

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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PESTICIDE BOARD SUBCOMMITTEE MEETING MINUTES

November 15, 2022

Zoom Meeting at: <https://us06web.zoom.us/j/81005128274?pwd=OXRaTCtBbHNSVEZhbjhvREZuU0xJUT09>
Passcode: 956306

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 Bharel, MD	Present
Nicole Keleher, 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.

A. REVIEW OF MINUTES FROM September 20, 2022:

Motion: R. Berman

Second: M. Nascarella

Discussion: None

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

Opposed: None

Abstained: N. Keleher

B. PRODUCT REGISTRATIONS

Motion: That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR November 15, 2022, Subcommittee cover sheet with the exception of the following products:

1. Bastante Herbicide, EPA Reg. No. 2749-604;
2. Bastante Max Herbicide, EPA Reg. No. 2749-613; and
3. IMIDACLOPRID 2FL T&O, EPA Reg. No.: 42750-115.

Moved: R. Berman

Second: M. Nascarella

Discussion: None

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

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. Bastante Herbicide, EPA Reg. No. 2749-604, containing bentazon,
2. Bastante Max Herbicide, EPA Reg. No. 2749-613, containing bentazon

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 ***bentazon and atrazine*** from general to restricted use for groundwater concerns.

Moved: R. Berman

Second: T. LaScola-Miner

Discussion: None

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

Opposed: None

Abstained: None

Restricted Use Classification for Certain Neonicotinoids Products:

Move: That the Pesticide Board Subcommittee has determined that the following product:

1. IMIDACLOPRID 2FL T&O, EPA Reg. No.: 42750-115

be registered as restricted use pursuant to the Subcommittee's decision on March 1, 2021, to modify the registration classification of pesticide products containing neonicotinoids that have outdoor non-structural uses or outdoor non-agricultural uses on the label from general use to state-restricted use.

Moved: R. Berman

Second: T. LaScola-Miner

Discussion: None

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

Opposed: None

Abstained: None

D. SPECIAL LOCAL NEEDS REGISTRTION (SLN-24C)

The Department received a request for renewal of the existing SLN for Dual Magnum herbicide (a.i., S-metolachlor), to control certain weeds in various vegetable crops in Massachusetts. The specific local need use of

this herbicide is an important tool in high-value vegetable crops. Use pattern, efficacy, and crop safety varies by state and region and SLNs are used to address the specific situations in states and regions. The existing SLN label expires by the end of the year. The end of the 5-year term for the SLN provides an opportunity for evaluation if the special local need situation still exists and renewal label and continuation of this state registration is needed. This SLN use was first registered in 2007 and was amended and renewed several times.

The meeting packet included SLN initiation and application forms and associated supporting documents, and the SLN label with an update expiration date of December 31, 2027.

Dr. Hillary Sandler from the University of Massachusetts Cranberry Experiment Station explained how the use of Dual Magnum remains a very important tool for vegetable growers. Several weeds are difficult to impossible to control without substantial hand weeding. Hand labor is both expensive and difficult to secure. The shortage of hand labor during COVID highlighted even more the need for and value of this product in high-value specialty crops. Sandler pointed out that it is a particularly effective herbicide that fits well into rotational programs because Dual Magnum offers effective control for these weeds while having a short residual activity that greatly decreases carry-over concerns for subsequent crops.

LaScola-Miner sought clarification regarding which crops is this product is mostly used on in Massachusetts. Sandler indicated that it is used on sugar beets, onions, garlic, small fruits, blackberries, raspberry, blueberries, cucumbers, and 14 other crops. LaScola-Miner also asked about why the registrant for this product did not choose to add these special local need crop uses to the section 3 label. Wijnja indicated that this is sometimes done with SLNs but not in every case. The registrant of Dual Magnum prefers to address the regional and local needs through SLNs and that is an option under pesticide laws and regulations. res.

Motion: That the Pesticide Board Subcommittee hereby approves the renewal request for the existing SLN No. MA-180001 for Dual Magnum (EPA Reg. No. 100-816) to control yellow nutsedge and galinsoga in various vegetable crops.

Moved: R. Berman

Second: N. Keleher

Discussion: None

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

Opposed: None

Abstained: None

E. NEW BUSINESS

There was no new business brought forward.

ADJOURN

Motion: To adjourn the November 15, 2022, Subcommittee Meeting.

Moved: R. Berman

Second: T. LaScola-Miner

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

Opposed: None