

The Commonwealth of Massachusetts

Executive Office of Energy and Environmental Affairs



Department of Agricultural Resources

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www.mass.gov/agr



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PESTICIDE BOARD SUBCOMMITTEE MEETING MINUTES

Tuesday, January 18, 2022

Zoom Meeting: <https://us06web.zoom.us/j/81394230672?pwd=VzJTVUdMVVNIRGo3NW4rS2VoS0JEdz09>

Meeting ID: 813 9423 0672

Passcode: 931229

BOARD MEMBERS IN ATTENDANCE

Michael Moore, DPH, Food Protection Program, (Chair)	Present
Taryn LaScola-Miner, MDAR, Designee for Commissioner Lebeaux	Present
Marc Nascarella, DPH, Designee for Commissioner Cooke	Present
Nicole Keleher, DCR, Designee for Commissioner Cooper	Absent
Richard Berman, Commercial Applicator	Present

The Board did meet or exceed the minimum number (3) of members present to form a quorum and conduct business.

A. REVIEW OF MINUTES FOR NOVEMBER 16, 2021:

Motion: R. Berman

Second: M. Nascarella

Discussion: None

In Favor: M. Moore, R. Berman, T. LaScola-Miner, M. Nascarella

Opposed: None

Abstained: None

B. PRODUCT REGISTRATIONS

Motion: That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR January 18, 2022, Subcommittee cover sheet with the exception of the following products:

- DUPONT Trivence Herbicide, (EPA Reg. No. 352-887);
- Spinner Insecticide, (EPA Reg. No. 100-1424); and
- Mission Herbicide, (EPA Reg. No. 71512-18-88783)

Moved: R. Berman

Second: M. Nascarella

Discussion: None

In Favor: M. Moore, T. LaScola-Miner, R. Berman, M. Nascarella

Opposed: None

Abstained: None

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

- DUPONT Trivence Herbicide, (EPA Reg. No. 352-887), containing metribuzin; and
- Spinner Insecticide, (EPA Reg. No. 100-1424), containing thiamethoxam

may cause an unreasonable risk to man or the environment, when taking into account the economic, social and environmental costs and benefits of their 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 **Thiamethoxam and Metribuzin** from general to restricted use for groundwater concerns.

Moved: R. Berman

Second: M. Nascarella

Discussion: None

In Favor: M. Moore, T. LaScola-Miner, R. Berman, M. Nascarella

Opposed: None

Abstained: None

C. SECTION 18 EMERGENCY EXEMPTION REQUEST

The Pesticide Board Subcommittee considered the Recertification Request for Pronamide (Kerb SC, 35.6% a.i., EPA 62719-578) in the 2022 Use Season for the Control of Dodder in Cranberries. Supporting materials were included in the meeting packet. Wijnja introduced the request and noted that this is a repeat request, the same Section 18 exemption was granted by U.S. EPA for the last three growing seasons. The recertification request materials include information that indicates that emergency conditions still exist. The process at EPA to add the use on cranberries to the Kerb SC label is ongoing. Information from the registrant Corteva Agriscience indicates that the Section 3 registration of Kerb Herbicide on the cranberry will not be available in time for the 2022 use season. Dr. Hillary Sandler, UMass Cranberry Station, was in attendance and provided additional information to support this request. Sandler pointed out that dodder weed in cranberry bogs continues to be a problem for certain growers. Dodder appears not to be as abundant in cranberry bogs as during the 1990s and 2000s. There is anecdotal information that suggests that the use of the Bravo fungicide (chlorothalonil), may be a factor. Due to export of cranberries, there is less use of Bravo and this coincides with less occurrence of dodder in cranberry bogs.

Motion: That due to the lack of currently registered pesticide products for the control of the emergency pest problem, the Pesticide Board Subcommittee approves of a FIFRA Section 18 Emergency exemption petition for the use of Kerb SC, (EPA Reg. No 62719-578), containing the active ingredient **pronamide** for the control of weed pest dodder in cranberries.

This motion also takes into account the following data provided by the Department, the University of Massachusetts Cooperative Extension, and product registrant:

- Recertification Request from the University of Massachusetts Cooperative Extension;
- Registrant's letter of support;
- Proposed supplemental labeling; and
- Any other data or conditions as included.

Moved: R. Berman

Second: T. LaScola-Miner

Discussion: None

In Favor: M. Moore, T. LaScola-Miner, R. Berman, M. Nascarella

Opposed: None

Abstained: None

D. NEW ACTIVE INGREDIENT

Flazasulfuron, formulated in Mission Herbicide, EPA Reg. No. 71512-18-88783, is labeled for weed control in grapes, citrus, tree nuts, olives and conifer trees. The meeting packet included the product label & SDS, and EPA's registration information. EPA registration information and additional supporting documents are available at www.regulations.gov, in docket "EPA-HQ-OPP-2010-0043" and in docket "EPA-HQ-OPP-2011-0994".

Wijnja summarized the information at the meeting. Flazasulfuron is a sulfonylurea herbicide and was first registered by EPA in 2007, and first food use was registered in 2012. The active ingredient was also part of registration review of the sulfonylurea herbicides, for which an interim decision was issued in 2017. The product label carries the signal word 'Caution' and includes surface water advisory language to address potential for runoff. The potential for off-target movement of applied product is addressed by detailed spray drift management language. Restrictions include the use of a 25-ft buffer around sensitive areas.

Relative to human health, this compound has a low acute toxicity profile. Chronic studies indicated that kidney and liver were target organs. Developmental effects observed in rats and rabbits included fetal weight and ossification effects. Reproductive effects in rat showed body weight and kidney effects in off-spring at dose levels that were also toxic to parents. Neurotoxicity data showed transient decrease of the motor activity that were found to be due systemic effects and not neurotoxic effects. Chronic studies did not show evidence of carcinogenicity and the compound is not genotoxic or mutagenic. Endpoints for risk assessments were established and the FQPA safety factor was reduced to 1X based on the available database and study results.

The dietary risk assessment showed that exposure to residues in food and drinking water were below the level of concern for the general population as well as for infants and children. Inhalation exposure and risk were qualitatively evaluated and assessed to be of low concern given the low volatility and low toxicity profile. EPA Occupational risks for handlers and post-application exposures were found to be below the level of concern.

The environmental fate characteristics of this compound show that it is susceptible to hydrolysis and photolysis with half-lives in the range of 15-18 days. Metabolic degradation showed similar half-life value, likely driven by hydrolysis. Major degradates appear to be susceptible to photolysis. The compound is mobile in soils and therefore susceptible to leaching and runoff. The compound has low volatility and is not bioaccumulative.

Relative to ecological risk, flazasulfuron has a low toxicity profile, except for toxicity to plants. Acute and chronic risks to fish, aquatic invertebrates, birds, mammals, and terrestrial invertebrates were below the level of concern. Risks to plants were identified and are mitigated by label language for spray drift management.

First food uses in 2012 were conditionally registered and data requirements included immunotoxicity and neurotoxicity studies. These studies were fulfilled as indicated in the 2017 registration review documents. The registration review information also evaluated that groundwater advisory label language was not required, while surface water advisory language remains on the labels.

Relative to the Massachusetts Groundwater protection regulations (333 CMR 12.00), flazasulfuron does not meet the criteria for potential groundwater pollutant.

Move that the Pesticide Board Subcommittee approve the product registration for Mission Herbicide, EPA Reg. No. 71512-18-88783, containing the new active ingredient Flazasulfuron and has never before been registered in Massachusetts.

Moved: R. Berman

Second: T. LaScola-Miner

Discussion: None

In Favor: M. Moore, T. LaScola-Miner, R. Berman, M. Nascarella

Opposed: None

Abstained: None

E. NEW BUSINESS

Berman provided information about the EPA announcement relative to the Endangered Species Act (ESA) protection policy for new pesticides. Going forward, EPA will conduct ESA assessments as part of the registration of new conventional pesticides.

LaScola provided an update relative to the Glyphosate Commission and stated that the request for quotes (RFQs) was reposted and deadline was extended to January 17, 2022.

ADJOURN

Motion: To adjourn the January 18, 2022 Subcommittee Meeting.

Moved: R. Berman

Second: T. LaScola-Miner

In Favor: M. Moore, T. LaScola-Miner, R. Berman, M. Nascarella

Opposed: None