



September 21, 2021

Doug McKalip
Senior Advisor to the Secretary
United States Department of Agriculture

RE: Biostimulant Industry Feedback Following the August 9, 2021, Meeting

Dear Mr. McKalip,

The Fertilizer Institute (TFI) and the Biological Products Industry Alliance (BPIA) are writing to thank you for convening and hosting the August 9, 2021, plant biostimulant roundtable discussion. We believe the discussion was helpful to refresh the conversations we had in 2018 and 2019 with USDA APHIS and update the broader stakeholder community, including new stakeholder staff, so that we are all operating under the same context as we continue these discussions.

As USDA works to develop a plan of action and next steps, we'd like to highlight our primary requests:

- The plant biostimulant industry, which now has a market value of over \$2B globally, desires a clear, predictable path to market for biostimulant products. As enablers of such a predictable path to market, industry's goals include the ability to use the term "biostimulant" in commerce; the ability to make biostimulant claims on labels; and the ability to use a single label in all fifty states.
- Industry is pleased USDA continues to work on recommendations from USDA's 2019 Biostimulant Report to the President and Congress. Industry strongly supports the definition of plant biostimulant included in USDA's 2019 Report as Alternative Definition 2.
- Industry is encouraging and supporting recent, and nascent, state efforts to pass legislation that includes biostimulant definitions that are identical or very similar to the USDA's 2019 Report Alternative Definition 2.
- Industry is working with the International Organization for Standardization Technical Committee 134 Fertilizers, Soil Conditioners and Beneficial Substances (ISO TC/134) to establish a globally accepted standard definition that is identical or very similar to the USDA's 2019 Report Alternative Definition 2.
- Industry is establishing voluntary efficacy, safety, and composition criteria to increase credibility for biostimulant products.
- Industry is working with the Association of American Plant Food Control Officials (AAPFCO) to establish model legislation for states that will include a consistent, broadly accepted biostimulant definition, uniform labeling requirements and standards and criteria for market entry.

- Industry is promoting a Biostimulant Marker Bill in Congress to memorialize key elements of the foregoing in the 2023 Farm Bill.

Industry Respectfully Requests:

- That USDA work to establish an MOU with EPA recognizing Alternative Definition 2 as the recommended definition for plant biostimulant.
- That USDA provide guidance, assistance, or facilitation to state governments, including AAPFCO control officials, as mutually agreed, to support the development of a plant biostimulant model bill in anticipation that states would implement the model.
- That USDA encourage EPA to finalize its draft guidance for plant regulators and claims, including plant biostimulants, to clarify Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) excluded categories and associated claims. Once finalized, this will help facilitate future discussions on related topics between the two agencies.

Industry stands ready to aid USDA in terms of stakeholder coordination, outreach, technical support, Capitol Hill engagement, among other areas to help advance any of the aforementioned goals. We also would strongly support the idea of a USDA funded ombudsman or liaison who would be dedicated to working on and facilitating plant biostimulant related efforts.

We appreciate your ongoing help and engagement and look forward to next steps. Should you have additional questions or require further information, please contact Ed Thomas at ethomas@tfi.org or by phone at 202-515-2714.

Respectfully,



Ed Thomas
The Fertilizer Institute
Senior Director of Regulatory Affairs



Keith J. Jones, Esq.
Executive Director
Biological Products Industry Alliance

CC:

Mike Watson, Associate Administrator
Hallie Zimmers, Adviser for State and Stakeholder Relations