Appeals Court Overturns EPA Blockade On Enlist Duo

By Nicholas Staropoli — January 30, 2016

Last fall, the U.S. Environmental Protection Agency filed a petition to vacate approval of Enlist Duo, an agricultural system developed by Dow AgroSciences. The system contains genetically modified organisms (GMOs), soy and corn and in the near future cotton, that are resistant to the herbicide Enlist which contains two herbicides, 2,4-Dichlorophenoxyacetic acid (more commonly known as 2,4-D) and glyphosate.

Farmers can spray Enlist onto their fields where the GMOs are grown, which will kill the weeds but leave the crops alone.

The EPA had filed their petition claiming that they wanted more time to study the synergistic affects of the two active chemicals [1], even though both have had regulatory approval and re-registration for decades. Earlier, this week that request was denied by the Ninth Circuit Court of Appeals [2], which is California and considered the most partisan and anti-business appeals court in the nation. When even the Ninth can't find a reason to prevent use of a product, the science is clear.

Currently the product is registered in only 15 states: Arkansas, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota and Wisconsin. With the latest court decision preventing the EPA from banning first and showing data later, the company officials plan to expand use in 2016, as well as entering China in the near future.