

Congress of the United States

Washington, DC 20515

June 8, 2022

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Biden:

We write to request your Administration withdraw Solicitor General Elizabeth Prelogar's amicus brief in *Hardeman v. Monsanto*. We further request the Department of Justice (DOJ) provide our offices with a full review and accounting of the Solicitor General's consultations with the U.S. Department of Agriculture (USDA) and the U.S. Environmental Protection Agency (EPA) in analyzing and developing the Solicitor General's brief.

The Solicitor General's brief, filed on May 10, 2022, advises the Supreme Court to not hear a case regarding a state's ability to label pesticides in contradiction to EPA's lawful findings. The position of the Solicitor General could lead to a patchwork of statewide regulations which mislead consumers and undermine the validity of EPA's scientific evaluations. This would also destabilize the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), which clearly states that "a pesticide is misbranded if its labeling bears any statement... which is false or misleading in any particular."

Not only does this recommendation undermine consumer confidence in the EPA's scientific evaluations, but it could also limit farmers' access to an essential herbicide while the world is confronting the greatest hunger crisis in decades. Roundup allows farmers to implement no till practices to control runoff and soil erosion while reducing greenhouse gas emissions by lowering the number of required passes through a field. As worries of hunger spread, through domestic disruptions or export bans, America's farmers should not be hindered in their ability to feed the world.

On May 26, 2022, during testimony before the United States Senate Committee on Agriculture Nutrition, and Forestry Secretary Vilsack testified that USDA was not consulted about the Solicitor General's brief. This is concerning considering the Solicitor General cited "a change in administration" as a reason for altering its position on the case with limited scientific evidence.

As Members of Congress who represent Missouri we respectfully request you take these factors into consideration before the Supreme Court makes their final decision. Furthermore, we hope USDA will be consulted in the future before decisions of such magnitude are finalized. We hope your administration will uphold EPA's science based regulation of these critical tools and allow America's farmers access to the necessary materials for combating the impending global hunger crisis.

Sincerely,



Roy Blunt
United States Senator



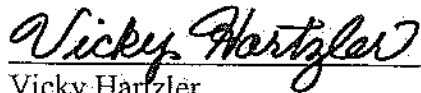
Josh Hawley
United States Senator



Arin Wagner
Member of Congress



Blaine Luetkemeyer
Member of Congress



Vicky Hartzler
Member of Congress



Sam Graves
Member of Congress



Billy Long
Member of Congress