COUNCIL OF PRODUCERS &
DISTRIBUTORS OF AGROTECHNOLOGY

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VIA EMAIL

Mr. Jeff Herndon
Acting Deputy Director
Office of Pesticide Programs
Field & External Affairs Division
U.S. Environmental Protection Agency
2777 Crystal Drive
Arlington, VA 22202

Dear Mr. Herndon:

Thank you for organizing the November 16, 2017 meeting that provided the CPDA delegation the opportunity to meet with you and members of the staff from EPA's Office of Pesticide Programs (OPP) divisions. Our purpose in requesting the meeting was to discuss the status of EPA's Drift Reduction Technology (DRT) program and attain a better understanding of the Agency's goals and strategic plans for the program's continued development. Our members found the discussion productive and informative, and brought into clearer focus some of the obstacles the program has encountered in achieving a workable process for the verification and rating of DRTs. These obstacles, we believe, have impeded growth of the program.

CPDA is the preeminent U.S.-based trade association representing the interests of the agrotechnology products industry including manufacturers, suppliers, formulators and distributors of adjuvants, pesticide inert ingredients, post patent pesticides and other agrotechnology products. CPDA represents both post patent pesticide manufacturers and inert ingredient suppliers whose products are used in crop and non-crop segments of the agricultural industry.

Groups representing agricultural and non-agricultural interests have indicated their support for a DRT program recognizing its potential benefits for both agriculture and the environment. The program as it currently stands however, has not been widely embraced by generic registrants, nozzle companies or adjuvant companies. CPDA believes that a widespread acceptance of this voluntary testing program by adjuvant, equipment and pesticide manufacturers will result in increased use of rated DRTs by pesticide applicators, therefore demonstrating the benefits of the star rating program.

For this to happen, however, a revised sustainable, standardized scientific approach to verifying and rating DRTs must first be developed. From CPDA's perspective, certain factors have given rise to the complexity of the program and obstructed the success it could otherwise have. Some of these factors include:

- The requirement to test every active ingredient with every nozzle for each adjuvant is cost prohibitive. Testing every active simply results in a DRT program that is "product specific". Likewise, we understood that the EPA may lack the resources to review the studies and approve a complex program with these requirements.

- Wind tunnel testing is expensive and the lack of laboratory testing facilities that could use the current EPA protocol is an impediment to the program.

- The absence of guidance for label language to be used for DRT in the program is an impediment. Without knowledge of what label language will be allowed, there is no clarity for the pesticide registrant, especially where mandatory buffer zones exist.

EPA's testing protocol gives rise to a DRT program that is "product specific"

The DRT star rating program's requirement to test every active ingredient with every nozzle for each adjuvant is far too costly and burdensome and has been an impediment to garnering industry support. The current nature of the drift testing protocol will result in "product specific" ratings for DRTs. Data would have to be generated for all pesticide formulations with which a drift reducing adjuvant might be tank mixed. An adjuvant would therefore obtain a specific buffer zone reduction or star rating limited to a specific pesticide product formulation with a specific set of nozzles – a rating that would apply solely to the set of variables tested. This use of the current EPA protocol therefore has set the stage for product specific DRTs which eliminates the potential for the success of a star rating tiered approach.

These hurdles have discouraged adjuvant manufacturers and formulators from participating in the program. CPDA believes in the goals of the DRT program and remains fully committed in working with EPA to provide innovative solutions aimed at removing such barriers to progress and participation.

The value of using a surrogate for testing has been discussed, but not yet been developed

Companies need a clear understanding of what is required to test and submit a drift reduction aid or adjuvant product. Instead of testing an adjuvant with each pesticide formulation and each nozzle, a protocol that would allow for the use of a surrogate in place of a pesticide formulation would provide one verified product to test.

It was discussed and proposed that a standard set of test nozzles would be used in place of every nozzle tested, thus minimizing the number of nozzles to be tested, and eliminating the complexity of testing multiple adjuvant/nozzle/pesticide combinations.

A modification to the current DRT test protocol to allow use of an appropriate surrogate(s) for adjuvant testing would remove a huge barrier to achieving success of the program. EPA should consider the benefits that such an approach would confer to ensuring that the DRT program is truly a "general" star rating program. CPDA would like to work with the Agency to help identify and develop surrogates that could be used for testing in the program.

Labeling

Currently we are not aware of any pesticide labels include star rating label language. Therefore, there is a need for guidance that would address the type of star rating language that should be added to a label. There is no program benefit to the pesticide registrant, and adjuvant formulators if they do not know what label language will be allowed, especially when mandatory buffer zones exist. Unless such ratings appear widely on pesticide labels, the program provides no benefit to customers looking to select verified DRT rated products. Pesticide labels that include use directions specifying DRT-rated technologies would likely also specify spray drift risk management measures, such as buffer zones, maximum wind speed, or release height.

CPDA's Proposal for Further Engagement

CPDA fully supports EPA's articulated goal to improve the DRT program and find successful ways to implement it in a simplified, cost effective and sustainable manner. To help achieve that goal, CPDA is willing to provide data that would help the Agency develop a process to accurately test and verify the effectiveness of DRTs. CPDA is willing to work with the Agency to develop label language that clarifies and simplifies the process to guarantee more widespread adoption by industry.

During our meeting, some specific areas of agreement were reached that CPDA would like to discuss further with the Agency, including our willingness to:

- help generate data regarding the potential of using surrogate formulations in place of testing each DRT adjuvant with every pesticide;
- recommend a consolidated list of standard nozzle categories to be used for testing of DRT adjuvants;
- present the relevant information about the potential of using data from laboratory spray chambers if data is developed using ASTM method E2798, and help develop recommendations for prototype label language to make it easier for registrants to participate.

CPDA believes these actions would significantly reduce the costs incurred by adjuvant manufacturers in achieving a star rating and create much more incentive to participate in this EPA initiative. CPDA members would like to meet with EPA including the DRT technical team in the first quarter of 2018 to present relevant data and information regarding these issues.

Conclusion

CPDA accepts that there are pesticide products with specific DRT requirements for which specific product testing would be required. We are focused however, on "all other" pesticide categories for which the appearance of a general star product rating on the label would confer benefits to customers and maximize use of such products under commonly occurring field conditions. Our objective is to help the Agency develop a simpler protocol with a significant reduction in the number of tests required for "all other" pesticide product applications. We believe that the DRT program would then provide the guidance to applicators to better manage drift.

We look forward to collaborating with EPA on how the DRT program's testing regime could be improved so that star ratings become more general rather than restricted to the particular set of variables for which a DRT adjuvant is tested. Thank you for considering CPDA's input.

Sincerely,

Sylvia A. Palmer, MPH
Director of Regulatory Affairs