

# Congress of the United States

Washington, DC 20510

September 9, 2019

Mr. Andrew Wheeler  
Administrator of Environmental Protection Agency  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Administrator Wheeler:

We write today with concerns over the Environmental Protection Agency's (EPA's) recent decision to approve new uses and lift restrictions for the pesticide sulfoxaflor, which the EPA itself has recognized as a known danger to pollinators and, by extension, a threat to American agriculture.

As you know, sulfoxaflor was first approved by the EPA in 2013, but banned in 2015 when a federal court voided the agency's registration on the grounds that it did not properly account for the pesticide's impacts on pollinators. Following this ruling, the insecticide was re-approved in 2016, this time prohibiting its use on crops known to attract bees until after their bloom period.

However, these restrictions have since been circumvented year after year through emergency exemptions. In 2019, an emergency exemption for sulfoxaflor was issued for the fourth consecutive year, permitting its use on millions of acres of crops known to attract bees, including cotton and sorghum. More recently, on July 12<sup>th</sup>, EPA began registering new uses for sulfoxaflor and restoring previously registered uses, and even required language on product labels that say "This product is highly toxic to bees and other pollinating insects exposed to direct treatment or to residues in/on blooming crops or weeds. Protect pollinating insects by following label directions intended to minimize drift and reduce pesticide risk to these organisms."<sup>[1]</sup>

We have heard from a number of beekeepers and other stakeholders in Oregon who are concerned about the potential hazards of sulfoxaflor on bee colonies. These new approved uses come at a time when colonies are dying at alarming rates. According to the Washington Post, the annual loss rate for honeybees rose to 40.7% this year, up from the previous average of 38.7%. This is particularly concerning, given that pollinators are an invaluable component of our nation's food production. In Oregon alone, specialty crops like blueberries, marionberries, raspberries, and pears depend upon bees and other pollinators.

We therefore ask that you provide answers to the following questions by Wednesday, October 9, 2019:

- Prior to the recent decision to lift restricted uses for sulfoxaflor, what scientific data did the EPA use in determining whether an emergency exemption should be allowed?

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<sup>[1]</sup> <https://www.epa.gov/ingredients-used-pesticide-products/decision-register-new-uses-insecticide-sulfoxaflor>

- EPA's sulfoxaflor webpage states that a comprehensive risk assessment was conducted on the long-term effects of sulfoxaflor on bees. Please provide:
  - The comprehensive risk assessment;
  - A detailed summary of the comprehensive risk assessment;
  - The pollinator risk assessment; and
  - A detailed summary of the pollinator risk assessment.
  
- For all uses of sulfoxaflor, is the EPA studying sulfoxaflor's impacts on pollinators?

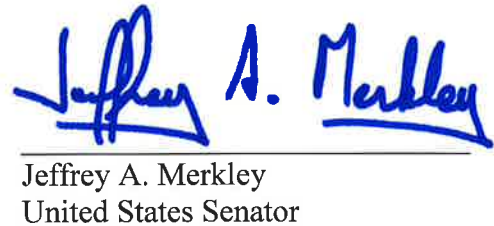
The EPA has a crucial role to play in safeguarding American agriculture. We ask that you provide the above scientific data, reinstate appropriate regulations on sulfoxaflor, and reverse the trend of issuing emergency exemptions.

We look forward to hearing from you.

Sincerely,



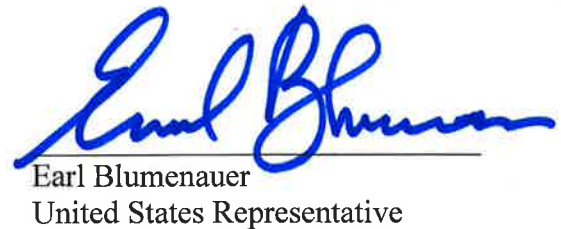
Ron Wyden  
United States Senator



Jeffrey A. Merkley  
United States Senator



Peter A. DeFazio  
United States Representative



Earl Blumenauer  
United States Representative



Suzanne Bonamici  
United States Representative