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HEITKAMP, JOHNSON REFUTE PESTICIDE MAKER'S CLAIMS

BISMARCK - A major pesticide manufacturer's threat to stop sale of one of its products in North Dakota reflects the company's concerns over price, not safety or performance, say two top state officials.

Commissioner of Agriculture Roger Johnson and Attorney General Heidi Heitkamp responded Wednesday to an Associated Press story in which a Zeneca Ag Products spokesman was quoted as saying the company will ask the Environmental Protection Agency to stop the sale of Achieve 80DG in the U.S.

"They have virtually admitted this whole matter relates to their bottom line," said Johnson. "If there is a safety factor, then the U.S. had best stop importation of any Canadian grain treated with Achieve 80DG."

Last week, Johnson, with Heitkamp's advice and with the EPA's knowledge, published the EPA's registration of Achieve 80DG on the North Dakota Department of Agriculture (NDDA) website. The action enabled producers, applicators and dealers to copy the label and then acquire the herbicide in Canada.

Zeneca has appealed to the EPA to block Johnson's action.

Zeneca sells only the costlier Achieve 40 DG *in the U.S., but has registered both formulations. Both Achieve 40 DG and Achieve 80DG are available for sale in Canada. The Canadian Achieve 80DG product costs approximately \$6 less per acre.

"Zeneca and other pesticide manufacturers use a loophole in U.S. pesticide laws that allows them to charge American farmers more for the same chemicals they sell to our competitors," Heitkamp, said. "In this instance, there was a loophole in their loophole."

Heitkamp and Johnson said Zeneca's new claim that Achieve 80DG had caused some problems for Canadian applicators was laughable.

"Zeneca officials told us just this past week that that problem was resolved long ago, and in any case, it is not related to safety at all," Heitkamp said. "It was simply a matter of achieving a good spray mixture."

Johnson said he has requested that he and Attorney General Heitkamp be a part of a meeting that Zeneca has requested with EPA.

"We have consulted and will continue to consult with EPA on this matter," Johnson said. "The agency was fully aware of our intentions."

Since Johnson took action on Achieve 80DG, the agriculture commissioners of Minnesota and Montana have asked Zeneca to voluntarily lower the price of Achieve 40DG in the U.S., but the company has done nothing to resolve the matter.