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Environmental Protection Agency
Richard Keigwin,
Director, Office of Pesticide Programs
OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T)
1200 Pennsylvania Ave. NW
Washington, DC 20460-0001

RE: Pesticides: Petition Seeking Rulemaking or a Formal Agency Interpretation for Planted Seeds Treated With Systemic Insecticides, Docket No. EPA-HQ-OPP-2018-0805-0001

Dear Director Keigwin:

The US Canola Association (USCA) writes to submit comments regarding the “Petition Seeking Rulemaking or a Formal Agency Interpretation for Planted Seeds Treated with Systemic Insecticides”, Docket No. EPA-HQ-OPP-2018-0805-0001. The USCA is a non-profit commodity organization whose mission is to increase domestic canola production to meet a growing demand for healthy oil. Since USCA’s establishment in 1989, the Association has facilitated the growth of domestic canola acreage from zero to 2 million acres in crop years 2017 and 2018.

Canola growers have the choice of several seed treatment pesticide products for the control of flea beetles, wireworms and cut worms as well as blackleg and other early seedling blights or diseases; all which meet EPA’s safety standard and thus have been approved for use by the EPA. The enactment of the Petition would put in place a repetitious approval process for these products that would not have any positive impact on human health or environmental safety. This duplicative process would also impose a tremendous regulatory burden on growers as well as seed treatment facilities in that locations where seeds are treated will likely be required to register with EPA as pesticide manufacturing facilities. Furthermore, flexibility in tailoring applications to local needs would be extremely burdensome, and therefore extremely unlikely, as each seed treatment recipe would also need to be individually approved. Similarly, state registrations for the sowing and movement of treated seed would be required, with accompanying duplicative regulatory requirements and accompanying registration fees.

This burden could be especially damaging to canola production as it is a high-management crop to grow, with the first challenge being obtaining an adequate stand during emergence. The canola plant’s major pest – flea beetles – is quite predominate in regions where canola is grown, and small emerging canola seedlings in the cotyledon stage are very susceptible to flea beetle infestations which can cause substantial damage to or destroy cotyledons in a short period of time.



Flea beetles feeding on, damaging canola cotyledons

The ability to use systemic neonicotinoid seed treatments to control flea beetle infestations is essential to canola producers during the early growth stages of canola because it protects the crop's yield potential. Alternative control measures call for the application of foliar insecticides that are less effective and can be harmful to beneficial insects, most notably carabid beetles and parasitic wasps. The neonicotinoid class of insecticides is also less toxic to birds and mammals, when compared to organophosphate and carbamate insecticides. As a result, these products are a critical component of integrated pest management plans because they reduce the aforementioned non-target exposure and allow for lower applications rates compared to alternate application methods such as foliar applications.

Canola is an ideal food source for honey bees and other pollinators – the canola plant during its up to four week or longer blooming period produces plentiful pollen that offers a good balance of amino acid and protein that is essential for good bee and pollinator health. The loss of systemic seed treatments, including neonicotinoids, would cause a decrease in canola production and acreage, either through lost acreage due to flea beetle damage or simply growers moving to alternative crops that are not susceptible to flea beetles. This loss of canola acreage could ultimately be harmful to the overall health of honey bees and other pollinators as it would detract from the goal of increasing high quality forage and nutritional habitat suitable for honey bees.

Additionally, the USCA collaborated with the Honey Bee Health Coalition in issuing “Best Management Practices (BMPs) for Pollinator Health in Canola Fields” - http://www.uscanola.com/site/files/956/166341/549264/796185/HBHC_Canola_030119.pdf - along with related materials for growers and beekeepers to help canola farmers protect honey bees and other beneficial insects. Included in these BMPs are guidelines for use of seed treatments.

To summarize, the USCA is concerned that the enactment of the Petition could limit or severely curtail the availability of systemic seed treatments, which would force farmers to use foliar applied alternatives that will have negative effects on the environment. Therefore, the USCA strongly urges EPA to deny the Petition's request for the Agency to initiate a rulemaking or issue a formal Agency interpretation for planted seeds treated with systemic insecticides.

Pat Murphy
President, U.S. Canola Association