

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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Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Ashley E. Randle
Commissioner

PESTICIDE BOARD SUBCOMMITTEE MEETING MINUTES

December 16, 2025

BOARD MEMBERS IN ATTENDANCE

Michael Moore, DPH, Food Protection Program, (Chair)	Present
Taryn LaScola, MDAR, Designee for Commissioner Randle	Present
Meg Blanchet, DPH, Designee for Commissioner Goldstein	Present
Eric Seaborn, DCR, Designee for Commissioner LaChapelle	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 SEPTEMBER 23, 2025 AND OCTOBER 28, 2025

Motion: R. Berman

Second: T. LaScola

Discussion: None

In Favor: E. Seaborn, M. Moore, T. LaScola, M. Blanchet, R. Berman

Opposed: None

Abstained: None

B. PRODUCT REGISTRATIONS

Motion That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR December 16, 2025, Subcommittee cover sheet with the exception of the following products:

1. TrueSet II, EPA Reg. No. 91234-200,
2. CruiserMaxx Vibrance Elite, EPA Reg. No. 100-1751,
3. Javaro, EPA Reg. No. 93930-108,
4. LESCO Three-Way Ester 2 Herbicide, EPA Reg. No. 2217-965-10404, and
5. TS201 Bioinsecticide, EPA Reg. No. 95699-2.

Moved: R. Berman

Second: T. LaScola

Discussion: None

In Favor: M. Blanchet, R. Berman, T. LaScola, M. Moore, E. Seaborn

Opposed: None

Abstained: None

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

1. TrueSet II, EPA Reg. No. 91234-200, containing acetochlor,
2. CruiserMaxx Vibrance Elite, EPA Reg. No. 100-1751, containing thiamethoxam and sedaxane,
3. Javaro, EPA Reg. No. 93930-108, containing acetochlor, and
4. LESCO Three-Way Ester 2 Herbicide, EPA Reg. No. 2217-965-10404, containing MCPA

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 these substances 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 **acetochlor, thiamethoxam, sedaxane, and MCPA** from general to restricted use for groundwater concerns.

Moved: R. Berman

Second: T. LaScola

Discussion: None

In Favor: M. Blanchet, R. Berman, T. LaScola, M. Moore, E. Seaborn

Opposed: None

Abstained: None

C. SECTION 18 EMERGENCY EXEMPTION RENEWAL REQUEST

The Pesticide Board Subcommittee considered a recertification request for pronamide, formulated in Kerb SC herbicide, EPA No. 62719-578, for the 2026 use season on cranberries to control dodder for control of dodder weed in cranberry. Wijnja of MDAR Pesticide Program staff provided a brief summary and history of the emergency request. This is a recertification request for Section 18 that was first granted in 2019 and recertified in subsequent years. The Environmental Protection Agency (EPA) is in the process of adding the use of cranberries to the Section 3 label and the registrant has submitted the requested data to EPA to complete the registration review of this herbicide. In the meantime, EPA has used the Section 18 option to make this product available to address emergency situations such as control of heavy infestations of dodder in cranberry.

The meeting package included:

- Request letter from Dr. Katherine Ghantous, UMass Cranberry Station
- Support letter from the registrant
- Support letter from the Cranberry Institute
- Expedited Emergency Exemption Request form
- Use report for the 2025 season
- Section 18 Use Instructions for Kerb SC to control dodder in cranberry in MA

Dr. Katherine Ghantous, UMass Cranberry Station, was in attendance and provided additional information to support this request. Ghantous indicated that the few growers using the product have been pleased with the results. Kerb SC Herbicide is a critical tool for a small group of growers that face heavy infestations of dodder. There is no alternative pesticide available to provide effective control of this weed pest.

Berman asked how extensive the dodder pest is in other cranberry growing states. Ghantous indicated that dodder is also found in other cranberry growing states such as New Jersey and Wisconsin, but it is particularly a problem in MA. She indicated that UMass scientists are actively researching this aspect, including plant weed genetics. LaScola asked whether growers who have been using Kerb herbicide have

achieved control of dodder infestations on their bogs. Ghantous shared the example of a grower who had documented severe crop losses in the past due to dodder achieved control by having this herbicide available. Ghantous also pointed out that this herbicide is critical in achieving long-term control given that dodder has long-lived seed bank in the soil.

Move: 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 information 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

Discussion: As noted above

In Favor: M. Blanchet, R. Berman, T. LaScola, M. Moore, E. Seaborn

Opposed: None

Abstained: None

D. NEW ACTIVE INGREDIENT MOTION

Miller presented information on the new active ingredient (AI) ***Methylobacterium extorquens* strain NLS0042**, formulated in the product TS201 Bioinsecticide (EPA Reg. No. 95699-2), for use in corn to prevent corn rootworm larval feeding damage.

TS201 Bioinsecticide is a broad-spectrum, preventative product containing a minimum of one billion colony forming units (cfu) of the active ingredient per gram, 2% of the formulation by weight. *Methylobacterium extorquens* is a ubiquitous bacterium in the soil and plant rhizosphere. It does not directly target insects – instead, its mode of action is improving plant nutrient acquisition and disease resistance. This particular strain was isolated from soybean leaves in Missouri in 2012.

Handling Precautions: The TS201 label signal word is 'Caution'. Handlers must wear baseline personal protective equipment to cover skin as well as waterproof or chemical-resistant gloves. Mixers, loaders, and applicators also must wear specified NIOSH-approved particulate or air-purifying respirators. The restricted entry interval is 4 hours.

The label contains a short environmental hazard statement that prohibits direct application to water, areas where surface water is present, or to intertidal areas below the mean high watermark.

Uses: The submitted market label is only for seed treatments of various corn crops, either for growers to apply using a hopper box or for commercial seed treatments. This product does not contain a dye, and users must add that separately where required by law. It is noted that EPA approved stamped label changes for this formulation that expand use to leaf applications for a number of fruit and vegetable crops as well as hemp and tobacco. The target organism is corn rootworm larvae, though efficacy has been shown against feeding impacts of other insects as well. The pre-harvest interval (PHI) is zero days and the maximum label application rate is 0.5 oz product/100 lb. seed.

Human Health: The EPA human health risk assessment is based on guideline studies primarily using the TS201 end product. The acute oral toxicity and pathogenicity requirements were met using the rationale of the end product being classified as toxicity Category 4 (lowest, least toxic level) for acute oral exposures in rats. The acute pulmonary toxicity/pathogenicity study showed no effects from the technical grade active ingredient (TGAi) at approximately 30 million cfu/animal. It is Category 4 for all acute exposure routes and no toxicological endpoints were identified. No hypersensitivity effects to the TGAi were reported. EPA denied the inhalation study waiver request and will require results to be submitted using the end product in the future but does not consider this data gap significant enough to delay registration. Instead, EPA increased the filtration level of the required respirators to mitigate any unknown occupational inhalation risks.

EPA established a tolerance exemption for residues of NLS0042 in or on all food commodities. Since no adverse effects were observed, a quantitative exposure assessment was not conducted. Dietary and drinking water exposure is expected to be negligible and it was noted that this strain is already ubiquitous in the environment without presenting any known negative impacts to humans. The low use rates will not significantly increase concentration of this AI in the environment above natural levels. There are currently no residential uses proposed. EPA notes that this bacterial strain may be more resistant to chlorination than others, but water treatment plant pH adjustments, high temperatures, and anaerobic conditions are expected to reduce its survival. EPA concludes that there is a reasonable certainty of no harm resulting to the US population, including infants and children, from aggregate exposure.

Ecological Risks: The ecological risk assessment found no adverse effects of concern for terrestrial organisms. Two guideline studies were submitted on quails and honey bees and no adverse effects were observed in these through Day 12. The main routes of exposure for seed treatments are expected to be consumption of seed by birds and wild mammals as well as contact immediately around the seeds. Some dust exposure is also possible, but this is thought to be at very low concentrations. Ground-dwelling insects are expected to have exposure early in the season, but not mid- or late in the growing season if they move into foliage.

Literature data demonstrate that NLS0042 is not directly toxic or pathogenic to the targeted cornworm larvae because exposure results in induced systemic resistance in plants. Therefore, it is unlikely to affect invertebrates not feeding directly on the plants. There are no reports in the public literature of this bacterium adversely affecting insects and EPA notes that literature studies have found that the natural levels in plants can be up to a million cfu/gram plant issue.

All aquatic organism data requirements were satisfied via scientific rationales. One literature study showed no effects on grunt, salmon, or shrimp when fed up to 10 - 25% *M. extorquens* bacteria in a compound feed. Exposure to aquatic organisms is thought minimal from soil and seed treatments. EPA made a 'No Effect' determination in its Endangered Species Act review for direct and indirect effects to federally listed threatened and endangered species and their designated critical habitats.

Groundwater Protection: *Methylobacterium extorquens* strain NLS0042 does not meet the criteria for being classified as a potential groundwater contaminant in Massachusetts.

Move: that the Pesticide Board Subcommittee approve the product registration for TS201 Bioinsecticide, EPA Reg. No. 95699-2, containing the new active ingredient *Methylobacterium extorquens* strain NLS0042, which has never before been registered in Massachusetts.

Moved: R. Berman

Second: T. LaScola

Discussion: None

In Favor: M. Blanchet, R. Berman, T. LaScola, M. Moore, E. Seaborn

Opposed: None

Abstained: None

E. RODENTICIDE SCIENTIFIC REVIEW

LaScola introduced the proposal to have a virtual public comment period relative to the individual review of rodenticides. The idea is to provide an opportunity for the public to provide oral comments during a special Subcommittee meeting. Subcommittee members shared thoughts about this proposal and brought up aspects that they found important related to the planning and running of a virtual public comment meeting. Aspects brought up included the logistics of such a meeting, and recognition of the importance and benefits of providing the public with another opportunity to share comments directly with the Subcommittee. It was pointed out that registration of attendees who would like to speak would be helpful with organizing and running such a meeting. It was also pointed out that meeting attendees who did not register would be given an opportunity to speak if time allows. It should also be made clear that written comments will be accepted. Relative to the timing of such a meeting, LaScola suggested that the meeting would be held prior to meetings where the individual review would be discussed and deliberated on. This would also allow a summary of comments provided during this public comment opportunity to be included in the individual review information packet. Berman asked when such a meeting could potentially be held. LaScola indicated that MDAR would consider availability of Subcommittee members and allow ample time for notification, which would be at least 21 days prior to the meeting date. The earliest time to schedule such a meeting would be the end of February 2026.

Move: that the Pesticide Board Subcommittee will hold a public comment period relative to the individual review of rodenticides and that the comment period will be held virtually as well as accepting written comments.

Moved: T. LaScola

Second: E. Seaborn

Discussion: As noted above

In Favor: M. Blanchet, T. LaScola, M. Moore, E. Seaborn

Opposed: R. Berman

Abstained: None

E. NEW BUSINESS

No new business was brought forward.

G. ADJOURN

Motion: To adjourn December 16, 2025, Subcommittee Meeting.

Moved: R. Berman

Second: M. Moore

Discussion: None

In Favor: M. Blanchet, R. Berman, T. LaScola, M. Moore, E. Seaborn

Opposed: None

Abstained: None

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