



HUNTON ANDREWS KURTH LLP
951 EAST BYRD STREET, EAST TOWER
RICHMOND, VIRGINIA 23219

TEL 804 • 788 • 8200

ELBERT LIN
DIRECT DIAL: 804 • 788 • 7202
EMAIL: ELIN@HUNTONAK.COM

April 22, 2021

VIA ELECTRONIC FILING

Mr. Mark Langer
Clerk of the Court
United States Court of Appeals for the District of Columbia Circuit
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Re: *Farmworker Association of Florida, et al. v. EPA*, No. 21-1079

Dear Mr. Langer:

Intervenor AgLogic submits this letter under Rule 28(j) of the Federal Rules of Appellate Procedure to notify the Court that on April 21, 2021, the Florida Department of Agriculture and Consumer Services denied AgLogic's application for state registration for new uses of aldicarb for oranges and grapefruit in Florida. Ex. A. While AgLogic intends to challenge that decision, the denial further confirms AgLogic's representation to this Court that there is simply no likelihood of Petitioners' claimed harm for at least six months. AgLogic Opp'n Br. at 14. It was, and is now even more, a certainty that aldicarb will not be permitted to be used on

oranges and grapefruit in Florida before April 30, 2021. The earliest date by which such application will be permitted is November 15, 2021. As AgLogic has argued, Petitioners' request for a stay is premature at best. *Id.* at 15.

DATED: April 22, 2021

Respectfully submitted,

s/ Elbert Lin

Elbert Lin

HUNTON ANDREWS KURTH LLP

951 East Byrd Street, East Tower

Richmond, Virginia 23219

elin@HuntonAK.com

(804) 788-8200

Erica N. Peterson

HUNTON ANDREWS KURTH LLP

2200 Pennsylvania Avenue, N.W.

Washington, DC 20037-1701

epeterson@huntonAK.com

(202) 955-1500

Counsel for AgLogic Chemical, LLC

CERTIFICATE OF SERVICE

I certify that on this 22nd day of April, 2021, a copy of the foregoing Federal Rule of Appellate Procedure 28(j) Letter was served electronically through the Court's CM/ECF system on all registered counsel.

s/ Elbert Lin
Elbert Lin