

Farmers get mixed signals on herbicide

■ EPA memo, state laws collide over the use of 2,4-D on no-till soybean fields.

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Many farmers trying to clear soybean fields of pesky weeds this spring are turning to an herbicide known as 2,4-D.

It's cheap, it's effective and they can get it almost anywhere.

But in Iowa, many of them are using it in a Catch-22 situation that could result in their pesticide applicator's licenses being revoked.

The official Environmental Protection Agency label on 2,4-D warns against using the herbicide on soybeans. But in April, the agency advised states to use "enforcement discretion" this year while safety tests are conducted on using a mix of 2,4-D and other herbicides.

Iowa agriculture regulators say they will enforce the label, even though some other states will not.

"Iowa law is clear that the label is the law," said Bill Brewer, chief of the Information Bureau in the Iowa Department of Agriculture. Brewer said state regulators investigating complaints will take action against farmers found using 2,4-D.

But that hasn't stopped farmers from spraying it on their no-till soybean fields, as they have for years.

"A lot of farmers are using it around here," said Jim Lensch, a no-till farmer in Linn County.

Many farmers in Black Hawk County have asked Dean Mangrich, manager of Marv's Feed and Seed, if he will spray their fields with 2,4-D. He has refused.

"We follow the (EPA's) labels, and they went looking for someone else to spray," Mangrich said.

Next year, if EPA concludes its safety studies and changes the label to reflect those conclusions, commercial sprayers in Iowa will be allowed to spray the herbicide. It is almost certain that the EPA will find the herbicide safe for use on soybean fields before planting, experts say.

But this year is critical for 2,4-D and no-till farming, say the herbicide's supporters. No-till farmers do not plow the fields before planting. The technique reduces soil erosion but allows weeds to grow unchecked.

The Soil Conservation Service estimates that at least 2 million acres of Iowa farmland will be under no-till planting systems this

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year.

Mike Webster, director of the Soil Conservation Service office in Black Hawk County, estimated that at least 10,000 acres of soybean fields in the county will be planted using no-till techniques. Last year, he estimated about 3,000 acres in the county were under no-till soybeans.

Of all the herbicides put down in the fields to kill those weeds, 2,4-D is the cheapest, according to the state, the Iowa State University Extension service and the farmers themselves.

"2,4-D is a miracle at \$1.50" an acre, said Jim Kinsella, a no-till farmer and manager of the Agronomic Development Center in Lexington, Ill., which is funded by BASF, a chemical company.

Kinsella said he has talked to no-till farmers throughout Iowa who are using 2,4-D in place of other herbicides that can run up to \$10 an acre.

"The key to golf is a good putter," Kinsella said. "You can get by with a wood and an iron, but you have to have a putter to play the game."

"I can't farm without no-till. I couldn't no-till without 2,4-D. So I can't farm without 2,4-D. It's a miracle for \$1.50 an acre."

"They're going to do what they have to do to survive," Kinsella said, meaning that Iowa farmers will use the herbicide illegally.

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The EPA's label on the herbicide, which tells farmers how to use 2,4-D so that they are safe and their crops are unharmed, states that it should not be sprayed on soybeans — for a very good reason. The soybean plants

would be killed, just like the weeds the herbicide is supposed to target.

But the same agency has approved labels telling farmers they can use it on soybean fields provided they use it before planting and mix it with other herbicides.

In 1989, Ohio's Department of Agriculture asked the EPA to clear up the confusion. But agency indifference to the confusion in Washington, D.C., dragged out the decision until this year, said Kirby Hidy, chief of marketing and communications for the Ohio Department of Agriculture.

On April 10 of this year, the EPA stated in a memo to state regulators that the agency would begin studying whether 2,4-D is safe to use on no-till soybean fields before planting and that a decision was due within 90 days.

In the meantime, the memo advised states to "apply enforcement discretion of 2,4-D as a soybean pre-plant ... even though this use is not permitted by the current labels."

The memo has led to a patchwork of label enforcement across the Bean Belt. State regulators are caught between farmers who want to use it this year, the EPA memo that says go ahead and use it on soybeans even though the label doesn't allow it, and state laws that forbid using pesticides against their official labels.

Several states decided to go along with the EPA's recommendation to ignore illegal 2,4-D use. Enforcing the label would place Indiana farmers, "at an economic disadvantage" compared to farmers in other states, said Dave Scott, pesticide administrator in the office of the Indiana state chemist.

Regulators in Iowa and Minnesota, on the other hand, have stuck with the "label is the law." Farmers or pesticide

operators caught spraying 2,4-D on their soybean fields will be subject to license revocation at the state level, according to the Iowa Department of Agriculture and Land Stewardship's office.

"We're sympathetic with the economic needs of the situation," Iowa's Brewer said. "However, the label has been this way for years. It's not like they have no other alternative."

The Iowa Soybeans Association and the Iowa Fertilizer and Chemical Association have supported the state's stance.

In a letter to the EPA, Minnesota's Department of Agriculture's Pesticide Registration Supervisor Calvin E. Blanchard expressed "extreme disappointment and dismay" over the memo's advice to regulatory officials "to look the other way when encountering 2,4-D misuse."

"A precedent has been established and the repercussions will be felt for many years," Blanchard wrote.

However the EPA doesn't consider it's decision "precedent setting," according to Joanne Miller, the registration product manager for 2,4-D in the agency's Washington, D.C., office.

"This is an unusual situation, not a precedent-setting decision," Miller said, citing the number of years 2,4-D has been in use, the confusion between the two labels and the importance that the herbicide holds for no-till and low-till farmers.

The Iowa State University Extension Service, the agricultural information service used by producers all over the state, sees the agency's suggestion that regulators ignore unapproved uses of 2,4-D as damaging to their credibility.

"We tell farmers in pesticide train-

ing to follow the label, follow the label," said Brian Lang, agronomy expert with the Northeast Iowa extension office in Waterloo. "Now the EPA comes along with this (memo) and says don't follow the label. (The EPA) has enough confidence problems as it is."

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No one questions whether the herbicide, used for years to kill weeds in corn and wheat fields, is safe.

Mike Owen, an agronomy expert at ISU, says he thinks 2,4-D is "a very safe herbicide" according to studies at ISU in the 1970s and 1980s. The herbicide will probably receive the EPA's official blessing in time for next year's planting, he said.

But until then, he said, "you have to use it according to the label and until you have established tolerances (for use) and a label is issued, you can't use it."

Illegal or not, 2,4-D has been used on soybeans for years, said Illinois no-till farmer Kinsella.

He said he used it this year on his 250 acres of no-till soybeans.

As interest in no-till systems increases, so does interest in 2,4-D, reported Mangrich at Marv's Feed & Seed. "There's been a substantial increase in interest in 2,4-D this year," he said.

"This is the critical, pivotal year for no-till in Iowa," Kinsella said. "This is the first year for many farmers and it's critical. You can't make mistakes."

But neither the ISU nor the state regulators are yielding to that argument.

"We recognize that it's effective and economical; it's just illegal as hell," ISU's Owen said.