

The Commonwealth of Massachusetts

Executive Office of Energy and Environmental Affairs



Department of Agricultural Resources

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PESTICIDE BOARD SUBCOMMITTEE MEETING MINUTES

April 6, 2021

Zoom Meeting at:

<https://zoom.us/j/92019407974?pwd=Wk9hWG4zVXVaMm9UMjl1NFAydXZhQT09>

Meeting ID: 920 1940 7974; Passcode: 622983

BOARD MEMBERS IN ATTENDANCE

Michael Moore, DPH, Food Protection Program, (Chair)	Present
John Lebeaux, MDAR Commissioner	Present
Marc Nascarella, DPH, Designee for Commissioner Bharel, MD	Present
Eric Seaborn, DCR, Designee for Commissioner Montgomery	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.

B. Section 18 Emergency Exemption Request

Motion: That the Pesticide Board Subcommittee approves the Section 18 emergency request for Grignard Pure based on the current state and federal COVID-19 emergency declarations. While the active ingredient triethylene glycol is not a new active ingredient and occurs in currently registered products, this emergency exemption allows treatment of indoor air to control the novel Corona virus. Therefore, the Subcommittee approves the emergency exemption in accordance with the conditions and specifications in the document submitted on March 4th, 2021.

Moved: R. Berman **Second:** E. Seaborn **Discussion:** see below

In Favor: R. Berman, E. Seaborn

Opposed: M. Moore, M. Nascarella, T. LaScola-Miner

Abstained: None

As a follow-up to the March 16, 2021 meeting, the Subcommittee continued the discussion relative to the

request for a public health emergency exemption pursuant to Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) for the use of triethylene glycol formulated as Grignard Pure, an unregistered product for air treatment in indoor spaces in Massachusetts to control the spread of the novel coronavirus (Severe Acute Respiratory Syndrome Coronavirus 2 or SARS-CoV-2).

LaScola reiterated the question that to the Department of Public Health on whether this request would fall within an emergency exemption in the context of the current Covid pandemic situation. The question was where this request fits in with the current effort to address the pandemic given that vaccination programs have been implemented and that the product is on a path for full registration by EPA. It is considered an interesting and good tool, but the question is whether this product currently needed in Massachusetts to address the emergency situation.

Nascarella stated that the question was brought to the Department and a discussion took place with the state epidemiologist, the state medical director of bureau of infectious diseases, and the DPH commissioner. The assessment was that, at this time, DPH does not feel that the lack of this product creates a public health emergency. The Department sees the value in the product like this but desire not to invoke an emergency status. At the same time, DPH does not preclude the normal review process by EPA and considering this tool in future.

Additional comments and discussion by the Subcommittee and the Grignard team, the applicant of the request, included the following:

A question by Berman about currently registered products containing the active ingredient TEG. MDAR staff clarified that about 17 products were registered and noted that some of them were labeled as air sanitizers, but not specifically to address the Covid-19 virus. The currently registered products are also lower in TEG concentration compared to the Grignard Pure product.

Bill Jordan, with the Grignard team, stated that while the TEG concentration in Grignard Pure is higher than in currently registered products, the toxicity of the product falls in Category IV, which is the lowest toxicity category, for all exposure routes. Therefore, the TEG concentration in the product is not a safety issue. The concentration of TEG in air upon application of Grignard Pure is comparable to that of currently registered products. Jordan also pointed out that EPA that emergency approval in certain states and that it is a helpful tool to address public health emergency related to Covid-19 virus.

Berman also asked about whether additional states had taken action and submitted requests. Etienne Grignard stated that Texas, Pennsylvania, and Nevada had submitted requests.

Grignard team member Dr. Caravanos questioned whether it is correct to say that it is not an emergency and believes it is not a correct public health statement. Furthermore, he points out that there is no other chemical that can be used for air treatment. This tool has been used for many years in situations with exposure to humans and is proven to be safe for humans and animals. He believes it is a tool that is needed in U.S. to address the current Covid-19 pandemic.

In response to Dr. Caravanos' statements, Nascarella provided clarification in that it is without dispute that the current situation is a public health emergency, both in terms of state of the epidemic in MA as well as the state and federal designations for the public health situation. The question to DPH relative to this emergency request was whether the lack of a product like this creates a public health emergency. That was the evaluation that was requested from DPH. Nascarella also stated that he suspects as more information on the value and efficacy of this product would become available, the Subcommittee would reconsider a request for this product in MA.

Etienne Grignard stated that the current CDC guidance indicates that exposure through the air is seen as a threat and that there is no other technology that can accomplish the treatment efficacy as is achieved with Grignard Pure. The product would add an additional level of safety with addressing this public health crisis. Jordan added that the data on reduction of exposure through air with Grignard Pure achieve levels of 98%, which exceeds the efficacy of wearing masks and keeping social distance. He also states that this tool is valuable in an approach to

layer strategies to improve protection. In terms of risk trade-offs, Jordan pointed out that it is clear that adding this tool is effective in reducing Covid-19 risks without adding significant risks from the use of the product.

LaScola reiterated what was also stated at the previous meeting in that she recognizes the value of this product, but the evaluation here is focused on whether this request meets the criteria for a public health emergency exemption. While similar requests may have been approved in other states, emergency situations are state specific and therefore requests are evaluated at the state level. Emergency exemption requests consider state specific situations, including availability of other tools to address the public health situation, the support from local entities, and overall consideration of the emergency request framework provided in pesticide laws and regulations.

Berman introduced a motion to approve the request. Moore noted that the motion did not include any additional conditions. Berman clarified that conditions were specified in the application that was considered during the March 16th meeting. Seaborn seconded the motion.

The Subcommittee voted and the motion failed to carry. Next meeting was scheduled for April 20th.

ADJOURN

Motion: To adjourn the April 6, 2021 Subcommittee Meeting.

Moved: R. Berman

Second: T. LaScola

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

Opposed: None