



NOTICE TO HPTA MEMBERS

[EPA issues Draft Guidance for Plant Regulator Label Claims, Including Plant Biostimulants](#)

Recently the Environmental Protection Agency (EPA) issued a draft guidance document to better define Plant Biostimulants as regulated substances under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). HPTA members are encouraged to read the document and submit a public comment directly to the open docket on the [regulations.gov](https://www.regulations.gov) website.

Because regulatory issues are a charter initiative for HPTA, we will continue to work for our members to ensure our industry members remain informed and have a voice in all regulatory matters. The USDA and EPA Biostimulant regulatory issues will be discussed during the monthly HPTA board meeting; HPTA members are encouraged to attend and comment on these important issues. HPTA will submit a comment on behalf of the humic industry and would like member input included in the response, so please participate in the upcoming directors meeting. Board of Director's meeting date and time, May 14th at 2:00 CDT, dial-In Number (605) 468-8008 enter access Code - 821907#.

EPA Draft Guidance - In general, a draft guidance document is needed and welcomed by the biostimulant industry as a whole. However, the proposed changes to humic and fulvic acid could significantly impact the humic and fulvic acid industry. See the link below for a copy of the proposed EPA draft.

<https://www.regulations.gov/document?D=EPA-HQ-OPP-2018-0258-0002>

While the soil amendment exemptions for soil-applied humic and fulvic acids are maintained, some proposed language in the draft guidance would restrict foliar applied humic and fulvic acids, see Table 4 (*Plant Regulator Active Ingredients Contained in EPA-Registered Products Having Modes of Action that Trigger Regulation Under FIFRA as a Pesticide 1, 2, 3*). The proposed foliar restriction should be challenged because the proposed policy encompasses all humic and fulvic acids under the category Complex Polymeric Polyhydroxy Acids (CPPA) without identifying any source or compositional differences in the organic acids or mode(s) of action.

According to EPA's [Exemption from the Requirement of a Tolerance](#) for CPPA, Complex Polymeric Polyhydroxy Acids is a complex mixture of naturally occurring organic substances found in dead plant materials. The components of CPPA are widespread in nature, being found in soils and fresh and saltwater environments as a result of decaying plant materials, and are used to condition agricultural soils.

The CPPA category in Table 4 of the draft guidance appears to be a broader Humic Substance definition that does not follow any established testing standard for further identification. The HPTA test method for humic and fulvic acids, referred to as ISO Standard, 19822:2018(E), was not conducted on any of the CPPA products currently listed as registered by EPA. Consequently, it is unknown whether the EPA registered products contain any humic or fulvic acid nor how they compare chemically to humic or fulvic acid. HPTA members should encourage the EPA to apply good scientific testing as a basis for regulating products that may not be plant regulators as defined by FIFRA. While some humic/fulvic combined products may contain CPPA-identified compounds, not all fulvic and humic acid solutions contain or are similar to CPPA products. The CPPA category needs to be revised in Table 4 of the EPA draft guidance.

You may use the link to the docket page below to leave your comment. Select the Comment Now box to enter comments online. Alternate comment methods are indicated under the *Addresses* heading in the body of the webpage.

<https://www.regulations.gov/document?D=EPA-HQ-OPP-2018-0258-0003>

HPTA Board members have already met directly with EPA to discuss this draft guidance. HPTA along with other Biostimulant stakeholders have requested an extension to the public comment deadline. EPA has verbally acknowledged that a 30-day extension is likely to be granted.

HPTA will continue to monitor the EPA draft guidance for HPTA members. The draft guidance is an important issue; members are encouraged to call in on May 14th and discuss the proposed draft guidance. Please contact a board member if you have specific questions regarding this issue.



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Humic Products Trade Association