

EPA Allows the Use of Herbicide in Spite of Recent Court Ruling

The Environmental Protection Agency (EPA) has decided to allow farmers who purchased dicamba-based products to use them this year, despite a June 3rd ruling by the Ninth Circuit Court of Appeals that canceled the product's approval. Bayer's XtendiMax, BASF's Engenia, and Corteva Agriscience's FeXapan can now be used in specific circumstances after the EPA received feedback from farmers who had already purchased the herbicides.

At the height of the growing season, the Court's decision has threatened the livelihood of our nation's farmers and the global food supply...Today's cancellation and existing stocks order is consistent with EPA's standard practice following registration invalidation, and is designed to advance compliance, ensure regulatory certainty, and to prevent the misuse of existing stocks."

Andrew Wheeler, EPA Administrator

According to the order, distribution or sale of the dicamba-based herbicides are still prohibited unless for proper disposal or returns. Those who purchased the herbicides before the June 3rd cancellation are still able to use them. All of use of these systems must cease by July 31st.

The Center for Food Safety and the Center for Biological Diversity (CBD) have already filed a motion asking the Ninth Circuit Court to hold Wheeler and the EPA in contempt for allowing farmers to use the product in defiance of the court's decision.

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It's mind-boggling to see the EPA blatantly ignore a court ruling, especially one that provides such important protections for farmers and the environment...We're asking this court to restore the rule of law at the Trump EPA."

Stephanie Parent, a senior attorney with the Center for Biological Diversity