

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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PESTICIDE BOARD SUBCOMMITTEE MEETING MINUTES

July 19, 2022

225 Turnpike Road, Southborough, MA 01772; 3rd Floor, Room 302 (Large Conference Room;
'Farmer's Market')

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 March 2022:

Motion: M. Moore

Second: R. Berman

Discussion: None

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

Opposed: None

Abstained:

REVIEW OF MINUTES for April 19, 2022:

Motion: M. Moore

Second: R. Berman

Discussion: None

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

Opposed: None

Abstained

B. PRODUCT REGISTRATIONS

Motion: That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR July 19, 2022, Subcommittee cover sheet with the exception of the following products:

1. Rancor 4 F, EPA Reg. No. 91234-73;
2. Rancor 75 DF, EPA Reg. No. 91234-57;

3. ECHO ULTIMATE ETQ, EPA Reg. No. 60063-36;
4. Fame +C Fungicide, EPA Reg. No. 279-9653; and
5. Serata Fungicide, EPA Reg. No. 8033-138-279.

Moved: R. Berman

Second: T. LaScola-Miner

Discussion: None

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

Opposed: None

Abstained: None

STATE RESTRICTED USE MOTIONS:

Restricted Use As Defined under the Groundwater Protection Regulations:

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

1. Rancor 4 F, EPA Reg. No. 91234-73; containing metribuzin;
2. Rancor 75 DF, EPA Reg. No. 91234-57; containing metribuzin;
3. ECHO ULTIMATE ETQ, EPA Reg. No. 60063-36; containing chlorothalonil, and
4. Fame +C Fungicide, EPA Reg. No. 279-9653; containing chlorothalonil,

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 Chlorothalonil*** from general to restricted use for groundwater concerns.

Moved: R. Berman

Second: N. Keleher

Discussion: None

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

Opposed: None

Abstained: None

C. NEW ACTIVE INGREDIENTS

Miller gave an overview of the new active ingredient picarbutrazox in Serata Fungicide, EPA No. 8033-138-279. The product is formulated as a wettable granule, with 20.28% active ingredient and ~75% ammonium sulfate. Serata is a foliar treatment labeled for use by professional applicators on golf courses, sports fields, residential and commercial lawns, sod farms, turf seed farms, cemeteries, recreational areas, and parks.

Picarbutrazox has a tetrazolyloxime structure and an unknown mode of action. The Fungicide Resistance Action Committee (FRAC) has assigned it a new classification category (U17). Serata Fungicide targets *Pythium* foliar blight, damping-off, and root dysfunction. Its toxicity profile is broadly comparable to existing pesticides for turf, but its new mode of action makes it a useful tool in resistance management.

The product label carries the signal word “Caution” and baseline Personal Protection Equipment (PPE) is required for the use of this product (including waterproof gloves). Picarbutrazox may be applied by ground, aerial, and chemigation (if overhead sprinkler) equipment. The maximum single application rate for turf is 0.33 lbs. of active ingredient per acre, applied up to 4 times per year. The Restricted Entry Interval (REI) for turf use is 4 hours.

Picarbutrazox is characterized as having a generally low risk profile; it is minimally irritating to the eyes (category III) and is neither a dermal irritant nor sensitizer (category IV). EPA human risk assessments for residences were limited to post-application scenarios since residential handling is prohibited.

Developmental toxicity studies showed no adverse fetal or maternal effects in rats or rabbits up to the limit dose. There were no adverse reproductive effects. High levels of chronic exposure have been shown to affect thyroid and livers in some test animal species, so to prevent human misuse, handling is restricted to trained professionals. No acute (short-term) dietary endpoints were observed.

Picarbutrazox degrades rapidly through hydrolysis and photolysis isomerization. It has an aqueous photolysis half-life of 1.7 to 2.1 days. In soil, it degrades by aerobic metabolism (half-life of 35 to 73 days). It is non-volatile and only slightly mobile, with relatively high potential to absorb on organics in sediments and bioaccumulate. Picarbutrazox dissipates from fields through runoff and erosion.

Picarbutrazox is practically non-toxic to birds on an acute exposure basis and practically non-toxic to bees on an acute contact and oral exposure basis. Chronic, high levels of exposure can affect adult bee emergence from larvae. Turf broadcast applications likely would have the greatest exposure potential for non-target organisms. Additional label restrictions exist for aerial applications to prevent drift, and the product cannot be applied to surface waters or intertidal areas. Maintaining vegetated buffer strips

and not applying within 48 hours of rainfall are recommended to reduce runoff contamination.

Picarbutrazox meets one of the criteria for leaching potential (soil half-life exceeding 7 days). However, it is not categorized as a pesticide of Toxicological Concern and is not a known or probable human carcinogen. Thus, it does not meet the definition of a potential groundwater contaminant in the state of Massachusetts at this time.

Move that the Pesticide Board Subcommittee approve the product registration for Serata Fungicide, EPA Reg. No. 8033-138-279, containing the new active ingredient *Picarbutrazox*, that has never before been registered in Massachusetts.

Moved: R. Berman

Second: N. Keleher

Discussion: See notes (to be developed)

In Favor: T. LaScola-Miner, R. Berman,

Opposed: None

Abstained: M. Moore, N. Keleher

E. Program Updates:

a. Update on Neonicotinoids

After the subcommittee board meeting on neonicotinoids, the Department of Agricultural Resources staff reached out to manufacturers, applicators, and dealers to let them know about the upcoming restriction changes on products formerly classified as general use. Manufacturers were asked to help the department identify which products were going to switch to restricted use, but MDAR did not get much response and staff had to go through the labels instead.

Once a product was identified as containing an active ingredient requiring reclassification, Steve went into EIPAS and made the switch. When a registrant renews a product, a letter is generated that states it is now a restricted use product. The department created a list of all products that required this switch, and that list is posted online.

The department received feedback on products that should not have been reclassified as well as those that should have been on the list. Staff reviewed the labels and made necessary adjustments.

The department is now sending inspectors to retail stores to remove these restricted use products from shelves.

There were no provisions for manufacturer buybacks of these products.

b. Update on Glyphosate Commission

A draft report of Phase I work has been completed. At the commissioners' meeting later this month, members will approve a finalized version and have a discussion about Phase II.

C. Update on Atrazine

Atrazine an important herbicide in agriculture, particularly for grain crops, that is reportedly used on ~75 million acres in the United States.

The Environmental Protection Agency issued an interim decision after registration review in September 2020, as well as a biological evaluation to meet Endangered Species Act Requirements. In response, there was a legal petition alleging EPA issued an interim decision without substantial evidence supporting that decision.

In 2021, the Biden administration issued an executive order on protecting public health, the environment, and restoring commitment to science and scientific integrity. EPA saw an opportunity to go back and reevaluate some aspects of the atrazine risk assessment, particularly relating to aquatic plant communities where they had previously set a regulatory level of 15 micrograms/liter to protect aquatic plant communities. EPA now proposes lowering the regulatory level to 2.4 micrograms/liter of atrazine. Additional label language has been added to support compliance with the new standard and the public comment period for these proposed changes is open.

F. New Business

ADJOURN

Motion: To adjourn the July 19, 2022, Subcommittee Meeting.

Moved T. LaScola-Miner

Second: N. Keleher

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

Opposed: None