPA's proposal would move spray drift policy from scientific risk assessment to speculative vagueness. Applicators would be required to apply **no** registered pesticides if spray or dust drifts **could** cause an adverse effect to people or any other non-target organism.

Unlike the traditional FIFRA risk standard set and repeatedly confirmed by Congress, EPA proposes to change the wording from "unreasonable adverse effect" to "could cause an adverse effect". EPA's enforcement guidance for this new spray drift FIFRA label language would put States in the role of risk assessors for an unachievable zero-drift mandate and spawn endless lawsuits

Despite the care and anti-drift technology that applicators use, small amounts of spray drift often cannot be prevented and are not unreasonable under FIFRA's "no unreasonable adverse effect" standard. EPA's proposed label language is unachievable, both for the applicator and the regulator.

EPA should improve pesticide policy by focusing on the major advances have been made in drift-reduction technology, GPS-guided shutoff nozzles, low drift spray tips and product formulations, foaming agents and adjuvants. Congress should ask EPA why it doesn't actively support development of additional drift-reduction solutions.

In meeting FIFRA's requirement that pesticide use not pose an "unreasonable adverse effect" on people, wildlife or the environment, EPA's registration process evaluates the results of hundreds of different scientific environmental and safety research studies that take several years and millions of dollars to conduct. In the process, the effects of potential spray drift are taken into account in EPA's risk assessment and assignment of registration restrictions. This rigorous process results in only one chemical in 250,000 candidates making it from development to commercialization as an EPA-registered product.

EPA’s Office of Pesticide Programs should:

- Maintain FIFRA’s risk-based standard of “no unreasonable adverse effects” language;
- Remove the new vague “could cause” harm language;
- Continue to acknowledge that some small level of pesticide drift is unavoidable in many common situations, and does not pose an “unreasonable adverse effect”;
- Acknowledge that simply detecting an off-target pesticide does not necessarily pose an unreasonable adverse effect and is not a violation of FIFRA that requires an enforcement action;
- NOT impose unnecessary buffers that would reduce cropland available for American agriculture;
- Develop a bystander risk assessment exposure scenario for the pesticide registration process;
- Develop risk-based tolerances for non-target property; and
- Truly support scientifically-based and validated spray drift reduction technologies.