



american
seed trade
association

September 1, 2017

Via E-Mail

Nancy A. Beck, Ph.D.
Deputy Assistant Administrator
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Subject: Guidance Document Regarding Biostimulants

Dear Dr. Beck:

On behalf of the U.S. Biostimulant Coalition (USBC), the Biological Products Industry Alliance (BPIA), and the American Seed Trade Association (ASTA), we write to request that the guidance document on which the Biopesticides and Pollution Prevention Division (BPPD) has been working with USBC, BPIA, and ASTA, for several years now, be released to the public before the end of 2017. Doing so will provide much needed regulatory clarity for growers, the biostimulant industry, agricultural retailers, state regulatory officials, and other stakeholders.

We have appreciated the opportunity to work with the Office of Pesticide Programs (OPP) over the past several years on this matter and greatly appreciate OPP leadership and staff for their time and effort. Our most recent meeting on June 14, 2017, with OPP Director Rick Keigwin, Mark Hartman, Russ Jones, and Chris Kaczmarek was a productive step in understanding better OPP's approach to clarifying label claims of plant biostimulant products. We share OPP's view that providing guidance on label claims could be a useful first step in a process leading to a rulemaking to develop definitions for nutritional chemicals and plant biostimulants. Our organizations would welcome an opportunity to work with OPP in providing much needed definitional clarity on these terms, clarity that would go a long way in better articulating the sometimes murky jurisdictional divide between regulated pesticide products and products not regulated as pesticides by OPP. We believe there is a high level of alignment between our organizations and OPP as to the elements of the guidance as we have discussed them during our various meetings, and we are eager to have the guidance shared with the regulatory community as soon as possible.

As we have noted, the need for guidance for affected industry and government regulatory groups is at a tipping point. While we recognize the need for senior Agency management review and consideration by the Office of Management and Budget, continued delay ensures further confusion, and denies the public the benefits of the Agency's hard work in preparing the document. We are mindful of the pressures you and your colleagues face during these early months of the new Administration, but we also believe this guidance is very much aligned with the Administration's various deregulatory Executive Orders and other initiatives to lessen the regulatory burden on U.S. businesses.

Please let us know if you have any questions or comments.

Sincerely,
David Beaudreau Jr., US Biostimulant Coalition
Keith Jones, Executive Director, BPIA
Andrew LaVigne, President and CEO, ASTA

cc: Mr. Richard P. Keigwin, Jr. (via e-mail)
Mr. Mark A. Hartman (via e-mail)