

March 25, 2011

Office of Pesticide Programs (OPP)
Regulatory Public Docket (7502P)
Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460-0001

Re: *Web-Distributed Labeling of Pesticides;*
Docket No. [EPA-HQ-OPP- 2010- 0648]

Dear Sir or Madam:

The undersigned farm organizations submit these comments regarding EPA's Web-Distributed Labeling (WDL) initiative on behalf of farmers and ranchers nationwide.

We do not support EPA pursuing either voluntary or mandatory WDL and strongly recommend that the agency suspend any further work on this initiative. For many years, the industry has been successful in its education and communication efforts to have users go to the product and read the label that is attached for proper application, handling and storing. Not having this accessible and handy on the product would not only demand a significant culture change, but also raises safety concerns without the information being readily available. And it would leave those without Internet access at a serious disadvantage.

EPA's major stated goals of WDL are timely dissemination of information and improved reading and understanding of pesticide labels by applicators and users. However, we do not believe that WDL will significantly enhance access to label information or demonstrably enhance the understanding of labels by the users. Moreover, there exist today several ways that users can obtain an electronic label. We do not see a need at this time for another mechanism to retrieve an electronic version of a label.

One of the biggest concerns we have with implementing WDL is the lack of high-speed Internet access in all areas of the U.S. Many farmers, particularly in rural areas where farming occurs, continue to rely on dial-up modems for Internet access. According to the Economic Research Service at USDA, in 2009 only 59 percent of U.S. farms had Internet access. Farms using computers for their farm business was only 36 percent. And of those farms using the Internet, 23 percent were still using dial-up. These numbers are very telling. There are 41 percent of farms that don't have Internet access of any kind. There is a long way to go for farmers and rural communities to have high-speed access to the Internet. EPA makes note that delivery mechanisms other than direct Internet access will be offered for WDL. If that is the case, we question the purpose of having a WDL program. Expecting farmers to go to the local library or to call a 1-800 number to have the label sent to them by U.S. mail is a not a viable solution for those without access to the Internet.

Adopting WDL would require a significant culture change for many producers, and transition from hard-copy container labeling to WDL in itself will require a significant amount of education within and among the agriculture community. Given the current state of customary practice within the community, farmers will not be comfortable with such a change, especially if they are unaware of the concept until it is implemented.

Expiration dates and older products are also a major concern. Under the current system of hard-copy labeling, users can continue to use a product according to the labeling found on the container for as long as they possess the product. The exceptions to this are the rare instances when EPA has issued a use cancellation date or when a product is no longer registered in a state and that state's laws prohibit the use of unregistered pesticides. This practice allows users to use a product for an indefinite period after the product is purchased. With WDL, the labeling accessed at an Internet site could well change over time as uses are added or removed. This would mean that labeling might not be valid indefinitely. How would users know they have the most updated version of the label without constantly re-checking every time it is used? If EPA establishes expiration dates and makes them too short, users could end up with product they bought but can no longer use, and questions then arise of where that product would go and or how to properly dispose of it. This in turn will raise liability concerns among growers.

At a time when all of us, including the federal government, face limits on our resources, we know that WDL is not a priority for the farming community and therefore should not be a priority for EPA absent any critical environmental concerns. It is our recommendation that EPA suspend work on WDL at this time. Ultimately, some improved means of communicating label information might be needed. Should that need arise, we will work cooperatively with EPA on the issue to assure that the needs of the agency and producers are taken into account.

Sincerely,

American Farm Bureau Federation
Minor Crop Farmer Alliance
National Association of Wheat Growers
National Corn Growers Association
National Cotton Council
National Grain Sorghum Producers
National Potato Council
United Fresh Produce Association
U.S. Apple Association
USA Rice Federation