



FOR IMMEDIATE RELEASE



## ASA Applauds EPA Existing Stocks Order for Dicamba Ahead of Soy Planting

**Washington, D.C. February 14, 2024.** With millions of dollars of product on the line and few fast alternatives available before spring planting, the American Soybean Association is exceptionally appreciative of the Environmental Protection Agency's swift actions to issue an existing stocks order and allow farmers planning to use dicamba product for 2024 to receive and use it this season.

Josh Gackle, ASA president and soybean farmer from North Dakota, said, "The court's decision on dicamba instantly left tens of millions of acres of U.S. farmland in limbo—and in limbo a matter of weeks before spring planting. We appreciate the certainty EPA's existing stocks order provides to farmers from North Dakota where I farm all the way to Florida and everywhere in between. This ruling potentially affects more than 50 million acres of dicamba-tolerant soybeans and cotton—an area larger than the state of Nebraska—so again, we are very appreciative of EPA's decision to let us get through the 2024 growing season by using any product already in the delivery pipeline."

EPA has declared farmers can accept "existing stocks"—previously registered pesticide products currently in the United States that were packaged, labeled, and released for shipment prior to February 6 (the effective date of the District of Arizona's vacatur of dicamba registrations). The existing stocks order also clarified that dicamba product already in the possession of distributors, co-ops, and other parties for sale before that date can be sold and distributed, within set guidelines outlined in [the order](#).

ASA is the national advocacy organization for the industry and led a [letter to EPA](#) last week signed by 26 soy state affiliates asking the administration for help following a dicamba ruling in a federal district court in Arizona. The court ruled EPA made a procedural error in issuing 2020 dicamba registrations for over-the-top (OTT) use on dicamba-tolerant soybeans and cotton. Because EPA did not offer a public notice and comment period before issuing the registrations, the court ruled the agency was in violation of the Federal Insecticide, Fungicide, and Rodenticide Act and vacated 2020 registrations for XtendiMax, Enginia, and Tavium.

FIFRA gives EPA the authority to issue existing stocks orders for products that are cancelled, which is now a major priority for the soybean industry. ASA also asks for the administration's support of an appeal of the ruling and help in seeking to stay the ruling from taking effect pending appeal.

In 2023, ASA, its 26 state soy affiliates, and several cotton associations submitted an amicus brief to the District Court of Arizona in this case urging the judge to avoid vacatur.

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*The American Soybean Association (ASA) represents U.S. soybean farmers on domestic and international policy issues important to the soybean industry. ASA has 26 affiliated state associations representing 30 soybean-producing states and more than 500,000 soybean farmers. More information at [soygrowers.com](http://soygrowers.com).*

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