

# **PESTICIDE BOARD SUBCOMMITTEE MEETING**

## **MINUTES OF MEETING**

**September 22, 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
- Taryn LaScola, Alternate Designee for Commissioner John Lebeaux
  - Department of Agricultural Resources
- Marc Nascarella, Designee for Commissioner Monica Bharel
  - Department of Public Health
- 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
- Members of the public

## **I. MINUTES**

### **VOTED**

That the Pesticide Board Subcommittee approves the summary notes for March 23, 2020 meetings.

Moved: Berman

Second: LaScola

Approved: 3-0-2 (abstention Moore and Nascarella)

## **II. PRODUCT REGISTRATIONS**

### **VOTED**

That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR

September 22, 2020 Subcommittee cover letter with the exception of the following products:

1. Metribuzin 75% DF, EPA Reg. No. 85678-50,
2. DREXEL ME-TOO-LACHLOR MTZ, EPA Reg. No. 19713-704,
3. DREXEL ME-TRY-BUZIN 75DF, EPA Reg. No. 19713-705,
4. DREXEL ME-TRY-BUZIN 4L, EPA Reg. No. 19713-706

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. Metribuzin 75% DF, EPA Reg. No. 85678-50, containing metribuzin;
2. DREXEL ME-TOO-LACHLOR MTZ, EPA Reg. No. 19713-704, containing metolachlor and metribuzin,
3. DREXEL ME-TRY-BUZIN 75DF, EPA Reg. No. 19713-705, containing metribuzin,
4. DREXEL ME-TRY-BUZIN 4L, EPA Reg. No. 19713-706, containing metribuzin

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 *Metribuzin* and *Metolachlor* from general to restricted use for groundwater concerns.

Moved: Berman  
Second: Keleher  
Approved: 5-0

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

Discussion of the new active ingredient *Bacillus amyloliquefaciens strain ENV503*.

*Bacillus amyloliquefaciens* strain is a new active ingredient formulated in Companion Biological Fungicide Wettable Powder, EPA Reg. No. 87645-4-94485,

Companion biological fungicide wettable powder has a variety of application methods for use in agriculture, it is labeled for crops grown in the field, nurseries, green houses, and shade

houses; it can be used in organic growing operations. The product prevents, controls and suppresses soil and foliar diseases. The product label does not have a signal word on the label, indicating low hazard to handlers and applicators. The pre-harvest interval is zero days.

The Subcommittee was provided with several EPA Registration Documents for this new active ingredient.<sup>1</sup>

Bacillus strain are rod-shaped, gram-positive, aerobic bacteria that are found commonly in nature, and works by colonizing plant roots or leaves to create condition where other bacteria may not thrive anymore. Thereby it protects the plant from pathogens, stimulating healthier plant roots and enhance overall plant vitality. The product is intended for use on a variety of food, non-food, and forage crops. can be applied by variety of application methods.

Toxicity profile for this compound is very low and non-irritating for all routes of exposure. Furthermore, it does not induce toxicity, infectivity or pathogenicity as indicated in tests on animals. An exemption from a tolerance in all food commodities was also established. Overall database for this strain indicate that use according to label instructions will not pose unreasonable adverse effects to human health and the environment.

Given the absence of adverse effects in toxicological tests, the risk assessment was done in a qualitative way, based on considerations of potential exposures. Exposure to food and drinking water is not expected to significantly increase exposure above background levels of this these organisms naturally present on food commodities and in water. Residential exposure is also not expected to increase beyond natural background levels. Occupational exposure risk is not of concern with the use of proper personal protection equipment as specified on the product label. Overall EPA concluded use of this product according to the label instruction will not result in unreasonable adverse effect to humans and the population in general.

Ecological risk was evaluated based on available data from a closely related strain, additional information relative to avian inhalation risk, and data in the open literature. Based on the evaluation and appropriate use instructions there is no unreasonable ecological risk expected from the use of this product.

The use of this biological product could reduce the use of conventional fungicides for various use sites and could provide alternatives to other products targeting the same pests. The tolerance exemption is also a benefit with the considerations for uses on food crops.

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<sup>1</sup> EPA documents and additional supporting documents are available at [www.regulations.gov](http://www.regulations.gov) , in docket “EPA-HQ-OPP- 2017-0460”:

- Registration Decision Document for New Active Ingredient *Bacillus amyloliquefaciens* strain ENV503 (USEPA, 2018)
- *Bacillus amyloliquefaciens* strain ENV503 – Human Health Risk Assessment Summary (USEPA, 2018)
- Environmental Risk Assessment for Section 3 Registration of *Bacillus amyloliquefaciens* strain ENV503 (USEPA, 2018)

Like other biological pesticide products, the benefits of this product aligns with some of the potential benefits of biopesticides and could fill particular needs in certain markets. Product was unconditionally registered by EPA.

*Bacillus amyloliquefaciens strain ENV503* does not meet the criteria for potential groundwater pollutant as specified in the regulations 333CMR 12.00.

**Move** that the Pesticide Board Subcommittee approve the product registrations for the following pesticide products. These products contain the active ingredient ***Bacillus amyloliquefaciens strain ENV503*** and have never before registered in Massachusetts.

1. Companion Biological Fungicide Wettable Powder (EPA Reg. No. 87645-4-94485).

Moved: Berman  
Second: LaScola  
Approved: 5-0

#### **MOTION TO ADJOURN THE MEETING**

It was moved, seconded and passed unanimously.

#### **VOTED**

To adjourn the September 22, 2020 Subcommittee Meeting.  
Moved: Berman  
Second: Nascarella  
Approved: 5-0

Meeting adjourned at 9:30 a.m.