

CORTEVA AGRISCIENCE ANNOUNCES BUSINESS DECISION TO DISCONTINUE SALES OF FEXAPAN® HERBICIDE

February 22, 2021

TODAY'S NEWS

Corteva Agriscience is announcing a business decision to discontinue sales of FeXapan® herbicide in the U.S. and Canada. Corteva continues to see strong demand and broad adoption of Enlist® technology for seed and Enlist™ herbicide crop protection solutions. This decision allows Corteva to focus customer and applicator training, sales and distribution resources on our leading Enlist™ weed control system.

Our commercial team will continue to support our customers who have selected Roundup Ready 2 Xtend® technology. Those customers may use dicamba herbicides offered through other brands, while still benefitting from the strong yields from Roundup Ready 2 Xtend®-traited seeds offered in soybean products by Corteva.

THE FACTS

- On June 3, 2020, the U.S. Court of Appeals for the Ninth Circuit ordered the XtendiMax® (Bayer), Engenia® (BASF), and FeXapan® herbicides (Corteva Agriscience) dicamba product registrations to be vacated. This action was taken after a January 2019 lawsuit was filed in the United States Court of Appeals for the Ninth Circuit challenging the registrations of XtendiMax®, Engenia® and FeXapan® herbicides. The registration for Tavium® herbicide (Syngenta) was not included in the complaint.
- June 8, 2020, the U.S. EPA issued an order implementing the registration cancellation and addressing existing stocks.
- July 20, 2020, Corteva filed a petition in the Ninth Circuit Court of Appeals dicamba litigation seeking an *en banc* rehearing to preserve our rights as a technology provider. We also filed the petition for the rights of growers to access needed crop protection technologies, as well as to preserve the role of the U.S. EPA to administer the Federal Insecticide, Fungicide & Rodenticide Act (FIFRA), to grant or cancel crop protection product registrations, for the benefit of agriculture and society.
- Aug. 17, 2020, the Ninth Circuit Court denied petitions seeking an *en banc* rehearing.
- Oct. 27, 2020, the U.S. EPA announced it had issued new product registrations for several dicamba herbicides for use with dicamba tolerant soybeans and cotton. The new registrations were for Engenia® (BASF) and Xtendimax® (Bayer) and Tavium® (Syngenta) herbicides.
- The approved federal labels include new applicator requirements. Please see the label for full details, such as:
 - National calendar cut-off dates by crop
 - Mandatory addition of pH buffering agent

- Larger in-field buffer zones
- Time-limited registrations
- Nov. 2, 2020, following EPA's registration of Bayer's dicamba formulation, Corteva applied for federal registration of FeXapan® herbicide. Corteva licenses its dicamba formulation from Bayer.
- Nov. 4, 2020, the American Soybean Association (ASA) and Plains Cotton Growers, Inc., filed a lawsuit in the D.C. Circuit Court against the EPA in response to the EPA's new dicamba product registrations claiming the new conditions of registration are "arbitrary and capricious and beyond the agency's authority under FIFRA, the Endangered Species Act ("ESA"), and the Administrative Procedures Act. More specifically, the action seeks remand of EPA's temporal dicamba application restrictions and spatial application buffers."
- Dec. 22, 2020, plaintiffs including then National Family Farm Coalition, Center for Food Safety, Center for Biological Diversity and the Pesticide Action Network once again filed suit in the U.S. Ninth Circuit Court challenging EPA's Oct. 27 registrations of dicamba products.

FREQUENTLY ASKED QUESTIONS

Why is Corteva discontinuing sales of FeXapan® herbicide in the U.S. and Canada?

Corteva continues to see strong demand and broad adoption of Enlist® technology for seed and Enlist™ herbicide crop protection solutions and this decision allows Corteva to focus customer and applicator training, sales and distribution resources on our leading Enlist™ weed control system.

Has Corteva received a new federal registration for FeXapan® herbicide? Why not?

No. The regulatory process is underway, but it has not yet been completed. We cannot speak for the EPA.

Why did Corteva apply for a federal registration of FeXapan® herbicide if it intended to discontinue sales?

Many factors were at play and the situation was fluid until this announcement. Our commercial plans have evolved based on customer demand and feedback.

Why did Corteva announce this now? Why not earlier?

Many factors were at play and the situation was fluid until this announcement.

When does this decision take effect?

The decision is effective immediately.

THE BOTTOM LINE: The Corteva Agriscience commercial team will support our customers in making their 2021 plans by recommending seed, crop protection and digital products to help farmers achieve their goals.

Did ongoing dicamba litigation factor into this decision?

Many factors were considered in this decision. Corteva is not party to litigation related to the dicamba products offered by other registrants.

Does this announcement impact the use of dicamba-tolerant seed products, such as Roundup Ready 2 Xtend® soybeans?

No, this announcement is specifically regarding FeXapan® herbicide.

Can farmers use dicamba herbicide products now?

All pesticides in the U.S. must pass multiple regulatory steps before products can be sold and used. Engenia®, Xtendimax® and Tavium® herbicides are federally registered at this time. Federal registrations clear the way for registrants to apply for state registrations. If both federal and state registrations are in place, then products may be sold and used in accordance with the label and any additional state guidelines in place.

If a U.S. farmer is currently in possession of FeXapan® herbicide, can the product be used?

No. The FeXapan® herbicide registration was cancelled on June 8, 2020, and we have not yet received a new federal registration. Further, even if we had the new registration, the label requirements have changed and FeXapan® herbicide does not have state authorization. Any product in a farmer's possession must be disposed of according to state and local laws, as it is unregistered.

Will Corteva address FeXapan® herbicide inventory in the retail and distribution channel?

Yes, Corteva will work with channel partners on FeXapan® herbicide inventory. Details will be released in a separate communication to distributors and retailers by the U.S. commercial crop protection team.

Are dicamba products effective?

Corteva believes that dicamba is an effective weed management tool when used according to the label and we support the rights of growers to access needed crop protection technologies.

Does Corteva support use of the dicamba-tolerant system?

Yes, Corteva supports the rights of growers to choose the technology options that work best for their operations. For example, Corteva offers Enlist E3® soybeans, Roundup Ready 2 Xtend® soybeans, LibertyLink® soybeans and conventional

soybeans in its seed portfolio. Growers can continue to expect trusted agronomic advice from their Corteva sales representative.

Are there alternative crop protection products to use with dicamba-tolerant seed products?

Yes. Farmers planting dicamba-tolerant seed will want to assess their options for integrated weed management solutions according to label directions for each product:

- Use of products currently registered for pre-emergent and over-the-top use with dicamba-tolerant crops: Xtendimax® herbicide, Engenia® herbicide and Tavium® herbicide
- Pre-emergent residual herbicides, such as Sonic® herbicide or DuPont™ Trivence® herbicide
- Post-emergent residual, such as DuPont™ EverpreX® herbicide
- Glyphosate products such as Durango® DMA® herbicide or DuPont™ Abundit® Edge herbicide
- Conventional herbicides, such as DuPont™ Synchrony® XP herbicide for soybeans and DuPont™ Staple® LX for cotton

What are Corteva's commercial plans for Roundup Ready 2 Xtend® technology?

Corteva has previously announced plans to transition away from Roundup Ready 2 Xtend® technology crops over the first half of this decade.

What are Corteva's commercial plans for Enlist E3® soybeans?

As communicated in January 2020, Corteva Agriscience is continuing to accelerate the ramp up of Enlist® technology for seed and Enlist™ herbicide crop protection solutions. These industry-leading, herbicide tolerant soybeans provide tolerance to the new 2,4-D choline in Enlist Duo® and Enlist One® herbicides, as well as to glyphosate and glufosinate herbicides. We continue to see strong demand for and broad adoption of Enlist E3® soybeans across all Corteva Agriscience seed brands and numerous seed companies that have licensed Enlist E3® soybean products. Planted acreage in 2020 was approximately 20 percent of the U.S. market, double original expectations. We expect industry demand for Enlist E3® soybeans to grow to greater than 30 percent in 2021, eventually peaking at around 50 percent of total soybean acres in the U.S. and Canada based on current assumptions.

The transgenic soybean event in Enlist E3® soybeans is jointly developed and owned by Dow AgroSciences LLC and M.S. Technologies, L.L.C.™ Trademarks of Corteva Agriscience and its affiliated companies. © 2021 Corteva. Approved for External Use



DO NOT APPLY DICAMBA HERBICIDE IN-CROP TO SOYBEANS WITH Roundup Ready 2 Xtend® technology unless you use a dicamba herbicide product that is specifically labeled for that use in the location where you intend to make the application. IT IS A VIOLATION OF FEDERAL AND STATE LAW TO MAKE AN IN-CROP APPLICATION OF ANY DICAMBA HERBICIDE PRODUCT ON SOYBEANS WITH Roundup Ready 2 Xtend® technology, OR ANY OTHER PESTICIDE APPLICATION, UNLESS THE PRODUCT LABELING SPECIFICALLY AUTHORIZES THE USE. Contact the U.S. EPA and your state pesticide regulatory agency with any questions about the approval status of dicamba herbicide products for in-crop use with soybeans with Roundup Ready 2 Xtend® technology.

ALWAYS READ AND FOLLOW PESTICIDE LABEL DIRECTIONS. Soybeans with Roundup Ready 2 Xtend® technology contain genes that confer tolerance to glyphosate and dicamba. Glyphosate herbicides will kill crops that are not tolerant to glyphosate. Dicamba will kill crops that are not tolerant to dicamba.

Roundup Ready 2 Xtend® and VaporGrip are registered trademarks of Monsanto Technology LLC used under license.

Enlist Duo® and Enlist One® herbicides are not registered for sale or use in all states or counties. Contact your state pesticide regulatory agency to determine if a product is registered for sale or use in your area. Enlist Duo and Enlist One are the only 2,4-D products authorized for use with Enlist crops. Consult Enlist herbicide labels for weed species controlled. Always read and follow label directions.

FeXapan herbicide Plus VaporGrip Technology is a Restricted Use Pesticide. For retail sale to and use only by Certified Applicators and only for those uses covered by the Certified Applicator's certification. FeXapan herbicide Plus VaporGrip Technology is not registered for sale or use in all states.