

# Dicamba: EPA Extends Registration of Controversial Product



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The U.S. Environmental Protection Agency announced late yesterday evening that it extended the registration of the herbicide dicamba for “over-the-top” use for a period of two years – until December 20, 2020 – pursuant to the Federal Insecticide, Fungicide and Rodenticide Act (“FIFRA”).

Dicamba is a broadleaf weed herbicide historically applied in late winter/early spring, prior to planting crops.

The herbicide was first registered in the late 1960s, but returned to prominence in 2016 when EPA first registered the product for over-the-top use (i.e., during the growing season) on approved, dicamba tolerant cotton and soybeans. EPA’s registration and the increase of in-season use coincided with increased weed resistance to the popular herbicide, glyphosate.

Over-the-top application of dicamba has not been without controversy in the nation’s farm belt. Drift to non-target crops, including non-tolerant soybeans, cotton, vegetables, orchards and trees helped sow some deep divisions between farmers and non-farmers alike. Ultimately, Arkansas imposed date restrictions to prohibit over-the-top use during much of the 2018 growing season.

EPA’s renewal of the dicamba registration includes a number of FIFRA label changes aimed at minimizing damage to non-target crops. These changes include:

- Limit application over-the-top to “certified applicators” -- those working under the supervision of a certified applicator may no longer apply the product;
- Prohibit over-the-top application on soybeans 45 days after planting and cotton 60 days after planting;
- Limit the number of over-the-top applications in cotton from 4 to 2 (consistent with limits on application to soybeans);
- Restrict product application to 1 hour after sunrise to 2 hours before sunset; and,
- Retain 110-foot downwind buffer in counties where endangered species may exist, and implement a new 57-foot buffer around the other edges of the field.

EPA will also move to:

- Clarify the training period for 2019 and beyond;
- Require enhanced tank clean out instructions;
- Enhance the product label to raise applicator awareness on the impact of low pH to dicamba volatility; and
- Clean up the product label to ensure consistency and to improve compliance and enforceability.

In making the announcement, EPA Acting Administrator Andrew Wheeler noted that Agency “understands that dicamba is a valuable pest control tool for America’s farmers.” Wheler also noted that the extended registration, label updates, and additional product restrictions provide “certainty to all stakeholders for the upcoming growing season.” It remains to be seen, however, how all stakeholders and the various farm-belt states will react to the extension. It is sure to be an interesting discussion in Arkansas.

A copy of EPA’s Press Release can be found [here](#).