

PESTICIDE BOARD SUBCOMMITTEE MEETING

MINUTES OF MEETING

October 19, 2018

The Department of Agricultural Resource, 251 Causeway St., FL #5 Conference RM 1 Boston, MA

MEMBERS PRESENT

- Michael Moore, Chairperson, Director of Food Protection Program
 - Department of Public Health
- Hotze Wijnja, Ph.D., Designee for Commissioner John Lebeaux
 - Department of Agricultural Resources
- Kenneth Gooch, Designee for Commissioner Leo Roy
 - Department of Conservation and Recreation
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ALSO PRESENT:

- Susie Reed, Department of Agricultural Resources
- Bruce Taub,

I. PRODUCT REGISTRATIONS

a. Packet number 191010

VOTED

That the Pesticide Board Subcommittee registers the pesticide products in packet number 191010 with the exception of the following product:

1. Sulfentrazone 39.6% SC, EPA Reg. No. 85678-59

Moved: Hotze
Second: Gooch
Approved: 3-0

STATE RESTRICTED USE MOTIONS

RESTRICTED USE AS DEFINED UNDER THE GROUNDWATER REGULATIONS

Move: that the Pesticide Board Subcommittee has determined that the use of the following products:

1. Sulfentrazone 39.6% SC, EPA Reg. No. 85678-59 containing *Sulfentrazone*

may cause an unreasonable risk to man or the environment, taking into account the economic, social and environmental costs and benefits of use. This determination is based upon the leaching potential and toxicological concern of this substance as defined in the "Protection of Groundwater Supplies from Non-Point Source Pesticide Contamination" Regulations. Therefore, the Subcommittee hereby modifies the

registration classification of agricultural/commercial pesticide products containing *Sulfentrazone* from general to restricted use for groundwater concerns

Moved: Hotze
Second: Gooch
Approved: 3-0

II. NEW ACTIVE INGREDIENT

Bacillus pumilus strain BU F-33 is a bio-pesticide, formulated in PA 2030 Red Biofungicide, EPA Reg. No. 71840-19, label for use as a seed treatment of corn, its co-formulated with another *Bacillus* strain which is label for seed treatment in facilities.

Label has the signal word caution, environmental Hazard section, states it should not be discharge or applied to stream, lakes and rivers.

The mode of action of this compound is to colonizing germinating seeds, and active plants defense systems against pathogens.

The Environmental Protection Agency Bio Registration Action Document Information on the Bio-Pesticides is further summarized, the history of the application process, and review at EPA.

This organism was isolated from a cucumber plant at the university in Alabama, where they identified the potential of this organism to enhance the plant defense system, can also be used on various plant seeds.

Toxicity information summarize in this document indicates this organism was found not toxic, infective or pathogenic by a single dose, EPA waived requirements for pulmonary testing of this substance, higher tiers studies were also waived based on the finding.

Tolerance exemption for food and feed was establish, based on information they had for this substance, dietary risk is not expected, based on use and properties, there is no unreasonable adverse effects.

Risk to non-target organism is expected to be minimum, based on studies submitted and information available, there is no unreasonable adverse effects expected from the use of this organism, likely exposure could occur to birds, and mammal that consume treated seeds.

The Environmental Protection Agency registered this strain in 2013, without further condition for studies; this product does meet groundwater regulation.

Move that the Pesticide Board Subcommittee approve the product registrations for the following pesticide products. These products contain the active ingredient *Bacillus pumilus Strain BU-F-33* and have never before been registered in Massachusetts.

1. BA 2030 Red Biofungicide, EPA Reg. No. 71840-19

Moved: Hotze
Second: Gooch
Approved: 3-0

Flutianil is formulated in Gatten Fungicide, EPA Reg. No. 11581-6-71711, labeled for use on apples,

cherries, cantaloupes, cucumbers, grapes, squash, and strawberries, for control of powdery mildew, this is another tool for grower, especially with rotating different mode of action that helps prevent development of resistance to seed treatments.

The label has the signal word warning, due to potential eye injury.

Environmental Hazards statement indicates not to discharge residues in water.

Restricted-Entry Interval (REI) is 12 hours, this chemical is intended for professional uses, it's applied thru ground spray equipment, has low application rate in terms of active ingredient amount per acre, spray drift language on label to minimize off target migration of applied material. One benefit of this product is no rotational crop restrictions.

The Environmental Protection Agency document granted chemical on reduce risk status based on the favorable human health risk profile and ecological risk profile.

The EPA document indicates the active ingredient itself is not irritating to the eyes but the formulation is irritating to the eyes category II. There were no treatments related affects in the studies done for sub-chronic effects, neurotoxicity, immunotoxicity, and developmental toxicity.

There were no evidence of carcinogenetic affects in studies done with flutianil; it's classified as not likely to be carcinogenic to humans. The absent of toxic effects in animal studies there were no, there were no acute and chronic dietary risk assessment, because there were no end-points available. Overall the use pattern and properties of this substances, the dietary risk was assessed to be minimum.

The fate of chemical exposure is expected is to be minimum.

Occupational risk assessment was based on inhalation exposure, which was below the level of concern.

Environmental fate of this chemical is characterize by having very low water solubility, slightly volatile, bioaccumulation was not of concern, strongly binds to soil, photolysis is route of degradation, both on soil and in water, its persistent in soil, half-life over 365 days, some degrades are mobile but not as toxic as parent compound.

Eco-toxicity assessment showed flutianil is practically non-toxic to birds, mammals, fish, insects, and aquatic life.

Benefits of flutianil, it provides a new mode of action, which is helpful for resistance management purpose, it's important for the control program for powdery mildew, very low application rate compared to registered alternatives.

The reduce risk status sign by EPA indicates this new active ingredient is a benefit compared to other alternatives, also no rotation restriction, which is a benefits for grower. This product is unconditional registered by EPA, does not meet groundwater regulations.

Move that the Pesticide Board Subcommittee approve the product registrations for the following pesticide products. These products contain the active ingredient ***Flutianil*** and have never before been registered in Massachusetts.

1. Gatten Fungicide, EPA Reg. No. 11581-6-71711

Moved: Hotze
Second: Gooch
Approved: 3-0

Lipochitooligosaccharide (LCO) SP104 is formulated in Acceleron B-360 ST, EPA Reg. No. 524-639, label for use on corn seed treatment, in commercial seed treatment facility.

LCO SP104 is a bio-chemical, consider a plant growth regulator (PGR), this class of LCO compound are signaling molecules playing a role in the plant microbe endosymbiosis, it's a naturally occurring and produce by bacteria, its naturally present in most plants consumed with fruits and vegetables, act as a plant growth regulator (PGR) which basically increases the growth and decrease plants stress.

The registration decision document indicates SP104 is not acutely toxic nor dermal sensitizer, EPA doesn't require signal word on label, based on acute toxicity data, registrants can use the signal words caution, but not required.

The acute toxicity data results for sub-chronic and chronic studies data studies were waived, based on information found in acute toxicity studies, no dietary risk was assessed By EPA, also the compound biodegrades quickly.

Occupational risk is expected to be negligible; no toxicity end-points were available to do quantitative risk assessment.

Ecological risk basic studies indicates, its practical non-toxic to birds with low exposure potential by eating some treated seeds, also found to be practically non-toxic to bee and aquatic organism with no adverse effects found to plants.

The benefits of registering seed treatment is to reduce the amount of fungicide and insecticide use, has low toxicity profile both to human health and Eco risk, it a naturally occurring class of compounds, EPA registered this product unconditional. This product does not meet groundwater regulation.

Move that the Pesticide Board Subcommittee approve the product registrations for the following pesticide products. These products contain the active ingredient ***Lipo-chitooligosacharide (LCO) SP104*** and have never before been registered in Massachusetts.

1. Acceleron B-360 ST, EPA Reg. No. 524-639

Moved: Hotze
Second: Gooch
Approved: 3-0

III. CONSIDERATIONS OF SPECIAL LOCAL NEED LABEL EXTENSION REQUEST

The Subcommittee considering a request to extend Special Local Need (SLN) label, current label expires 12/31/2018, Environmental Protection Agency now requires SLN labels to have an expiration date of 5 years, previous SLN was registered until registrant requested them canceled, the registrant and person who supported the SLN would have to show the need for this SLN use.

In 2016 subcommittee approved the SLN for Avipel Dry (Hopper box), the registrant is requesting one year extension of the existing SLN, providing the grower with this product, which is a seed treatment product for corn that is used by grower as they plant seeds, product is mix with seeds prior to coating, the purpose is to repel back birds and crows from consuming planted seeds.

The SLN application was supported by UMass Extension, letter of support provided by Susan B. Scheufele, indicating the problem still exist for grower, if product is not available they would have accept damage, product does not kill birds.

The Department of Agricultural Resources requested the registrant to resubmit the SLN application forms, with the new date.

Move: That the Pesticide Board Subcommittee hereby grants a Special Local Needs Label Extension request (24C) registration for Avipel Dry (Hopper Box) (SLN No. MA-160002) to repel blackbirds and crows depredation of field and sweet corn seed. Request is to extend label expiration to 12/31/2019.

Moved: Hotze
Second: Gooch
Approved: 3-0

MOTION TO ADJOURN THE MEETING

It was moved, seconded and passed unanimously.

VOTED

To adjourn the October 19. 2018 Subcommittee Meeting.

Moved: Hotze
Second: Moore
Approved: 3-0

Meeting adjourned at 10:00 a.m.