



March 24, 2025

Charles Smith, Director
Registration Division (7505P)
Office of Pesticide Programs
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

Re: Comment Letter in Support of the State Attorneys General Petition for Rulemaking: EPA Docket: EPA-HQ-OPP-2024-0562

Dear Director Smith,

As Secretaries, Commissioners, and Directors of our respective Departments of Agriculture, we write to express our strong support for the Petition for Rulemaking filed by a coalition of State Attorneys General urging the Environmental Protection Agency (EPA) to establish uniform national labeling standards for pesticides. Consistency in pesticide labeling is critical for farmers, pesticide applicators, and agribusinesses to ensure regulatory clarity and uphold science-based decision-making.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) establishes a comprehensive framework for pesticide registration and labeling, requiring EPA to approve labels before distribution, sale, or use in any state. Once EPA has approved a label, states may regulate the sale or use of pesticides but cannot impose additional labeling requirements. FIFRA entrusts EPA with making science-based decisions regarding labeling and pesticide use, ensuring uniformity across all states.

Some states have sought to regulate pesticide labels in contradiction to the studied scientific guidance from the EPA. These inconsistent state requirements threaten access to essential pesticide products, create uncertainty for farmers, and undermine

conservation efforts. The petition rightly calls for a reaffirmation of EPA’s primary authority in this area to prevent a patchwork of conflicting regulations.

Pesticides regulated under FIFRA are indispensable tools for modern agriculture, enabling producers to manage weeds and pests effectively while maximizing crop yields with fewer chemical inputs. In addition, many of the pesticides regulated under FIFRA benefit public health and the environment. Many herbicides enable farmers to utilize conservation tillage practices, which minimize soil erosion and runoff from fields into the surface waters of the States. Insecticides can help mitigate public health risks associated with mosquito-borne illnesses and other outbreaks.

Since the filing of the Attorneys General petition in August 2024, lack of clarity in the court system has only increased regulatory uncertainty. The Third Circuit Court of Appeals ruled on August 15, 2024, that state-based failure-to-warn claims are expressly preempted by FIFRA, while trial courts in Pennsylvania, Missouri, and Illinois have issued contradictory rulings. Additionally, in December 2024, the Australian Federal Court brought an end to all failure-to-warn litigation. This patchwork of legal rulings disrupts the agricultural sector and has created massive uncertainty for manufacturers.

By granting this Petition for Rulemaking, EPA can reaffirm its authority to make pesticide findings and decisions under FIFRA, establish clear and consistent labeling regulations, and ensure that farmers have reliable access to the tools they need. At the very least, we respectfully request EPA to open a rulemaking docket to consider the proposed action outlined in the petition.

Thank you for your attention to this critical matter. We look forward to working with EPA to uphold a science-based, uniform regulatory framework that benefits agriculture, public health, and the environment.

Sincerely,



Tyler Harper
Georgia Commissioner of Agriculture



Steve Troxler
North Carolina Commissioner of
Agriculture



Mike Naig
Iowa Secretary of Agriculture



Doug Goehring
North Dakota Commissioner of
Agriculture



Jonathan Shell
Kentucky Commissioner of
Agriculture



Hugh Weathers
South Carolina Commissioner of
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Mike Strain, DVM
Louisiana Commissioner of
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Charlie Hatcher, DVM
Tennessee Commissioner of Agriculture



Andy Gipson
Mississippi Commissioner of
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Sid Miller
Texas Commissioner of Agriculture



Sherry Vinton
Nebraska Director of Agriculture



Joe Guthrie
Virginia Commissioner of Agriculture &
Consumer Services