

Ag Law Weekly



Top Headlines in Agricultural & Food Law News

August 17 - August 23, 2020

Chemical companies' request for dicamba rehearing denied

Last week the U.S. Court of Appeals for the Ninth Circuit upheld its decision to vacate the registration of three dicamba-based herbicides. The decision comes after the three chemical companies who produce these herbicides filed a petition for an en banc review of the original decision. The companies argued that the initial decision was unconstitutional and required a full judicial review. The court dismissed the request, leaving the sole option of appealing to the Supreme Court for the companies to get the decision overturned. Read more [here](#). Read more on the history of this case [here](#).

Relief available for Iowa farmers hit with severe weather

Many Iowa farmers are left with destroyed corn crops after severe weather with hurricane-force winds came through the state. With 13 million acres of corn lost, Iowa governor Kim Reynolds estimated about \$3.78 billion in agriculture losses. [The governor filed an expedited presidential major disaster declaration](#) with the federal government on August 16, seeking a total of \$4 billion. [President Trump has approved the public assistance portion of the request](#) which amounts to \$45 million covering 16 counties. However, [the USDA released a statement](#) announcing the availability of assistance for affected producers.

Court upholds EPA biofuels guidance

The U.S. Court of Appeals for the District of Columbia dismissed a lawsuit filed by an ethanol company challenging the federal standard for measuring a particular type of biofuel. The plaintiffs challenged a guidance document published by the Environmental Protection Agency in 2019 to explain its interpretation of the Pathways II Rule. The plaintiffs argue that the guidance document was a legislative rule that conflicted with the Pathways II Rule, imposed arbitrary requirements and was passed without public review. The court disagreed and dismissed the case. Read the details [here](#).

From the NALC

The Evolution of Agritourism: Current Legal Issues & Future Trends: Agritourism has grown significantly in the U.S. the past few years, with income tripling between 2002 and 2017. However, along with that continued growth legal issues have been on the rise as well. Last week the NALC hosted a webinar where speakers discussed trends in the agritourism industry, litigation against agritourism operations, issues arising due to COVID-19 and those in the industry can manage the associated risk. A recording of this webinar can be found [here](#).

