

WEST
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IPM
UPDATE

News about
Integrated Pest
Management in
Hockley,
Cochran, and
Lamb Counties
from
Kerry Siders

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DICAMBA UPDATE

**EPA Offers Clarity to Farmers in Light of Recent Court
Vacatur of Dicamba Registrations**

[https://urldefense.com/v3/_https://www.epa.gov/newsreleases/epa-offers-clarity-farmers-light-recent-court-vacatur-dicamba-registrations_!!KwNVnqRv!Vy_N4JdxkU-rIU-QmPfsNUDUZaB3CZ4hGguaEeWnipQQCe4Vo3m5sFkZt6z7hZg_\\$](https://urldefense.com/v3/_https://www.epa.gov/newsreleases/epa-offers-clarity-farmers-light-recent-court-vacatur-dicamba-registrations_!!KwNVnqRv!Vy_N4JdxkU-rIU-QmPfsNUDUZaB3CZ4hGguaEeWnipQQCe4Vo3m5sFkZt6z7hZg_$)

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WASHINGTON (June 8, 2020) — Today, the U.S. Environmental Protection Agency (EPA) issued a key order providing farmers with needed clarity following the Ninth Circuit Court of Appeals' June 3, 2020 vacatur of three dicamba registrations. Today's cancellation order

([https://urldefense.com/v3/_https://www.epa.gov/ingredients-used-pesticide-products/final-cancellation-order-three-dicamba-products_!!KwNVnqRv!Vy_N4JdxkU-rIU-QmPfsNUDUZaB3CZ4hGguaEeWnipQQCe4Vo3m5sFkZtysQKTV-\\$](https://urldefense.com/v3/_https://www.epa.gov/ingredients-used-pesticide-products/final-cancellation-order-three-dicamba-products_!!KwNVnqRv!Vy_N4JdxkU-rIU-QmPfsNUDUZaB3CZ4hGguaEeWnipQQCe4Vo3m5sFkZtysQKTV-$))

outlines limited and specific circumstances under which existing stocks of the three affected dicamba products can be used for a limited period of time. EPA's order will advance protection of public health and the environment by ensuring use of existing stocks follows important application procedures.

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“At the height of the growing season, the Court’s decision has threatened the livelihood of our nation’s farmers and the global food supply,” said EPA Administrator Andrew Wheeler. “Today’s cancellation and existing stocks order is consistent with EPA’s standard practice following registration invalidation, and is designed to advance compliance, ensure regulatory certainty, and to prevent the misuse of existing stocks.”

EPA’s order will mitigate some of the devastating economic consequences of the Court’s decision for growers, and particularly rural communities, at a time they are experiencing great stress due to the COVID-19 public health emergency.

Details of the Order

EPA’s order addresses sale, distribution, and use of existing stocks of the three affected dicamba products – XtendiMax with vapor grip technology, Engenia, and FeXapan.

Distribution or sale by any person is generally prohibited except for ensuring proper disposal or return to the registrant.

Growers and commercial applicators may use existing stocks that were in their possession on June 3, 2020, the effective date of the Court decision. Such use must be consistent with the product’s previously-approved label, and may not continue after July 31, 2020.

Background

On June 3, 2020, the Ninth Circuit Court of Appeals issued an order vacating EPA’s pesticide registrations containing the active ingredient dicamba: Xtendimax with Vaporgrip Technology (EPA Reg. No. 524-617); Engenia – (EPA Reg. No. 7969-345); and FeXapan – (EPA Reg. No. 352-913).

Dicamba is a valuable pest control tool that farmers nationwide planned to use during the 2020 growing season. Since the Court issued its opinion, the agency has been overwhelmed with letters and calls from farmers citing the devastation of this decision on the millions of acres of crops, millions of dollars already invested by farmers, and threat to America’s food supply.

West Plains IPM Update is a publication of the Texas A&M AgriLife Extension Service IPM Program in Hockley, Cochran, and Lamb Counties.

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