

January 31, 2024

The Honorable Ted Budd
304 Senate Russell Office Building
Washington, DC 20510

The Honorable Joe Manchin
306 Senate Hart Office Building
Washington, DC 20510

We applaud you for introducing the *Sound Science for Farmers Act*, important legislation to ensure accountability, stakeholder outreach, and scientific quality for U.S. Environmental Protection Agency (EPA) assessments, risk evaluations, and regulatory actions for important chemistries used in the agricultural, food safety, and manufacturing sectors. The key provisions of the bill reflect widespread concerns about the lack of rigorous interagency and peer review of these EPA chemical assessments under the Toxic Substances Control Act (TSCA) and Integrated Risk Information System (IRIS), which will result in costly regulations with a direct impact on America's farmers and producers.

EPA is poised to issue TSCA and IRIS assessments for dozens of building block chemicals used in agriculture and other key industries in the coming years, and these actions could result in bans, unachievable standards, enforcement actions, and litigation. Unfortunately, EPA has proposed changes to its chemical risk evaluation framework that undermine peer review and TSCA scientific standards for "best available science." EPA has also indicated it will not exclude key agricultural uses, including those thoroughly regulated by other federal agencies, from these reviews. These actions could result in a devastating impact on rural America – For example:

- Formaldehyde, which is under review in both the TSCA and IRIS programs, is one of the few tools to prevent a catastrophic outbreak of African Swine Fever, which could cost the U.S. tens of billions of dollars. It is also used to enable slow-release nitrogen fertilizers, which increase crop yields while reducing runoff, as well as to prevent salmonella, fungi, bacteria, and other viruses in the treatment of animal feed, eggs, and aquaculture applications.
- EPA is using its IRIS program to potentially set arsenic standards below natural, background levels in rural water systems.
- Demulsifiers like ethylene oxide and 1,4-dioxane improve the separation of oil from water in the production of biofuels.
- EPA recently restarted an assessment of nitrates, a move that could ultimately impact every family farm in America, as an "agency priority."

The *Sound Science for Farmers Act* would make commonsense reforms to EPA's chemical assessments that may impact agriculture by amending the Environmental Research, Development, and Demonstration Authorization Act (ERDDA) of 1978 to:

- **Require that EPA must provide these assessments, evaluations, or regulations to other agencies** (including the U.S. Department of Agriculture, Food & Drug Administration, and Small Business Administration), for at least 90 days and follow long-time Executive Order and docketing requirements of interagency comments.

- **Ensure a full, open peer review of EPA draft or final assessments, evaluations, or regulations with an impact on agriculture**, including for scientific quality, transparency, reproducibility of key results, effects on the agricultural sector, and consideration of real-world exposure. It would do so by reviving an EPA Agricultural Science Committee which, established on a bipartisan basis by the 2014 Farm Bill, has been effectively dismantled by EPA in recent years.
- **Make conforming and good government changes to EPA’s Science Advisory Board (SAB)**, including to ensure: that House and Senate Committees of jurisdiction can seek advice from the SAB; SAB advice, including dissenting views, is included in the EPA rulemaking record; SAB advice is sought on important risk and hazard assessments; and the SAB coordinates with the Science Advisory Committee on Chemicals established in TSCA.

We are strongly supportive of the *Sound Science for Farmers Act*, which offers bipartisan solutions to important issues facing our respective industries. We support its enactment and incorporation into 2024 priority legislation. Unreasonable standards or bans that are not based on good science will have far-reaching impacts on the safety and stability of the United States’ agriculture and food system. We thank you for your leadership on the introduction of this important legislation that is critical to the scientific credibility of EPA assessments and the competitiveness of the U.S. agricultural and economic system.

Sincerely,

Agricultural Retailers Association
 Alliance for Chemical Distribution
 American Chemistry Council
 American Farm Bureau Federation
 American Feed Industry Association
 American Forest and Paper Association
 American Petroleum Institute
 American Wood Council
 AmericanHort
 California Aquaculture Association
 Composite Panel Association
 CropLife America
 Decorative Hardwoods Association
 Florida Tropical Fish Farms Association
 Hawaii Aquaculture and Aquaponics Association
 International Fresh Produce Association
 International Wood Products Association
 Methanol Institute
 Michigan Aquaculture Association

Minnesota Farm Bureau Federation
 National Aquaculture Association
 National Christmas Tree Association
 National Corn Growers Association
 National Funeral Directors Association
 North American Laminate Flooring Association
 North Carolina Aquaculture Association
 Northeast Dairy Producers Association
 Northwest Aquaculture Alliance
 Ohio Aquaculture Association
 Texas Aquaculture Association
 The Fertilizer Institute
 Treated Wood Council
 US Chamber of Commerce
 US Trout Farmers Association
 Vermont Dairy Producers Alliance