



## Senate Questions EPA About Excessive Regulation of Agriculture

September 24, 2010

Yesterday afternoon, September 23, 2010, the U.S. Senate Agriculture Committee held an oversight hearing to examine the impact of Environmental Protection Agency (EPA) regulation on the agricultural industry.

Senate Agriculture Committee Ranking Member Saxby Chambliss, expressed concern that these issues could have serious implications for rural America. "The U.S. agriculture sector is improving and exports are growing," Chambliss said. "The question we then ask is what impact EPA's regulatory plans will have on future opportunities for growth. Given the regulatory issues before us, I believe the EPA's plans will hinder growth in agriculture and rural America." Governmental actions which limit agricultural productivity could impact AFTC members.

During the hearing several Senators described how they had heard a high level of concern from farmers in their home states regarding excessive and impractical EPA regulations targeting agriculture. Senators fired several very direct questions at EPA Administrator Lisa Jackson. The list of new regulations discussed was long and technical but much of it centered around the use of pesticides on farms.

In testimony before the committee, Jay Vroom, President and Chief Executive Officer of Croplife America, described several concerns regarding excessive regulation limiting the ability of farmers to use pesticide products. He described how the Endangered Species Act is leading to excessive caution regarding the potential effect of pesticides on endangered animal species. He also discussed a burdensome new permitting system for pesticide regulation being implemented by EPA as well as overly cautious and burdensome regulations directed toward the issue of spray drift following application of a pesticide.

Another one of the witnesses Jere White, Executive Director of the Kansas Corn Growers Association, described how he had been subpoenaed by trial lawyers following his involvement in efforts to protect the safe use of the herbicide atrazine for weed control. One of the prime concerns of new regulatory schemes by EPA is that they would allow for the involvement of citizen suits which are often promoted by environmental activists. Senator Pat Roberts from Kansas discussed this issue with Mr. White and expressed concern that it could have a chilling effect on the willingness of farmers and other businessmen to serve in leadership roles.

In a testy exchange, Senator Mike Johanns of Nebraska stated that farm groups in his state described EPA's activities as a "non-stop regulatory assault on agriculture." The

senator told Ms. Jackson that while she had indicated that she had been listening to the concerns of agriculture he didn't believe that she was taking the concerns into account. "It seems like you just give lip service to agriculture and then go on," Senator Johanns remarked.

As an example, Senator Johanns described a situation where the EPA had failed to carry out a direct requirement in the Clean Air Act to evaluate potential loss or shifts of employment which may result from the regulation of greenhouse gases. Senator Johanns asked Administrator Jackson how she could conclude that an employment analysis doesn't need to be done and, "ignore something so important." In response, the EPA Administrator gave assurance that EPA does not "have it in for the agriculture sector" as the fear had been expressed in the countryside.

The witnesses from the agricultural industry and Senators concluded that there was a need for continuing diligent Congressional oversight of the EPA's actions and potentially legislative action to correct the situation.