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February 8, 2024

Michael S. Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Regan,

Re: February 6, 2024, order in Center for Biological Diversity, et. al, v. U.S. Environmental Protection Agency, et. al. issued by the U.S. District Court of Arizona.

On behalf of members of the Agricultural Council of Arkansas, an organization representing farmers, landowners, and agriculture related businesses involved in row-crop production in Arkansas, we want to share our views regarding this week's federal district court order to vacate the registration of certain dicamba herbicides for over-the-top use in dicamba tolerant cotton and soybeans.

This ruling creates a great deal of challenges for farmers in Arkansas, and we believe it merits immediate consideration of extraordinary measures to allow for certain exceptions to allow for limited continued use for the 2024 crop year with existing stocks in the supply chain.

The ruling this week caught many farmers off-guard and created a chaotic environment for the 2024 crop year. We have concerns with the cost of compliance for many farmers who have made plans to utilize dicamba technologies for the coming year. We also have concerns for farmers who made plans to grow non-dicamba tolerant varieties of crops. Compliance costs and risks of non-compliance threaten all Arkansas farmers at a time in which USDA already estimates dramatic declines in farm income.

To ease risks to these farmers, we encourage you to consider any actions you may take to allow limited use of existing stocks in the supply chain to mitigate these risks and provide greater certainty for the crop year that is rapidly approaching.

Sincerely,

A handwritten signature in black ink that reads 'Nathan B. Reed' with a long, sweeping flourish extending to the right.

Nathan B. Reed
President
Agricultural Council of Arkansas