

# **PESTICIDE BOARD SUBCOMMITTEE MEETING**

## **MINUTES OF MEETING**

**May 20, 2020**

**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
- Marc Nascarella, Designee for Commissioner Monica Bharel
  - Department of Public Health
- Taryn LaScola, Alternate Designee for Commissioner John Lebeaux
  - Department of Agricultural Resources
- Nicole Keleher, Designee for Commissioner Jim Montgomery
  - Department of Conservation and Recreation
- Richard Berman
  - Commercial Applicator

### **ALSO PRESENT:**

- Susie Reed, Department of Agricultural Resources
- Hotze Wijnja, Ph.D., Department of Agricultural Resources
- Jon Clements, UMass Extension
- Others from the public?

### **I. PRODUCT REGISTRATIONS**

#### **VOTED**

That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR May 20, 2020 Subcommittee cover letter with the exception of the following products:

1. Optero, EPA Reg. No. 83100-58-83979, containing Acetochlor;
2. Tigris Sulfen 4 SC, EPA Reg. No. 92647-6, containing Sulfentrazone;
3. Lesco Kalahari 75 EG Herbicide, EPA Reg. No. 81927-25-10404, containing Diuron;
4. Gharda Diuron 4L, EPA Reg. No. 93182-27, containing Diuron;

Moved: Berman

Second: Nascarella

Approved: 5-0

## **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. Optero, EPA Reg. No. 83100-58-83979, containing Acetochlor;
2. Tigris Sulfen 4 SC, EPA Registration Number 92647-6, containing Sulfentrazone;
3. Lesco Kalahari 75 EG Herbicide, EPA Registration Number 81927-25-10404, containing Diuron;
4. Gharda Diuron 4L, EPA Registration Number 93182-27, containing Diuron;

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 *Acetochlor*, *Sulfentrazone* and *Diuron* from general to restricted use for groundwater concerns.

Moved: Berman  
Second: LaScola  
Approved: 5-0

## **II. SPECIAL LOCAL NEEDS REGISTRRTION (SLN-24C)**

The department received a special local needs (SLN) registration application for the product Indar 2F, EPA Reg. No. 62719-416, for use on apples to control various diseases. Jon Clements from UMass Extension completed the initiation form and was in attendance of the meeting.

This SLN would allow 25% higher maximum single application use rate (6 to 10 fl oz product per acre) for this product to provide increased efficacy against certain pathogens, particularly pathogens that have developed tolerance to certain fungicides. There are no changes in total seasonal maximum rate of 32 oz per acre, no changes in the number of applications per season or the pre-harvest interval.

The SLN application package included all the information that is typically evaluator for SLN requests. Clements indicated that request is considered reasonable and that apple growers in

Massachusetts can experience situations where the higher single application rate is needed to achieve effective control. Apple scab is a common pest that under conditions reaches high levels requiring higher rate to be efficient. In addition, the higher rate can be beneficial in resistance management.

LaScola sought clarification whether there was information that indicated that the current label use rate not being effective to control apple disease in MA. Clements responded that the registrant has the research data that support the higher rate request. Clements indicated that a consultant researcher may have data that are specific for MA. LaScola also asked if the registrant is seeking an updated of the Section 3 label with respect to the increased rate. Wijnja responded that he is not aware such a request. This request may be done in the future if conditions indicate that the higher rate is needed in many other areas in US. Clements expects that there likely concurrent SLN requests in other states with significant apple growing areas. Wijnja indicated that several states have already or are seeking this SLN.

In the context of this special local needs request, LaScola posed the question whether the Subcommittee has sufficient information that indicates that there is a need among growers for this SLN. At this time, that information does not seem to be case. Berman agreed with that assessment. Nascarella was wondering if an experimental use permit would be a better. Wijnja pointed that EUPs are only used for unregistered pesticides or uses, and therefore is not the appropriate route for this request.

Given this situation, LaScola provided a motion to seek additional about the need for this SLN in MA. Staff would interact with the registrant to find out if such information if available and would also seek information on the Section 3 label status. Clements would look into the data and information that would help to better assess the need for this SLN among apple growers in MA.

**Move:** That MDAR staff interacts with the registrant to request additional information on (1) the special local need for apple growers in MA, and (2) the Section 3 label status regarding the increased application rate. Staff will also interact with the UMass Extension specialist to obtain more local information for this SLN request.

Moved: LaScola

Second: Berman

Voted: 4-0 (Moore had left the meeting).

### **III. NEW ACTIVE INGREDIENT**

PoaCure and PoaCure SC are herbicide products labeled specifically for use on golf course turf to control certain annual bluegrass and creeping bentgrass. These grass species are a challenge in golf course management, particularly since there is a resistance in these grass species to other products. This product offers a new mode of action in this specific area of weed management.

PoaCure was part of a multi-year national Experimental Use Permit to study the rates and efficacy in different regions of the US. For three years during 2016 – 2018, the Subcommittee approved state EUPs for the testing of this product on two golf courses in MA. Ultimately, the national EUP work resulted region specific application rates and restrictions that appear on the current labels.

The active ingredient methiozolin is in the class of isoxazoline herbicide. Its mode of action is tyrosine aminotransferase enzyme that inhibits the plant cell wall synthesis. Methiozolin is a slow acting herbicide and product is optimized when applied in repeated application typically two week intervals. The herbicide is taken up by the roots.

PoaCure has the signal word ‘Danger’ on the label that is associated with petroleum distillates in the formulation. PoaCure SC is suspension concentration formulation and has no signal word. The application rate is up 0.8 lbs. a.i. per acre, one to three applications per season with maximum of 4.8 lbs. a.i. per acre the label has surface water and groundwater advisory language. The registrant provided updated the safety data sheet documents.

This new active ingredient was registered by EPA unconditionally in 2019. The meeting packet included the Registration Decision Document: New Active Ingredient Methiozolin for Use on Golf Course Turf (USEPA,2019). This EPA documents and additional supporting documents are available at [www.regulations.gov](http://www.regulations.gov), in docket “EPA-HQ-OPP-2018-0193”

The human health risk assessment shows a low acute toxicity profile, category III and IV. It is rapidly metabolized within 48 hours and no target organ was identified. Neurotoxicity observed in acute study occurred only at the highest doses. The neurotoxicity were locomotor effects. There were some developmental effects in the chronic studies, no reproductive effects identified, and carcinogenicity was not classified because this active ingredient submitted as a non-food use packet. However, genotoxicity study data were available that indicated there is no concern for genotoxic and mutagenic effects.

For risk assessment no acute endpoints selected based on the low acute toxicity. Chronic risk assessment was based on the endpoint in the reproductive study. Dietary risk assessment based on drinking water exposure, and highest estimated value showed very low exposure that was below the level of concern. There is no residential use of these products and residential post-application exposure is not expected. Dermal toxicity is also low.

Occupational risk assessment is based on inhalation risk and for handlers it was assessed to be below levels of concerns. Post-application risk is not expected.

The environmental fate profile of this chemical includes very low water solubility, moderately

persistent in soil (degradation half- life ranges from 47 to 185 days). Aquatic degradation by photolysis is rapid with a half-life of 5 days. Soil photolysis is slower with a half-life of 20. It is stable to hydrolysis. Field dissipation data showed a half- life 4 to 87 days. Methiozolin is considered to be slightly mobile in soils. One degradate was identified as a residue of concern and was included in the residue analysis.

This herbicide is moderately toxic to fish and aquatic invertebrates, highly toxic to marine invertebrates. The exposure level is low such that the overall risk is below the level of concern.

For terrestrial non-target organism, the acute risk is below the level of concern. It is practically non-toxic to mammals, birds, terrestrial, and amphibians, reptiles, honeybees and other terrestrial invertebrates. Screening-level risk assessments for chronic risk identified exceedance of levels of concern for certain mammals and honeybees. However, EPA points out that these screening-level assessments were very conservative in assuming exclusive feeding on treated areas. It was pointed out that golf course greens are not typically habitats for wildlife and honeybees and therefore the actual risk is expected to low.

The benefit of this product provides an effective herbicide and a new mode of action in control of these target species.

Relative to the groundwater protection regulations 333 CMR 12.00, this active ingredient does not meet the regulatory criteria for potential groundwater pollutant.

Clint Richmond, with the Massachusetts Sierra Club, commented to indicate several concerns related to the consideration of registering methiozolin products. The concerns include the use of fluorinated chemicals (methiozolin is a fluorinated compound), no discussion of degradation products, the manufacturing risk that include fluorinated chemicals, the approval of problematic chemicals for something that is none essential such as a golf course, concerns for marine impacts with these products, and the consideration of this product in the context of the emerging issue related to PFAS compounds.

Wijnja responded by pointing out that PFAS compounds, which are compounds of concern and receive significant attention from regulators and scientists, are not allowed by EPA to be included in pesticide formulations. There are pesticide active ingredients that are fluorinated compounds, but these are not classified as PFAS. Methiozolin is not classified as a PFAS compound. Relative to degradates, EPA takes a close look at degradates and identifies degradates of concern that are then included in the risk assessment.

LaScola asked if the EUP work on golf courses observed any negative effects. Wijnja responded that the annual reports from this work did not include any negative effects. Wijnja further pointed out that these products have a very narrow use pattern with localized applications on certain highly managed turf areas on a golf course.

**Move** that the Pesticide Board Subcommittee approve the product registration for the PoaCure, EPA Registration Number 89633-4, and PoaCure SC, EPA Registration Number 89633-5. These products contain the active ingredient **Methiozolin** and have never before been registered in Massachusetts.

Moved: Berman  
Second: Keleher  
Approved: 4-0

**MOTION TO ADJOURN THE MEETING**

It was moved, seconded and passed unanimously.

**VOTED**

To adjourn the May 20, 2020 Subcommittee Meeting.

Moved: Berman  
Second: LaScola  
Approved: 4-0

Meeting adjourned at 10:00 a.m.