



PPC

PESTICIDE POLICY COALITION
A Coalition Working for Sound Pest Management Policies

April 21, 2020

Mr. Jim Mullen
Acting Administrator
Federal Motor Carrier Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, S.E., Suite
600 Washington, D.C. 20590

Dear Mr. Mullen:

The PPC is an organization of food, agriculture, forestry, pest management and related industries, including small businesses/entities, which are dependent on the availability of pest management tools. PPC members include: nationwide and regional farm, commodity, specialty crop, and silviculture organizations; cooperatives; food processors and marketers; pesticide manufacturers, formulators and distributors; pest and vector-control applicators and operators; research organizations; equipment manufacturers and other interested stakeholders. PPC serves as a forum for the review, discussion, development and advocacy around pest management regulation and policy.

Annually, PPC members confront pest and disease threats introduced into the United States via weather, trade and other factors. Pesticide manufacturers work diligently to make pest control products available through, among other entities, a web of seed, fertilizer, and pesticide distributors, transportation networks, and pesticide application services. These efforts help ensure farmers, ranchers, public health officials, and other pesticide applicators have the tools they need to continue to produce America's food, fiber, and biofuel and to protect our public health and infrastructure. Many of these participants are small businesses reliant on annual, time-sensitive sales and labor to support American agricultural production and small businesses.

PPC members appreciate the efforts of you and your team to protect our citizens and the U.S. economy during the COVID-19 outbreak. Your prompt action to provide hours-of-service relief to motor carriers and truck drivers hauling livestock and a limited number of other agricultural products helped facilitate a near-term supply of those products.

Our members already are experiencing a tightening in trucking capacity and disruptions in truck transport in certain states and regions given state-imposed restrictions related to COVID-19. To

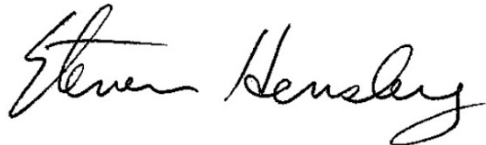
address this situation, we strongly urge you to expand and extend the hours-of-service relief by specifically including all “farm supplies” as defined under the hours-of-service (HOS) regulations (49 CFR 395.2). As you know, the FMCSA national emergency declaration waiving HOS requirements for commercial vehicle drivers transporting emergency supplies to deal with COVID-19 has been expanded twice, and more and more components of the food and agricultural sector are now covered under the emergency declaration. For example, wood pulp, feed and fertilizer are specifically listed as being eligible for HOS relief under the emergency declaration because they are immediate precursors to essential items for the emergency relief effort. For America’s production agriculture seeds and pesticides are equally important immediate precursors to essential items. All farm supplies are critical to the United States ability to continue to produce an abundant, healthy and safe food supply for American consumers. Our industry needs regulatory certainty from FMCSA that all covered under the HOS national emergency declaration.

We respectfully request FMCSA issue another Frequently Asked Questions (FAQ) that specifically states all farm supplies such as pesticides and seeds are also covered under the HOS national emergency declaration as this is our peak time to deliver and apply essential farm supplies to farmers during the busy spring planting season.

We believe these necessary emergency and temporary measures will help ensure there are no major disruptions in the supply chain and can be accomplished without adversely impacting transportation safety.

Thank you for considering our views, and for your help on this issue of great importance to U.S. food and agriculture.

Sincerely,



Steve Hensley
Chair, Pesticide Policy Coalition



Beau Greenwood
Vice Chair, Pesticide Policy Coalition