

Dear Colleague:

It has long been the belief among public health experts, the scientific community, agricultural groups and many in Congress that the U.S. should be working to reduce the amount of toxic pesticides used on American farmland. That is why we are deeply concerned that the U.S. Department of Agriculture (USDA) and Environmental Protection Agency (EPA) are now considering approving a new suite of genetically engineered (GE) crops that USDA itself has said could cause an alarming 7-fold increase in the use of 2,4-D – a toxic herbicide which has been linked to cancer, liver disease and Parkinson’s disease.

Recent history provides an important lesson. The first generation of “Roundup Ready” GE crops, engineered to withstand exposure to the herbicide glyphosate, the active ingredient in Roundup, has increased herbicide use by 527 million pounds between 1996 and 2011. This has triggered an epidemic of glyphosate-resistant “superweeds” which now infest over 61 million acres across 36 states – an area the size of Wyoming. In response, farmers are forced to spray older, more toxic herbicide mixtures to kill resistant weeds, return to the use of intensive and soil-eroding tillage, and in some cases even abandon farmland.

It is in this context that USDA and EPA are now considering the approval of another generation of GE crops that have been engineered to withstand exposure to a mixture of glyphosate and the herbicide 2,4-D called Enlist Duo.

Scientists and experts have warned that 2,4-D-resistant crops pose significant threats to farmers through genetic contamination and herbicide drift, which can damage neighboring crops, wild plants and pollinator habitat. 2,4-D vapor injures most broadleaf (i.e. non-grass) plants at extremely low levels, and can seriously damage particularly sensitive crops like grapes, tomatoes, cotton, sunflower and lettuce. Surveys of state pesticide regulators establish that 2,4-D drift is already responsible for more episodes of crop damage than any other pesticide. USDA’s own draft Environmental Impact Statement says that if 2,4-D crops are allowed on the market, 2,4-D use in agriculture would increase from 26 million lbs/year at present to anywhere from 78 to 176 million lbs./year by 2020.

The chemical treadmill will not end with 2,4-D. USDA also found that 2,4-D crops would lead to 2,4-D-resistance – in weeds already resistant to glyphosate and other herbicides. Approval of Enlist Duo and 2,4-D-resistant crops will only speed up the chemical treadmill and accelerate the need for another toxic herbicide.

The risks of approving 2,4-D crops are simply too great to jeopardize public health, the environment and the long-term health and safety of our food supply. Please join us in writing to Secretary Vilsack and Administrator McCarthy urging them not to approve the Duo Enlist herbicide and 2,4-D resistant crops. If you have any questions or would like to sign onto the letter please contact Megan DeBates in my office at megan.debates@mail.house.gov (5-6416).

Sincerely,

Peter DeFazio
Member of Congress

Chellie Pingree
Member of Congress

Dear Secretary Vilsack and Administrator McCarthy,

We write to you to express our grave concerns regarding your agencies' proposed decisions to register the Enlist Duo herbicide as well as deregulate new varieties of genetically engineered (GE) crops engineered to withstand exposure to the active ingredients glyphosate and 2,4-D. We believe that the Environmental Protection Agency (EPA) and U.S. Department of Agriculture (USDA) have failed to thoroughly analyze and address the risks of Enlist Duo and the multiple adverse human health, environmental, agronomic, and socioeconomic harms that approval of 2,4-D crops will likely cause.

We currently stand at an agricultural crossroads. The first generation of "Roundup Ready" GE crops increased herbicide use by 527 million pounds between 1996 and 2011, triggering an epidemic of glyphosate-resistant "superweeds" which now infest over 61 million acres across 36 states. 2,4-D crops are among the "next-generation" of GE crops engineered to withstand applications of older, more toxic herbicides. While they are often touted as a solution to herbicide-resistant weeds, even the USDA's Animal and Plant Health Inspection Service (APHIS) recognizes in its draft Environmental Impact Statement (DEIS) that deregulating 2,4-D crops will spur the further evolution of 2,4-D resistant weeds and cause a three to seven fold increase in 2,4-D use.

The scientific community has sounded alarms about exposure to 2,4-D for decades. 2,4-D has been linked to multiple adverse health effects including cancer (especially non-Hodgkin's lymphoma), decreased sperm count, liver disease and Parkinson's disease. Further, exposure has also been shown to negatively impact the hormonal, reproductive, neurological and immune systems. In addition, EPA has reported that 2,4-D is the seventh largest source of dioxins in the United States. Dioxins are extremely toxic chemicals, and their bioaccumulation in the food chain may potentially lead to dangerous levels of exposure.

We are also concerned that EPA failed to thoroughly examine all of the significant health and environmental risks of 2,4-D including that of inhalation and aggregate exposure; the risks of 2,4-D exposure to threatened and endangered species; and the risks posed by shifts in use patterns of 2,4-D as a result of the GE cropping systems. Most alarming is EPA's failure to apply the additional safety factor of 10x, as mandated under the Food Quality Protection Act, to protect children, who are especially susceptible to harm from pesticide exposure. The 10-fold safety factor is required by law to safeguard against the potential health risks for young children and infants that would result from the widespread use of 2,4-D on GE crops.

In deciding to prepare a DEIS before proceeding, USDA APHIS recognized that its proposed approval of Dow's 2,4-D crops will likely cause significant environmental, agronomic and socioeconomic harms.

Despite acknowledging these significant harms, in the DEIS, APHIS alleges it "must" approve the proposed crops pursuant to the Plant Protection Act (PPA), because they do not create "plant pest" harms. However in so doing APHIS has narrowly constrained its interpretation of its regulation. This overly narrow and arbitrary interpretation of APHIS's authority is contrary to common sense and good governance principles, as well as contradicts prior acknowledgments by APHIS that its GE crop review is "considerably broader" than its review of "traditional" plant pests. Rather, APHIS has authority over broadly defined harms to agriculture and the environment that it must apply to Dow's crops and their acknowledged adverse impacts.

Surveys of state pesticide regulators establish that 2,4-D drift is already responsible for more episodes of crop damage than any other pesticide. Vastly increased use with approval of 2,4-D crops would correspondingly increase crop damage, putting farmers of sensitive crops at grave risk. Wild plants, waterways and wildlife – including pollinator – habitat would also be threatened. 2,4-D is a quite potent plant-killer, even at levels typical of drift. EPA tests show that 2,4-D is over 400 times more toxic to emerging seedlings and 12 times more toxic to growing plants than glyphosate.

While APHIS admits that transgenic contamination because of its proposed action is possible, even likely, it refuses to analyze it. We believe that contamination will occur and it will result in significant economic harm to conventional, organic and even some growers of the first generation of glyphosate-resistant GE crops. Yet, the agency wrongly puts the entire burden on non-2,4-D crop farmers to attempt to avoid contamination.

We request that USDA and EPA fully review the facts, law, and science in this case. As the over 400,000 public comments indicate, the risks of approving 2,4-D crops are simply too great and benefits too few to jeopardize public health, the environment and the long-term sustainability of our food supply. We therefore request EPA not register Duo Enlist for use on 2,4-D crops and USDA maintain the regulated status for 2,4-D resistant crops.

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