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September 23, 2022

Anna Romanovsky
Pesticide Re-Evaluation Division (7508P)
Office of Pesticide Programs
Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, DC 20460-0001

RE: Docket No. EPA-HQ-OPP-2022-0490

The National Cotton Council (NCC) appreciates the opportunity to provide the following comments pertaining to the Environmental Protection Agency's (EPA's) Notice "Petition to Revoke Tolerances and Cancel Registrations for Certain Organophosphate Uses; Notice of Filing." The NCC urges EPA to deny the petitioners' request and proceed with statutory mandates outlined in FIFRA for registration review processes.

The National Cotton Council (NCC) is the central organization of the United States cotton industry. Its members include producers, ginner, cottonseed processors and merchandizers, merchants, cooperatives, warehousemen, and textile manufacturers. A majority of the industry is concentrated in 17 cotton-producing states stretching from California to Virginia. U.S. cotton producers cultivate between 10 and 14 million acres of cotton with production averaging 12 to 20 million 480-lb bales annually. The downstream manufacturers of cotton apparel and home furnishings are located in virtually every state. Farms and businesses directly involved in the production, distribution and processing of cotton employ more than 115,000 workers and produce direct business revenue of more than \$22 billion. Annual cotton production is valued at more than \$5.5 billion at the farm gate, the point at which the producer markets the crop. Accounting for the ripple effect of cotton through the broader economy, direct and indirect employment surpasses 265,000 workers with economic activity of almost \$75 billion. In addition to the cotton fiber, cottonseed products are used for livestock feed and cottonseed oil is used as an ingredient in food products as well as being a premium cooking oil.

The Federal Insecticide Fungicide and Rodenticide Act (FIFRA) authorizes EPA to regulate the sale and use of all pesticides in the United States. FIFRA, as amended by the Food Quality Protection Act (FQPA) in 1996, requires EPA to re-evaluate each pesticide registration every 15 years. The registration review should rely on the best available scientific and commercial data. Additionally, FIFRA stipulates the process EPA is to follow once a "determination" is made for the pesticide registration review. The NCC asserts the records show EPA is complying with statutory requirements for multiple registration reviews of various organophosphate (OP) pesticide products. EPA should continue to adhere to statutory authority and deny the petition which seems to demand a decision without formal review.

The NCC, and numerous others, have submitted comments to various draft documents EPA has released related to different OP products. If EPA were to grant the Petitioners' request, EPA would be denying other parties their right to submit further comments in response to the petition and participate further in the review process, circumventing the letter and spirit of FIFRA. Simply, the petition submitted to EPA requests a determination without due process. The petition implies EPA has made a determination based on scientific evidence, but EPA has not completed the review process necessary to make a determination. FIFRA requires EPA to make a determination prior to taking action, therefore the petition's request is beyond the authority of EPA and should be denied.

The NCC also disagrees with the Petitioners' assertions of exposure as well as their interpretation that all OP products have been shown to affect brain development. The NCC has submitted comments to EPA addressing these conflicting points and concerns related to the validity of scientific conclusions. "Reasonable certainty" based on science does not afford "unreasonable" interpretations of science.

FIFRA, as amended by FQPA, mandates a scientific review of each registration to provide the Administrator necessary information for a registration review decision. FIFRA does not provide authority to react based on a hypothesis not yet supported. EPA should deny the Petitioners' request and continue regulatory compliance.

Regards,

A handwritten signature in cursive script that reads "Steve Hensley".

Steve Hensley
National Cotton Council