## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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CENTER FOR FOOD SAFETY,	Case No.
Petitioner,	) ) PETITION FOR REVIEW
V	) )
UNITED STATES	)
ENVIRONMENTAL	)
PROTECTION AGENCY, and	)
MICHAEL S. REGAN, in his	)
official capacity as	)
Administrator,	
Aummstrator,	) )
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Respondents.	)
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## PETITION FOR REVIEW

Pursuant to Section 16(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. § 136n(b), and Rule 15(a) of the Federal Rules of Appellate Procedure, Petitioner Center for Food Safety

hereby petitions this Court to review the order of the United States Environmental Protection Agency (EPA) approving the interim registration review decision for the fungicide difenoconazole (the Interim Registration). See Exhibit A.

Petitioner respectfully petitions this Court to hold that: (1) EPA violated its duties under FIFRA in approving the Interim Registration; and (2) EPA violated the Agency's duties under the Endangered Species Act (ESA), 16 U.S.C. §§ 1533-44, by failing to consult with the United States Fish and Wildlife Service or the National Marine Fisheries Service to insure that the Interim Registration will not jeopardize any listed species or destroy or adversely modify any of their critical habitats, see 16 U.S.C. § 1536(a)(2); and (3) to grant relief as may be appropriate.

The challenged order was announced in a document signed on March 31, 2022, EPA Docket No. EPA-HQ-OPP-2015-0401. *See* Exhibit A.

## Respectfully submitted this 13th day of June, 2022.

<u>/s/ Amy van Saun</u>
Amy van Saun
Center for Food Safety
2009 NE Alberta Street, Suite 207

Portland, OR 97211

T: (971) 271-7372

Email:

avansan@centerforfoodsafety.org

Sylvia Shih-Yau Wu Meredith Stevenson 303 Sacramento Street, Second Floor San Francisco, CA 94111 T: (415) 826-2770 Email: swu@centerforfoodsafety.org mstevenson@centerforfoodsafety.org

Attorneys for Petitioner