THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Agricultural Resources
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MDAR MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES

Maura T. Healey, GOVERNOR | Kimberley Driscoll, LIEUTENANT GOVERNOR | Rebecca L. Tepper, SECRETARY | Ashley E. Randle, COMMISSIONER

PESTICIDE BOARD SUBCOMMITTEE MEETING MINUTES

September 19, 2023
Meeting to be held via remote participation: Join Zoom Meeting at:
https://us06web.zoom.us/j/86843114982?pwd=Q3N5S0JIUXBQQXU5QVJLNW5FVlE1dz09
Passcode: 632573

BOARD MEMBERS IN ATTTENDANCE

Michael Moore, DPH, Food Protection Program (Chair)	Absent
Taryn LaScola, MDAR, Designee for Commissioner Randle	Present
Meg Blanchet, DPH, Designee for Commissioner Goldstein	Present
Nicole Keleher, DCR, Designee for Commissioner Arrigo	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 July 18, 2023:
Motion: R. Berman
Second: N. Keleher
Discussion: None
In Favor: M. Blanchet, R. Berman, T. LaScola, N. Keleher
Opposed: None
Abstained:

B. PRODUCT REGISTRATIONS

Motion: That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR September 19, 2023, Subcommittee cover sheet with the exception of the following products:

1. Xytect 75WSP Insecticide, EPA Reg. No. 42750-117-74779,
2. Premise 2 Insecticide, EPA Reg. No. 101563-66,
3. Temprid FX Insecticide, EPA Reg. No. 101563-165,
4. Aramax Intrinsic® Brand Fungicide, EPA Reg. No. 7969-488,
5. Merit 2F Insecticide, EPA Reg. No. 101563-60,
6. A15452, EPA Reg. No. 100-1680,
7. Vasuvius Herbicide, EPA Reg. No. 2749-611, and

8. 21-0-4 Fertilizer with 0.2% Merit Insecticide and Fortify-N, EPA Reg. No. 432-1349-9198

Moved: R. Berman
Second: N. Keleher
Discussion: None
In Favor: T. LaScola, N. Keleher, R. Berman, M. Blanchet
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. Aramax Intrinsic® Brand Fungicide, EPA Reg. No. 7969-488, containing triticonazole, and
2. A15452, EPA Reg. No. 100-1680, containing thiamethoxam,

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 these 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 ***triticonazole*** and ***thiamethoxam*** from general to restricted use for groundwater concerns.

Moved: R. Berman
Second: T. LaScola
Discussion: None
In Favor: T. LaScola, N. Keleher, R. Berman, M Blanchet
Opposed: None
Abstained: None

Restricted Use Classification for Certain Neonicotinoids Products:

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

1. Xytect 75WSP Insecticide, EPA Reg. No. 42750-117-74779, containing imidacloprid
2. Premise 2 Insecticide, EPA Reg. No. 101563-66, containing imidacloprid
3. Temprid FX Insecticide, EPA Reg. No. 101563-165, containing imidacloprid
4. Merit 2F Insecticide, EPA Reg. No. 101563-60, containing imidacloprid, and
5. 21-0-4 Fertilizer with 0.2% Merit Insecticide and Fortify-N, EPA Reg. No. 432-1349-9198, containing imidacloprid,

may pose unreasonable adverse effects to the environment as well as to pollinators, when taking into

account the economic, social, and environmental costs and benefits of their use in the Commonwealth and are thereby restricted. This is pursuant to the Subcommittee's decision on March 1, 2021, to modify the registration classification of products containing neonicotinoids, including ***imidacloprid***, that have outdoor non-structural uses or outdoor non-agricultural uses on the label from general to state restricted use.

Moved: R. Berman
Second: N. Keleher
Discussion: None
In Favor: M. Moore, T. LaScola, M. Blanchet, N. Keleher, R. Berman
Opposed: None
Abstained: None

C. NEW ACTIVE INGREDIENT

Discussion of registration approval for the following product containing the new active ingredient Flucarbazone-sodium, formulated in Vasuvius Herbicide (EPA Reg. No. 2749-611), and labeled for weed control in Spring and Winter wheat.

Miller provided information on the process of registering new active ingredients in the state of Massachusetts.

The new active ingredient under consideration is flucarbazone-sodium, formulated in Vasuvius Herbicide, EPA Reg. no. 2749-611, as a water dispersible granule. The mode of action is inhibition of branched chain amino acid biosynthesis in certain plants by binding to the acetolactate synthesis (ALS) enzyme. Flucarbazone-sodium is a selective herbicide effective only on certain types of grasses and broad leaf weeds. It acts systemically, absorbed through the roots and foliage and then translocated throughout the plant.

The Vasuvius Herbicide label has the signal word 'Caution'. Baseline PPE is required: long sleeve shirts, long pants, shoes, and socks as well as chemical resistant waterproof gloves. The Restricted Entry Interval (REI) after treatment is 12 hours. The label includes additional post-application restrictions such as prohibiting grazing/forage harvest within 15 days of the last application and a wheat grain or straw preharvest interval of 60 days. Vasuvius Herbicide is labeled for use on spring, winter, and Durham wheat crops. It controls several annual grasses as well as some broad leaf weeds such as wild mustard. Early in the season it can provide some residual weed control or can be used for burndown, depending on the crop. There are no registered residential or homeowner uses.

Flucarbazone sodium has a generally low risk profile for human health. Categorized as minimally irritating to the eye (Toxicity Category III), it is neither a dermal irritant nor a sensitizer (Category IV, or practically non-toxic) based on rabbit and guinea pig studies. It is also Category IV for acute oral, dermal, and inhalation exposure, as observed in rat studies.

In sub-chronic and chronic oral exposure studies in dogs, the main health effect was reduced thyroxine levels, indicating some flucarbazone-sodium effects on the thyroid. Some stomach and throat irritation was observed at high doses in dogs and rats. However, within 24 hours over 90% of ingested flucarbazone-sodium had cleared the bodies of study animals, with the highest levels of residue found in liver tissues. Studies also observed markers of increased hepatic metabolism and liver weight but no corroborating effects were seen in the study animals. An acute neurotoxicity study in rats showed some effects at the maximum dose of 2000 mg a.i./kg body weight per day.

Flucarbazone-sodium is classified as “not likely to be carcinogenic to humans” based on the lack of evidence of carcinogenicity in rats and mice. No increased offspring or fetal susceptibility was observed in the developmental toxicity studies in rats and rabbits. EPA noted no evidence suggesting mutagenicity or genotoxicity from a standard battery of genotoxicity assays. However, it identified a minor (<1%) metabolite residue of concern (methyl carbamate) in livestock commodities. A dietary risk assessment determined that any resulting methyl carbamate exposure would not constitute a human health concern.

Since there are no allowed homeowner uses, EPA has not conducted a quantitative residential handler assessment. Non-occupational exposure resulting from agricultural application drift onto outdoor residential areas was considered most likely potential exposure, and the label contains language to reduce drift.

Flucarbazone sodium is relatively persistent in the environment and primarily degrades by aerobic soil metabolism (half-life of up to 76 days). It is classified as water-soluble and very mobile: field dissipation studies have observed relatively short half-lives of approximately a week within the field, but that is mainly because the parent molecule and its metabolites move downward through the soil. The Vasuvius Herbicide label contains groundwater and surface water protection language specifying practices to minimize runoff and spray drift, including restrictions on direct applications to areas with surface water and intertidal areas. Applications within an hour of expected rainfall and to gravelly or highly eroded soils are also prohibited.

Data from the initial registration of flucarbazone-sodium indicate that it poses little risk to non-target organisms, with the exception of plants. It is practically non-toxic to birds, mammals, and insects (specifically, honey bees). Flucarbazone-sodium is practically nontoxic to freshwater fish on an acute basis and slightly toxic to fish on a chronic basis. The ecological risk assessment of the ALS inhibitors EPA considered together, including flucarbazone-sodium, determined non-target plants to be the only group at risk from exposure. EPA-required label language addresses spray drift and is considered protective of both terrestrial and aquatic non-target plants.

Flucarbazone-sodium does not meet the criteria for being classified as a potential groundwater contaminant in Massachusetts.

Move: that the Pesticide Board Subcommittee approve the product registration for Vasuvius Herbicide, EPA Reg. No. 2749-611, containing the new active ingredient flucarbazone-sodium, which has never before been registered in Massachusetts.

Moved: R. Berman
Second: T. LaScola
Discussion: None
In Favor: M. Blanchet, T. LaScola, N. Keleher, R. Berman
Opposed: None
Abstained: None

D. NEW BUSINESS

There was no new business brought forward.

ADJOURN

Motion: To adjourn the September 19, 2023, Subcommittee Meeting.
Moved: R. Berman
Second: T. LaScola
In Favor: M. Blanchet, T. LaScola-Miner, N. Keleher, R. Berman
Opposed: None