From:	George Sabbagh
To:	Roe, Lindsay
Cc:	Schmid, Emily; Crawford, Lydia; Meadows, Sarah; Schmid, Emily; David Wilson; BCSReg_Archive
Subject:	RE: OTT Dicamba: Bayer Response to EPA May 12 Proposal
Date:	Friday, May 23, 2025 1:25:52 PM
Attachments:	image003.png

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Hello Lindsay,

As you are aware, Bayer was copied on an email from Rebecca Willis at BASF to you and your team EPA on Tuesday, May 20. For clarity, BASF's response does not reflect Bayer's position on EPA's proposed options for Volatility Mitigation. As Bayer communicated to EPA (email below), also on Tuesday, May 20, Bayer is aligned with EPA's proposed Option 1 for Volatility Mitigation on the KHNP0090 Herbicide label. Bayer notes that use of VRA is consistent with Bayer studies submitted to EPA that demonstrate that the addition of VRA decreases temperature dependence of volatility and reduced air concentrations by as much as 500 times at the same temperature.
While we understand that other registrants may have differing views and priorities, Bayer is confident that, to support a timely completion of this action, EPA's proposed Option 1 can provide cotton and soybean growers with a usable label for this incredibly important weed control tool. In Bayer's experience, applicator and grower experience and familiarity of the product(s), required trainings, off-target mitigation, and limitations to certified applicators, there has been documented success in safe and effective applications, as confirmed by grower groups and state regulators and since 2017 incidents have been reduced by 92%. Additionally, a 99% reduction in off-target movement inquiries, reported to Bayer, was observed from 2017 to 2024 further supporting the ability of certified applicators to use this product according to the label.

Please do not hesitate to reach out with any additional questions.

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
Regulatory Engagement

Regulatory Engagement
Collaborating Across Organizations

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From: George Sabbagh <george.sabbagh@bayer.com>
Sent: Tuesday, May 20, 2025 1:10 PM
To: Roe, Lindsay <Roe.Lindsay@epa.gov>
Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Crawford, Lydia <Crawford.Lydia@epa.gov>; Meadows, Sarah <Meadows.Sarah@epa.gov>; Schmid, Emily <Schmid.Emily@epa.gov>; David Wilson <david.wilson1@bayer.com>; BCSReg_Archive <esepamailbox@bayer.com>
Subject: OTT Dicamba: Bayer Response to EPA May 12 Proposal

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

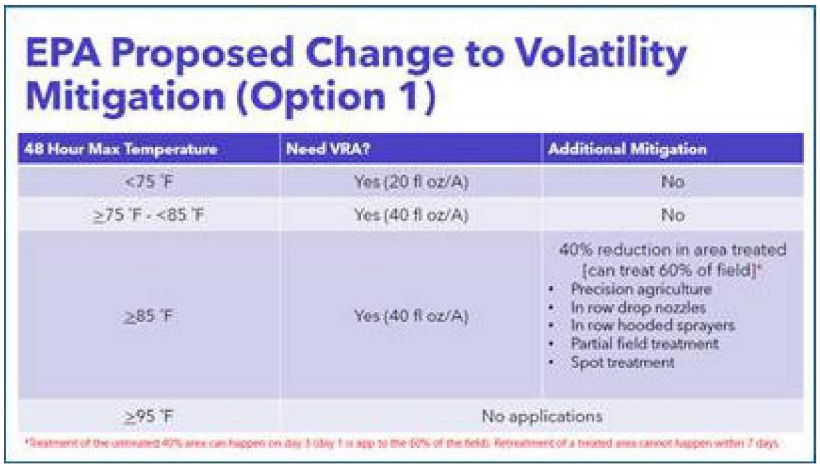
Hello Lindsay,

Bayer appreciates EPA's ongoing efforts in conducting a robust risk assessment for the KHNP0090 Herbicide label. During the Touchpoint 1 meeting on May 12, 2025, EPA presented options to Bayer for certain label elements, including Volatility Mitigation and Runoff/Erosion Mitigation Implementation. After discussion with EPA and reviewing these options carefully, Bayer would like to proceed as described below, understanding that additional refinements are likely to occur as the options are implemented in the label.

- Volatility Mitigation

  Bayer is aligned with EPA's proposed Option 1 (**Figure 1**) for Volatility Mitigation on the KHNP0090 Herbicide label (see below). Bayer notes that use of VRA is consistent with Bayer studies submitted to EPA that demonstrate that the addition of VRA decreases temperature dependence of volatility and reduced air concentrations by as much as 500 times at the same temperature. Though Bayer believes there are potentially additional volatility mitigation options that could allow for effective treatment of a larger percentage of fields at 85-95 degrees, to support timely completion of this action, Bayer is prepared to move forward with Option 1 at this time and looks forward to working with EPA to further discuss details of implementing Option 1 in the label.

  Figure 1 – EPA Proposal: Slide 22 (May 12 Presentation)



EPA Proposed Change to Volatility Mitigation (Option 1)

48 Hour Max Temperature	Need VRA?	Additional Mitigation
<75 °F	Yes (20 fl oz/A)	No
≥75 °F - <85 °F	Yes (40 fl oz/A)	No
≥85 °F	Yes (40 fl oz/A)	40% reduction in area treated [can treat 60% of field]* • Precision agriculture • In row drop nozzles • In row hooded sprayers • Partial field treatment • Spot treatment
≥95 °F	No applications	

*Treatment of the untreated 40% area can happen on day 3 (day 1 = app to the 60% of the field). Retreatment of a treated area cannot happen within 7 days.

- Runoff/Erosion Mitigation Implementation

  Bayer is aligned with EPA's proposed Option 3 (**Figure 2**) for Runoff/Erosion Mitigation Implementation on the KHNP0090 Herbicide label. Bayer will work with the other registrants to develop the remaining core maps and will update EPA in the near future on our plans.

Figure 2 – EPA Proposal: Slide 25 (May 12 Presentation)

Discussion of Runoff/Erosion Mitigation Implementation (cont.)

- **Option 3:** Use Strategies to set the mitigation and develop PULAs; apply 3 points nationally, 6 points within PULAs
  - Update labels; need to generate a BE; formal consultation (7d); mitigation would vary by PULA; would need to be a high priority for EFED, may impact other activities
  - There are 26 unique species in PULAs 5 & 6
    - 2 core maps are completed
    - 11 have core maps in progress
    - 13 have not been started

Please, reach out if you have questions or need additional information

Freundliche Grüße / Best regards,

George Sabbagh, Ph.D.
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-----Original Appointment-----
From: Schmid, Emily <Schmid.Emily@epa.gov>
Sent: Wednesday, May 7, 2025 6:47 AM
To: Schmid, Emily; Roe, Lindsay; Meadows, Sarah; Fowler, Jerrett; Farruggia, Frank; Johnson, Tamara; Wuerthner, Vanessa; Love, Caitlin; Jackson, Melantha; George Sabbagh; Orlowski, John; Corbin, Mark; Kaul, Monisha; Tindall, Kelly; Hawkins, Caleb; Lowe, Kelly; Smith, Charles; Rosenblatt, Daniel; Saunders, Jennifer
Cc: Lowit, Michael; Nolan, Emily; Rekully, Cameron; Harris, Cassandra; Blanchette, Annelise; Macchiano, Anthony; Eckel, William; Tilghman Hall; David Wilson; Dan Dyer; Naresh Pai; Muench, Andrew; Nguyen, Khue; Britton, Cathryn; Crawford, Lydia
Subject: OTT Dicamba: Touchpoint 1 Meeting with Bayer
When: Monday, May 12, 2025 1:00 PM-1:55 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting; DCRoomWest4118/OPEI

Touchpoint 1 meeting with Bayer on the proposed new use of dicamba on dicamba-tolerant cotton and dicamba-tolerant soybeans.

Microsoft Teams Need help?

Join the meeting now

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Video ID: 116 006 554 0

More info

For organizers: Meeting options | Reset dial-in PIN

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