

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, November 16, 2021

Zoom Meeting at:

<https://us02web.zoom.us/j/85146826539?pwd=RHMwL05VVVhnMzJvK1dwRmVpTzM3Zz09> Meeting ID:

851 4682 6539

Passcode: C0r4ux

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	Absent
Nicole Keleher, DCR, Designee for Commissioner Cooper	Present
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 AUGUST 17, 2021

Motion: R. Berman

Second: N. Keleher

Discussion: None

In Favor: M. Moore, R. Berman, N. Keleher

Opposed: None

Abstained: T. LaScola-Miner

REVIEW OF MINUTES FOR SEPTEMBER 21, 2021

Motion: R. Berman

Second: N. Keleher

Discussion: None

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

Opposed: None

Abstained: None

B. PRODUCT REGISTRATIONS

Motion: That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR November 16, 2021, Subcommittee cover sheet with the exception of the following products:

- Speedzone EW Lawn Weed Killer, (EPA Reg. No. 2217-1064), containing 2,4-D; and
- Aquesta 4 F, (EPA Reg. No. 91234-32), containing sulfentrazone.

Moved: R. Berman

Second: N. Keleher

Discussion: None

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

Opposed: None

Abstained: None

Motion: That the Pesticide Board Subcommittee has determined that the use of Aquesta 4 F, EPA Reg. No. 91234-32, containing Sulfentrazone 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 **Sulfentrazone** from general to restricted use for groundwater concerns.

Moved: R. Berman

Second: T. LaScola-Miner

Discussion: None

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

Opposed: None

Abstained: None

Motion: That the Pesticide Board Subcommittee has determined that the use of Speedzone EW Lawn and Weed Killer (EPA Reg. No. 2217-1064), containing 2,4-D at 25.86% as restricted use pursuant to the Subcommittee's decision on April 14, 1989, to register products containing 20% or more of 2,4-dichlorophenoxyacetic acid (2,4-D) and/or its derivatives as state restricted use.

Moved: R. Berman

Second: T. LaScola-Miner

Discussion: None

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

Opposed: None

Abstained: None

C. EPA's WORKING DEFINITION OF PFAS

Hotze Wijnja, Environmental Chemist with MDAR, reviewed the information that was presented at the October 19, 2021, Subcommittee meeting as a refresher and starting point for considerations relative to EPA's working definition for PFAS in the context of pesticides. As pointed out during the October meeting, there is one active ingredient, pyrifluquinazon, in currently registered products in Massachusetts that meets EPA's working definition for PFAS. There are two products registered in MA that contain this active ingredient pyrifluquinazon. Moore asked if the Subcommittee votes to accept EPA's PFAS working definition, would it currently only affect two products and if the number of affected products would significantly increase in the future. Wijnja stated that one other active ingredient registered with EPA meets the definition. Therefore, it is not expected that the number of affected products would substantially increase. Moore further asked if the affected registrants would be notified upon a decision by the Subcommittee to accept the working definition of PFAS. LaScola stated that the first action would be vote on a motion to accept EPA's working definition for

evaluation of currently registered pesticides and new pesticides requested to be registered in MA. Upon accepting the working definition, the Subcommittee could consider a motion to inform affected registrants about potential action. Moore indicated that he would entertain a motion to accept the definition, but that he would abstain from voting. LaScola indicated to be ready to move if other members were ready to vote. Berman and Keleher indicated that they would like to wait with voting until Nascarella is present and has an opportunity to weigh in. Therefore, a motion to accept the definition was tabled.

D. PYRIFLUQUINAZON-BASED PRODUCTS

Wijnja presented a summary of information related to the two pyrifluquinazon-based products. Documents included in meeting package were labels, safety data sheets, Subcommittee meeting minutes from 2014 (notes on the information related to registration of pyrifluquinazon as a new active ingredient in MA), and the 2018 Registration Decision for the first food and outdoor uses for Pyrifluquinazon.¹

The two products are Rycar Insecticide, EPA Reg. No. 71711-37-67690, registered in 2014, labeled for use in greenhouses on ornamental plants, and PQZ insecticide, EPA Reg. No. 71711-37, registered for use on outdoor crops in 2018.

Wijnja summarized the information in the 2018 EPA Registration Decision document, including use pattern, toxicity profile, human health risk assessment, environmental fate, ecological risks, benefits assessment, and regulatory decision and rationale. The EPA concluded that the use of this insecticide would not cause unreasonable adverse effects to human health and the environment, and it meets the criteria for unconditional registration under FIFRA.

E. NEW BUSINESS

Berman inquired about updates relative to the discussion of 25B products during the last few meetings. Berman sought clarification on why it is considered to be difficult to implement the registration of 25B products in the online product registration system [EEA ePLACE Portal]. LaScola stated that one of the challenging aspects is the fact that 25B products are not registered by EPA and that the online relies in part on the EPA information.

Therefore, it should first be evaluated what a 25B registration process would look like before one can evaluate how it could fit in the existing registration system. Berman suggested that the Subcommittee have such a discussion in the near future.

Berman also asked about the status and timeline for updating the regulations for licensing and certification, which may also address a licensing requirement for 25B products. LaScola indicated that it is a high priority item, particularly since it is needed to be in compliance with FIFRA.

ADJOURN

Motion: To adjourn the November 16, 2021, Subcommittee Meeting.

Moved: R. Berman

Second: T. LaScola-Miner

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

Opposed: None

¹ This EPA document and additional supporting documents are available at www.regulations.gov, in docket "EPA-HQ-OPP-2011-0971-0029"