

## **PESTICIDE BOARD SUBCOMMITTEE MEETING**

### **MINUTES OF MEETING**

**March 16, 2018**

**The Department of Agricultural Resource, 251 Causeway St., FL#5 Conference RM 1 Boston, MA**

#### **MEMBERS PRESENT**

- Taryn LaScola, Designee for Commissioner John Lebeaux
  - Department of Agricultural Resources
- Marc Nascarella, Designee for Commissioner Monica Bharel
  - Department of Public Health
- Richard Berman
  - Commercial Applicator

#### **ALSO PRESENT:**

- Susie Reed, Department of Agricultural Resources
- Hotze Wijnja, Ph.D., Department of Agricultural Resources

#### **I. MINUTES**

##### **VOTED**

That the Pesticide Board Subcommittee approves the summary notes for March 16, 2018.

Moved: Berman

Second: Nascarella

Approved: 2-0-1 (Note: Abstention by Taryn LaScola)

#### **II. REGISTRATIONS**

##### **a. Packet number 180320 - 180321**

##### **VOTED**

**That** the Pesticide Board Subcommittee registers the pesticide products in packets numbers 180320-180321 with the exception of the following products:

1. Bravo Ultrex, EPA Reg. No. 66222-277 (SRU)
2. Lesco momentum 4-score Herbicide (702459), EPA Reg. No. 2217-1034-10404 (SRU)
3. Mauler Herbicide, EPA Reg. No. 70506-68-59639 (SRU)
4. Moccasin II Plus Herbicide, EPA Reg. No. 70506-333 (SRU)
5. Argos Ultra, EPA Reg. No. 74530-75 (SRU)

6. Tripzin ZC Herbicide, EPA Reg. No. 70506-333 (SRU)
7. Radar LV 6, EPA Reg. No. 42750-20-534 (SRU)

Moved: Berman  
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 products:

1. Bravo Ultrex, EPA Reg. No. 66222-277 containing *Chlorothalonil*
2. Lesco Momentum 4-Score herbicide (702459), EPA Reg. No. 2217-1034-10404 containing *Sulfentrazone*
3. Mauler Herbicide, EPA Reg. No. 70506-68-59639 and Tripzin ZC Herbicide, EPA Reg. No. 70506-330 containing *Metribuzin*
4. Moccasin II Plus Herbicide, EPA Reg. No. 70506-333 and Argos Ultra, EPA Reg. No. 74530-75 containing *Metolachlor*

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

Moved: Berman  
Second: Nascarella  
Approved: 3-0

#### 2,4-dichlorophenoxyacetic Acid (2,4-D) MOTION

**Move:** That the Pesticide Board Subcommittee register the following products:

1. Radar LV 6, EPA Reg. No. 42750-20-534

as restricted use pursuant to the Subcommittee's decision on April 14, 1989, to register products containing 20% or more of **2,4-dichlorophenoxyacetic acid (2,4-D)** and/or its derivatives as state restricted use.

Moved: Berman  
Second: Nascarella  
Approved: 3-0

### **III. Consideration of registration classification of Acetochlor-based products in Massachusetts.**

The Subcommittee followed up on the discussion of acetochlor herbicide products that took place during the February 16, 2018 meeting. At that meeting, the approved motion removed the state-limited use permit requirement for acetochlor products. The motion did not address the registration classification. This follow-up discussion was viewed as needed to decide whether acetochlor products should be classified as state-restricted use or general use. This would also determine whether it would remain on the Groundwater Protection List.

Wijnja introduced the discussion by pointing out that acetochlor and a closely related herbicide metolachlor are state-restricted use products. Both chemicals meet the leaching criteria specified in the groundwater protection regulations 333 CMR 12.00. It was also pointed out that regulatory toxicity criteria for potential groundwater pollutant, specifically the carcinogenicity classification by U.S. EPA, do not strictly meet the regulatory criteria. Nevertheless, the Subcommittee has made decisions in the past to restrict these herbicides to protect groundwater resources.

Wijnja summarized information about the environmental fate characteristics and the carcinogenicity classification of acetochlor by referring to EPA documents that were included in the meeting packet. The most recent cancer classification is in the category of 'suggestive evidence of carcinogenic potential'. Based on this cancer classification, acetochlor does not meet the criteria for toxicological concern in the groundwater regulations. The challenges with comparing currently used classification with the regulatory criteria were noted. Nascarella briefly explained the process of how EPA determines and classifies carcinogenicity. In the case of classification as 'suggestive' there is typically mixed evidence in the data for carcinogenicity. Based on the information and discussion, the Subcommittee concluded that the overall carcinogenicity assessment did not change substantially. The updated information was viewed as a reflection of the changes in EPA's procedures cancer classification.

The discussion also considered the use pattern acetochlor, which is corn in Massachusetts. In this context, the comparison with the related herbicide metolachlor was also considered. Currently, metolachlor is one of the most commonly used herbicides on corn. It is also on the ground water protection list and a state-restricted use herbicide.

The Subcommittee agreed that the current information for acetochlor still justifies measures to protect groundwater from potential acetochlor exposure. Classification of this herbicide as a state restricted use product and inclusion on the groundwater protection list was viewed as an appropriate level of protection.

**Move:** That the Pesticide Board Subcommittee classifies acetochlor-based products as state-restricted use. Acetochlor will remain on the groundwater protection list.

Moved: LaScola  
Second: Berman  
Approved: 3-0

### **IV. New Business**

LaScola would like to change from meeting on Fridays to a day earlier in the week. The Subcommittee is willing to consider a different weekday. It was suggested to check with the chair Michael Moore on his availability. Meeting

on a Tuesday or Wednesday morning were preferred. The change in meeting day will be considered at one of the upcoming meetings.

**V. MOTION TO ADJOURN THE MEETING**

It was moved, seconded and passed unanimously.

**VOTED**

To adjourn March 16, 2018 Subcommittee Meeting.

Moved: Berman

Second: Nascarella

Approved: 3-0

Meeting adjourned at 9:40 a.m.