PESTICIDE BOARD SUBCOMMITTEE MEETING

MINUTES OF MEETING

January 19, 2018

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
- Hotze Wijnja, Ph.D., Alternate Designee for Commissioner John Lebeaux
  - Department of Agricultural Resources
- Marc Nascarella, Designee for Commissioner Monica Bharel
  - Department of Public Health

ALSO PRESENT:

- Susie Reed, Department of Agricultural Resources

I. MINUTES

VOTED

That the Pesticide Board Subcommittee approves the summary notes for December 15, 2017 meetings.

Moved: Nascarella
Second: Wijnja
Approved: 3-0

II. PRODUCT REGISTRATIONS

a. Packet number 180118

VOTED

That the Pesticide Board Subcommittee registers the pesticide products in packets number 180118 with the exception of the following product:

1. Sulfentrazone 4SC, EPA Reg. No. 89442-36 (SRU)

Moved: Wijnja
Second: Nascarella
Approved: 3-0

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 product:

1. Sulfentrazone 4SC, EPA Reg. No. 89442-36 containing ***Sulfentrazone***

   may cause an unreasonable risk to man or the environment, taking into account the economic, social and environmental costs and benefits of 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 ***Sulfentrazone*** from general to restricted use for groundwater concerns.

Moved: Wijnja
Second: Nascarella
Approved: 3-0

III. NEW ACITIVE INGREDIENT

Discussion of the new active ingredient ***Ethaboxam*** (Elumin Fungicide, EPA Reg. No. 59639-211)

Ethaboxam is formulated in Elumin Fungicide, EPA Reg. No. 59639-211, and labeled for use on cucurbit vegetables, tuberous and corm vegetables.

The label carries the signal word ‘caution’, and environmental hazard statement indicates the potential risk to aquatic life due to run off potential. Ethaboxam exhibits protective, curative, and antisporative activity. It is locally systemic, and systemic through xyleme transport. It inhibits the penetration of fungi on plant surfaces, the germination of spores and interferes with cell division.

Ethoboxam is intended for rotation with other fungicides. The application rate is 0.25 lb active ingredient per acre, two applications per year.

The meeting package included EPA Review Document ‘Proposed Registration Decision Document for the First Food Use of the Active Ingredient Ethaboxam’ (U.S. EPA, 2017). EPA supporting documents available at www.regulations.gov in docket “EPA-HQ-OPP-2015-0676”

Wijnja presented a summary of the supporting information. Human health risk showed a low acute toxicity profile; toxicities are classified in category IV for all routes of exposure, it is not irritation to the eye or skin, nor a dermal sensitizer. The profile is the same for the product formulation.

Chronic effects included effects on male reproductive organs in rat studies; endpoints were

established. There was no evidence of increased susceptibility in developmental toxicity studies, but there were an increased susceptibility in reproductive toxicity; effects included decreased viability and delayed sexual maturity.

The carcinogenicity study showed benign Leydig cell tumors in male rats. EPA classified this as "suggestive evidence of carcinogenic potential'. A quantitative cancer risk was not conducted; it was concluded that the chronic reference dose is protective of all chronic effects, including carcinogenic effects.

The dietary risk assessment was based on a chronic reference dose and for dermal and inhalation exposure risk. Dietary and occupational handler risks were not of concern based on the use pattern.

Environmental fate of this chemical is characterized by being moderately to slightly mobile in soil, low volatility, and rapid degradation in soils. Half-life values in soil were between 1 to 10 days depending on soil type; total toxic residue level showed a longer half-life between 1 to 2 months. Degradation in water is slower with a half-life of 1 to 2 months. The chemical is not expected to bio-accumulate in fish.

The ecotoxicity and risk information shows that it is moderately toxic to fish and highly toxic to aquatic invertebrates. The exposure level is expected to be sufficiently low due to rapid degradation and low application rates that the risk is below the level of concern.

For terrestrial organisms, specifically mammals, there is no concern for acute risk, but some chronic risks were identified in certain weight classes of mammals. While levels of concern were slightly exceeded for certain classes of organisms, it was pointed out that actual risk is expected to be low given the conservative assumptions used in the risk assessment (such as the assumption that food intake is solely from a treated area).

Ethaboxam is practically non-toxic to birds on acute and sub-acute basis; chronic risk was below level of concern. It was found to be practically non-toxic to bees and plants.

The benefit of ethaboxam fungicide is the control of certain types of fungi, particularly the one that can be devastating to plants, such as water molds and phytophthora. This chemical is important tool for improving resistance management for the labeled crops.

Ethaboxam does not meet the criteria for potential groundwater pollutant as specified in the groundwater protection regulations 333 CMR 12.00.

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

1. Elumin Fungicide, EPA Reg. No. 59639-211

Moved: Nascarella
Second: Wijnja
Approved: 3-0

IV. Consideration for an Experimental Use Permit for the use of oxalic acid (EPA Reg. No. 91266-1) in honeybee hives.

The Department received an experimental use permit application for the uses of oxalic acid dehydrate to evaluate an extended-release application method to control honeybee parasitic mites. The applicant is a beekeeper with hives located in Sheffield, MA. The purpose of the EUP is to collect data in conjunction with United State Department of Agriculture-Agricultural Research Services (USDA ARS) for an additional approved application method for oxalic acid. USDA is working with bee keepers to further refine application method; the current label allows the application of oxalic acid by a vaporizer or a dribble method.

Randy Oliver, bee keeper and researcher in California, is working with USDA on a method that uses shop towels that are soaked in a mixture of glycerin and oxalic acid and placed on top of frames in bee hives. The method is considered an extended release application method, but further testing is needed to refine this process. Randy Oliver is presently working with USDA, the registrant of Oxalic Acid for use in bee hives.

The EUP application indicates that the proposed work will follow the protocol developed by Randy Oliver. The applicant proposes to do testing with the use of the shop towel method in hives at the apiary in Sheffield, MA.

MOVED: To grant an Experimental Use Permit for **oxalic acid (EPA Reg. No. 91266-1)** using the shop towel method to improve the control of honey bee parasitic mites. This permit is issued subject to the following conditions:

1. The Department must be notified in writing of the location(s) of the application(s) prior to use.

2. Applicators using this material must be certified in category 49 (research and demonstration), or under the direct supervision of an applicator certified in category 49.

3. Public access to experimental areas is appropriately limited by posting signs stating "Notice Pesticide Testing". Such signs shall be posted at the perimeter of the test area and at every principle entrance fronting a public road. Additional matters related to sign posting; such as, the duration of sign posting, shall follow the standard guidance provided by MDAR in accord with Section 13.06(3) of 333 CMR, regulations for the application of pesticides to turf and golf courses.

4. All other precautions and restrictions specified in the product label or Federal EUP must be followed and all applications are subject to provisions of the Pesticide Control Act.

5. In accordance with Section 7.09 of 333 CMR the applicant is required to submit a report to the Subcommittee within six months of the conclusion of the permit. The report must include data gathered during the program; dates of application(s) and any adverse effects noted.

6. Applications for annual renewal of this permit shall be submitted to the Subcommittee prior to the expiration of this permit.

7. The permittee shall report immediately to the Department any indication of adverse effects to humans or the environment from the use or exposure to the pesticide.

Moved: Wijnja
Second: Nascarella
Approved: 3-0

MOTION TO ADJOURN THE MEETING

It was moved, seconded and passed unanimously.
VOTED
To adjourn the January 19, 2018 Subcommittee Meeting.

Moved: Nascarella
Second: Wijnja
Approved: 3-0
Meeting adjourned at 10:05 a.m.