

POLITICO

Long fight ahead on atrazine

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June 3 2016

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The EPA's draft risk assessment on the widely sprayed weed killer atrazine that says the herbicide is harmful to animals and plants is based on a misguided scientific review, agriculture industry groups said Thursday. A final ruling could lead to a de facto ban on its use by U.S. corn, sorghum and sugarcane growers, but that decision is likely years away, setting up a drawn-out fight over whether research backs up the EPA's preliminary report, which estimates atrazine's levels of concern for birds, fish, mammals and aquatic communities should be lower than what's being adhered to now.

"The issue is that [the EPA] used inappropriate data or mischaracterized data, while also dismissing important studies," said Timothy Pastoor, a toxicologist and former principal scientist at Syngenta, which is the primary manufacturer of the roughly 70 million pounds of atrazine used on U.S. crops each year. "So as a consequence, the agency came up with unjustified conclusions about the allowable level of atrazine in water." Groups like the National Association of State Departments of Agriculture and National Corn Growers

Association made similar statements, noting that thousands of studies have verified the herbicide's safety since 1958, when it was first registered, and that the loss of the chemical would limit farmers' conservation efforts. Atrazine is particularly good at combating weeds resistant to glyphosate.

The EPA defended the science behind the 520-page draft report that is part of its periodic review of pesticide registrations. A spokesperson said the agency "considered all available data on atrazine — including studies submitted to the agency in support of registration, as well as scientific open literature." The results are based on hundreds of toxicity studies on the effects of atrazine on plants and animals, as well as years of surface water monitoring data and aquatic exposure models, the EPA said. Critics of atrazine, including the Center for Biological Diversity and Pesticide Action Network, say it's been known for years that the chemical is a hormone disruptor and causes detrimental impacts to aquatic life, birds, mammals and even people at very low doses.

The risk assessment will be open for public comment once it's published in the Federal Register "shortly," the EPA said. And in 2017, the agency plans to convene what will be the 14th Scientific Advisory Panel on atrazine before finalizing the report. See the draft [here](#).

HAPPY FRIDAY, JUNE 3! Welcome to Morning Ag, where your host is drooling over the long list of new food emojis coming this month. Avocado, pancakes, bacon and kiwi are all on the menu. You know the deal: Thoughts, news, tips? Send them to cboudreau@politico.com or @ceboudreau. Follow the whole team at @Morning_Ag.

KASS: ‘LET’S MOVE!’ ON FROM GMO LABELING: Sam Kass, President Barack Obama’s former senior adviser for nutrition policy, just wants the GMO labeling debate to be resolved so everyone can move on. “I think this is one of the least important issues that has taken up a huge amount of our time, energy, resources,” Kass said at an event hosted by POLITICO on Thursday.

“Do I think people have the right to know what’s in their food? Of course. Do I think a lot of the tactics that have been used based on false science about the safety of these crops is totally wrong? Yes. Do I have concerns on the environmental impact of the overuse of some of these crops and the pesticides that go with them? Yes. But is it unsafe for people to eat? No, there’s just no evidence of that,” Kass said.

What remains to be seen is whether the movement that brought GMO labeling to the forefront of politics and policymaking in Washington can turn its focus to issues of greater importance, such as updating the outdated federal system for regulating biotechnology so that industry has certainty and consumers have confidence in the products they’re eating, Kass said. Government is “not even close” to being positioned to deal with new technology like gene editing, he added.

Kass also strongly defended the administration’s voluntary sodium reduction targets, fielding a number of critical questions about the science and what it means going forward. Stay tuned for more from the interview next week.

NUTRITION RESEARCH UNDER FIRE, AGAIN: Industry-funded nutrition research is in the hot seat once again with a new deep dive by The Associated Press. The AP took readers behind the scenes to show how a study suggesting children who eat candy weigh less than children who don’t came together.

“One of the industry’s most powerful tactics is the funding of nutrition research. It carries the weight of academic authority, becomes a part of scientific literature and generates headlines,” writes Candice Choi, who used freedom of information requests to obtain the emails of researchers.

The candy example is front and center in the investigative piece: “For the paper on candy-eating children, a disclosure says the funders had no role in the ‘design, analysis or writing of this manuscript.’ But emails obtained from LSU show the National Confectioners Association made a number of suggestions.” Chris Gindlesperger, a spokesman for the National Confectioners Association, said NCA was given “the courtesy of reviewing the manuscript” and that its suggestions did not change results, according to AP.

Trolling? The AP also reported that Rhona Applebaum, Coca-Cola’s former chief science officer, referred to industry critics as “trolls” in an email to industry-funded researchers. The full piece is [here](#).

USDA NEEDS \$16.5 MILLION TO MEET FARMER LOAN SHORTFALL: Congress should allocate an additional \$16.5 million to the USDA's Farm Service Agency in fiscal 2017 spending legislation so the agency can make more operating loans to farmers, eight groups said in a letter to leaders of Senate and House agriculture appropriations panels on Thursday. Because the demand for these loans are so high, FSA expects to run out of money in June, according to the National Sustainable Agriculture Coalition, Farm Credit Council and other organizations. That means farmers applying this year can get approval but won't receive funding until the fiscal 2017 appropriations bill is enacted. "This substantial shortfall will leave many beginning farmers, and others who cannot be fully serviced by commercial credit under current price conditions, without the loans they need to stay in business. It will also create a backlog and long waiting list for [fiscal] 2017," the letter said. Read it [here](#).

EPA JUDGE ORDERS END OF FLUBENDIAMIDE SALES: All remaining products that contain flubendiamide must be pulled from the market following the EPA's cancellation of the pesticide, Chief Administrative Law Judge Susan Biro ordered Thursday. Biro dismissed complaints filed by flubendiamide's makers, Bayer Crop Science and Nichino America, saying the EPA was acting within its authority when it pulled its approval for the pesticide earlier this year after the companies failed to meet the terms laid out in a 2008 conditional registration. The agency's actions in relation to the pesticide have all been consistent with the Federal Insecticide, Fungicide and Rodenticide Act, she said.

In a response, Bayer called Biro's ruling "disappointing for supporters of science-based regulations and grower choice," but said it was expected "given the judge's prior preliminary rulings." The company confirmed its plans to bring the case before the Environmental Appeals Board and expects a final decision no later than July 6. Read the court order [here](#).

NOT SO SWEET ON ADDED SUGARS: While the U.S. government is now set to require food companies to disclose added sugars on a product's Nutrition Facts label, it seems there is little enthusiasm for that idea to cross the Atlantic. While the food industry is looking broadly at reformulating certain foods to meet consumer expectations, Mondelez European President Hubert Weber told Pro Agriculture's Jenny Hopkinson on the sidelines of the European Business Summit in Brussels on Thursday that "from a [European] Commission perspective, there is more focus on total sugar rather than added sugar. It is sugar overall."

Stateside: The Obama administration late last month unveiled an update to its Nutrition Facts panel, a move championed by first lady Michelle Obama in her efforts to get Americans to eat better. The addition of a label for added sugars is one of several changes included in the update. Pro Agriculture's Helena Bottemiller Evich breaks it down [here](#).

CUBA LIBRES IN THE USA: House appropriators are wading into a boozy international dispute, siding with Bacardi in its long-running fight against the Castro regime. The House Financial Services and Commerce-Justice-Science spending bills both include language to block licensing or registration of trademarks on products seized by the Cuban government without consent.

That would give a boost to the alcohol giant, which has spent decades in and out of court over the rights to the trademark for Havana Club rum. Democrats are balking at the policy riders, including New York Rep. José Serrano, who offered an amendment to the Commerce-Justice-Science bill last week to remove the language.

Bacardi, one of the world's largest liquor producers, argues it is the true owner of the brand, having purchased the rights to the trademark before having its assets seized during the Cuban revolution. Today, Bacardi sells the Havana Club rum in the United States, while Cubaexport and its French partner Pernod Ricard sell the rum elsewhere around the world. If, or more likely when, Congress lifts the Cuba embargo, the rights to the brand will be extraordinarily lucrative in the U.S. rum market.

Bacardi suffered a major defeat in January, when in a reversal, the U.S. Office of Foreign Assets Control and U.S. Patent and Trademark Office allowed Cubaexport to register the Havana Club trademark. Republicans were outraged by the decision.

BREWERS HIT THE HILL: Nearly 200 brewers and state guild leaders from the Brewers Association descended upon Capitol Hill on Thursday, just days after the group reported that a majority of the House now supports the Craft Beverage Modernization and Tax Reform Act. Support for the bill, which now has 221 co-sponsors in the House and 43 in the Senate, was the group's main ask. The legislation would lower the excise tax they say is crippling the growth of the ever-expanding craft beer industry.

Brewers are worried about the anticipated merger of SABMiller and Anheuser-Busch, as well, and encouraged members of Congress to reach out to the Justice Department with their concerns. The group also is urging Congress to fully fund the Alcohol and Tobacco Tax and Trade Bureau.