



## TENNESSEE FARM BUREAU FEDERATION

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September 5, 2025

The Honorable Lee Zeldin  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

**Re: Docket No. EPA-HQ-OPP-2024-0154; Public Participation for Proposed New Use on Dicamba-Tolerant Cotton and Dicamba-Tolerant Soybean**

Dear Secretary Zeldin,

The Tennessee Farm Bureau Federation (TFBF) appreciates the opportunity to provide comments regarding the proposed registration of three low-volatility dicamba formulations for use on dicamba-tolerant cotton and dicamba-tolerant soybeans. With over 690,000 members, TFBF is the largest general farm organization in Tennessee, representing the diverse commodity producers across the state. Our policy is developed through a grassroots network of farmer members who identify, research, deliberate, vote on, and adopt policies on various issues related to agriculture and rural living, including the responsible use of crop protection products. On behalf of our member farmers, we provide these comments regarding this critical over-the-top (OTT) dicamba product for Tennessee's cotton and soybean producers. We encourage the Environmental Protection Agency (EPA) to consider these comments and comments submitted by American Farm Bureau Federation.

### **Background**

According to the United States Department of Agriculture National Agriculture Statistics Service, Tennessee producers planted 1.82 million acres of soybeans and 265,000 acres of cotton across the state in 2024, amounting to a total of almost \$980 million in economic value<sup>1</sup>. For decades, EPA has approved a label for dicamba, affirming its safety and efficacy when used in accordance with its EPA-approved label. Cotton and soybean growers need OTT dicamba to combat pigweed species (such as Palmer Amaranth and water hemp) resistant to other herbicides and protect their crop yields. These products also allow farmers to implement conservation practices such as no-till, conservation tillage, and cover crops. According to the University of Tennessee Institute of Agriculture's 2024 Nutrient Management Report, over 85 percent of farmers in Tennessee use no-till or conservation tillage and 53 percent utilize cover crops, thanks to crop protection tools like dicamba.

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<sup>1</sup>"2024 Tennessee State Agriculture Overview." *USDA – National Agricultural Statistics Service*; [USDA/NASS 2024 State Agriculture Overview for Tennessee](#)

In early 2024, the U.S. District Court of Arizona ruled to vacate the Environmental Protection Agency's (EPA) registration decision for OTT dicamba products, finding the EPA did not provide proper notice-and-comment before registering these products. Given the proximity to the beginning of the 2024 planting season for cotton and soybeans and that most growers had already made input purchasing decisions and at the request of many agricultural organizations including TFBF, EPA granted an Existing Stocks Order for use of these products during the 2024 crop year. TFBF appreciates EPA granting the order, providing stability, and not leaving farmers without options last year.

However, for the 2025 crop year, cotton and soybean producers in Tennessee and across the country were left without access to OTT dicamba products. It is unfortunate that a court decision based on a procedural error left farmers without a critical crop protection tool this year. What has already been an extremely difficult year due to low commodity prices, significant severe weather events, trade negotiations centering agricultural commodities, global unrest, and exponentially increasing input costs, not having the ability to use dicamba has placed unnecessary burden on American farmers. We implore EPA to be tedious in their efforts but act swiftly to register these products with a long history of success on the market so farmers can properly address weed pressures.

### **Proposed Label Requirements**

All mitigation requirements being considered for dicamba should be practical, flexible to regional and commodity-specific needs, cost-effective, and easy-to-understand. Farmers recognize the importance of measures to reduce drift and minimize volatility but must be able to effectively combat weed pressures. TFBF appreciates the opportunity to provide feedback on the following proposed mitigations:

### **Pesticide Training**

Tennessee has a long-established and successful regulatory framework for pesticides. Through a partnership between the Tennessee Department of Agriculture (TDA) and University of Tennessee Extension, dicamba users in Tennessee are well equipped with the proper education, resources, and training to practice responsible stewardship when spraying dicamba products. The Tennessee Pesticide Safety and Education Program's Dicamba Stewardship Training serves to protect environmental and human health from improper use of dicamba products. Required by all dicamba users annually, this training equips applicators with the proper tools to prevent off-target movement of dicamba; in fact, according to TDA, dicamba-related complaints in Tennessee have decreased from 55 in 2018 to 3 in 2024. These intensive and comprehensive training programs reduce drift risk not just for dicamba products, but for all pesticides. We support state Departments of Agriculture continuing to be co-regulators for pesticides and encourage EPA to provide states with necessary resources to keep educating farmers on restricted-use crop protection products.

### **Volatility Reducing Measures**

Farmers keenly understand the need to reduce volatility of dicamba. We appreciate EPA's recognition of Volatility Reducing Agents (VRA) and Drift Reduction Agents (DRA) to address

volatility and allow for more flexible use of dicamba across the country. However, requiring the addition of both VRAs and DRAs may be cost-prohibitive for some farmers, and EPA must recognize these challenges to farmers with already thin margins and high input costs.

EPA is also proposing increased requirements and cutoffs depending on the temperature at time of application and the day after application. TFBF is concerned with the restrictions imposed on applications both between the temperatures of 85-95°F and above 95°F. Given the warmer climate in Tennessee, it is highly likely farms across the entire state could meet these thresholds. The application cutoff for temperatures above 95 degrees will likely leave farmers unable to spray when needed. Additionally, the requirements for when the temperature is between 85-95 degrees include reducing the amount of a field treated at one time, the addition of adjuvants, and coming back days later to spray the rest of the field. These additional steps add a significant cost burden to farmers including increased time, fuel, labor, and added input costs and are more complex than typical herbicide requirements. We ask EPA to consider these regional challenges and provide additional clarity for better understanding.

### **Downwind Buffer Distance Requirement**

EPA's proposed 240-ft. downwind buffer distance requirement poses multiple challenges for pest management and profitability. The simple nature of more land being used to create these buffers reduces the number of acres in active agricultural production, decreases overall yield, and ultimately negatively impacts a farmer's bottom line in an already challenging farm economy. Similarly, these larger buffers reduce effective weed control by creating refuges for invasive and resistant species to encroach on the crop. Farmers need as many options as possible to reduce this distance in a manner which is agronomically feasible for their specific operations. We urge EPA to include additional options to reduce the spray drift buffer distance requirement so farmers can keep as much land in agricultural production as possible.

### **Runoff/Erosion Mitigation**

We commend EPA for their work to make the EPA Mitigation Menu website and point system process more easily accessible and understandable for farmers and encourage continued efforts toward this goal. For this label, EPA is requiring a minimum of 3 mitigation points to address runoff and erosion. We encourage EPA to continue acknowledging more approved and commonplace conservation practices to qualify for mitigation points. Farmers in Tennessee and across the nation are proud adopters of many conservation practices, and any mitigation requirements should recognize their commitment to protect the environment. Additionally, EPA requires 6 points in certain Pesticide Use Limitation Areas (PULAs) to further protect listed species who are uniquely affected by pesticide exposure. As these maps continue to be developed on a species-by-species basis, EPA must prioritize accurate data and mapping techniques to create more refined PULAs which properly identify critical habitat for species without taking significant areas of farmland out of agricultural production.

### **Website Access Requirements**

Whether having to access the Mitigation Menu website for runoff/erosion mitigation, the registrant website for additional state requirements, or Bulletins Live! Two for application

updates, farmers are expected to rely on internet services to comply with the proposed label, despite ongoing broadband access challenges across Tennessee and the country. EPA cannot expect farmers to comply with these requirements if they do not have access to reliable broadband. Because of this, TFBF encourages continued investment in broadband expansion before imposing requirements to access labels online.

### **Conclusion**

Looking forward, growers are already making cropping decisions for the 2026 crop year, and not having OTT dicamba exacerbates already-existing challenges cotton and soybean producers have faced this year. The absence of this technology removes a crucial component of a farmer's weed control strategy, resulting in significant yield loss and economic harm. To ensure cotton and soybean producers have this label available in time for the next crop, TFBF urges swift approval of the label for low volatility OTT dicamba products. We appreciate EPA's diligence in reviewing the dicamba registration for OTT dicamba and encourage EPA to create a flexible, easy-to-understand label recognizing the diverse climates and landscapes of farms across our country who need access to dicamba. Thank you for your consideration and the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Eric Mayberry".

Eric Mayberry

President

Tennessee Farm Bureau Federation