

## TRIBAL PESTICIDE PROGRAM COUNCIL

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Susan Bartow  
Chemical Review Manager  
Pesticide Reevaluation Division  
Office of Pesticide Programs  
Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, D.C. 20460-0001

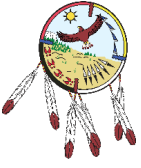
**Re: Docket EPA-HQ-OPP-2023-0420; Pesticides: Review of Requirements Applicable to Treated Seed and Treated Paint Products; Request for Information and Comments**

Dear Ms. Bartow,

We appreciate the opportunity for the Tribal Pesticide Program (TPPC) to comment on the Review of Requirements Applicable to Treated Seed and Treated Paint Products. The TPPC is a member-based organization with 87 members from 49 Tribes and tribal organizations, whose activities are funded by a cooperative agreement with the EPA. The Council serves as a tribal technical resource, and provides a forum for dialogue between Tribes and the EPA on program and policy development relating to pesticides issues and concerns. Assistance provided to Tribes includes support in building tribal pesticide programs and conducting pesticide education and training, and the preparation of resources for Tribes interested in specialized issues such as Integrated Pest Management and pollinators. Through its interaction with the EPA, the TPPC keeps Tribes informed of developments in the regulation of pesticides and pesticide use, and provides feedback to the EPA on such matters from a tribal perspective. Although the organization always seeks to represent consensus perspectives on any given issue, it is important to note that the views expressed by the TPPC may not be agreed upon by all Tribes. Further, it is important to understand interactions with the organization do not substitute for government-to-government consultation, which can only be achieved through direct communication between the federal government and Indian Tribes.

The TPPC is pleased to submit these comments on the Review of Requirements Applicable to Treated Seed and Treated Paint Products. TPPC member Tribes have expressed several concerns about the use of treated seeds, including their potential contribution to the over-use of agricultural pesticides, their effects on native pollinators and bird species, and their impacts to aquatic systems. Each of these will be considered in more detail below.

- While treated seeds certainly have the potential to reduce the overall use of agricultural pesticides, it is not clear that this has actually been the case thus far, and TPPC members are concerned that farmers may still be applying the same amount of other pesticides to crops grown from treated seeds as they would crops grown from untreated seeds. The TPPC requests that EPA collect real-world pesticide usage data from farmers and conduct an analysis to determine whether or not application of other pesticides is indeed reduced with the use of treated seed. Results from this analysis should then be used to inform any changes that may be made to the regulation of treated seeds.



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- TPPC members are also concerned about the impacts of using treated seeds on native pollinators, birds, and other species. It is well known at this point that pollinators (both native and managed) are in decline globally, with pesticide use being implicated as one of the major contributing factors. Thus it is imperative to rigorously evaluate all methods of applying pesticides to ensure the risks they pose to pollinator species do not outweigh the benefits of their use. The TPPC is aware of incidents in which the mechanical sowing of treated seeds has been linked to the poisoning of pollinators due to pesticides being released into the environment from abrasion of the seeds during the sowing process. Additionally, there are concerns that birds or other seed-eating animals may eat the treated seeds and face negative health outcomes due to pesticide exposure. The TPPC urges EPA to include the effects of sowing treated seeds in their risk assessments. The TPPC also requests that EPA collect data on effects of treated seeds on birds and other seed-eating species, and consider changes to labeling or other application requirements to reduce the risk of harm to non-target species such as native pollinators and birds.
- Finally, TPPC members have expressed concern about the potential impacts of treated seed use on groundwater and surface water. Pesticides applied to the seed coat may not stay on the seed and be absorbed by the growing plant as intended, but can leach into the soil during irrigation or precipitation events and lead to contamination of groundwater and surface water. This could have harmful effects on both the organisms that live in the water as well as human health through consumption of contaminated water. The TPPC wants to ensure that EPA takes these exposure routes into consideration when analyzing the risks of treated seeds.

With the above considerations in mind, the TPPC requests that EPA regulate treated seeds more rigorously than is the case currently. EPA should assess whether the use of treated seeds actually results in reduced use of other pesticide applications, or if it is instead increasing overall pesticide use. Risk assessments for the pesticides used in seed treatments should comprehensively examine the effects of storing, transporting, and using treated seeds on non-target species such as native pollinators and birds, as well as the effects on ground- and surface water. And ultimately, EPA should ensure that any usage requirements/restrictions resulting from these risk assessments are clearly conveyed to the end users of the treated seeds so that negative impacts from treated seed use to both human health and the environment are minimized as much as possible.

Sincerely,

Jasmine Courville  
TPPC Chairperson