PESTICIDE BOARD SUBCOMMITTEE MEETING

MINUTES OF MEETING

April 20, 2018

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

MEMBERS PRESENT

- Taryn LaScola, Alternate Designee for Commissioner John Lebeaux
  - Department of Agricultural Resources
- Kenneth Gooch, Designee for Commissioner Leo Roy
  - Department of Conservation and Recreation
- Richard Berman
  - Commercial Applicator

ALSO PRESENT:

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

I. PRODUCT REGISTRATIONS

a. Packet number 180422-180423

VOTED

That the Pesticide Board Subcommittee registers the pesticide products in packets numbers 180422-180423 with the exception of the following products:

1. Drexel Mes-O-Sate Herbicide, EPA Reg. No. 19713-694 (SRU)
2. Brawl II Herbicide, EPA Reg. No. 100-818-55467 (SRU)
3. Moccasin MTZ+ Herbicide, EPA Reg. No. 70506-335 (SRU)
4. Volley NXT, EPA Reg. No. 62719-672-55467 (SRU)
5. Previa Fungicide, EPA Reg. No. 5481-626 (SRU)
6. Antares Prime, EPA Reg. No. 82534-10-5905 (SRU)
7. Crossbow Herbicide, Reg. No. 62719-260-55467

Moved: Berman
Second: Gooch
Approved: 3-0

RESTRICTED USE AS DEFINED UNDER THE GROUNDWATER REGULATIONS

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

1. Drexel Mes-O-Sate Herbicide, EPA Reg. No. 19713-694, Brawl II Herbicide, EPA Reg. No. 100-818-55467 and Moccasin MTZ+ Herbicide, EPA Reg. No. 70506-335 containing ***Metolachlor***
2. Moccasin MTZ+ Herbicide, EPA Reg. No. 70506-335 containing ***Metribuzin***
3. Volley NXT, EPA Reg. No. 62719-672-55467containing ***Acetochlor***
4. Previa Fungicide, EPA Reg. No. 5481-626 containing ***Chlorothalonil***
5. Antares Prime, EPA Reg. No. 82534-10-5905 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 ***Metolachlor, Metribuzin, Acetochlo,Chlorothalonil,*** and ***Sulfentrazone,*** from general to restricted use for groundwater concerns.

Moved: Berman
Second: Gooch
Approved: 3-0

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

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

1. Crossbow Herbicide, EPA Reg. No. 62719-260-55467

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: LaScola
Approved: 3-0

II. NEW ACITIVE INGREDIENTS

Discussion of the new active ingredient ***Cyclaniliprole*** (Harvanta 50SL Insecticide, EPA Reg. No. 71512-26-88783)

Cyclaniliprole is the new active ingredient formulated in Harvanta 50SL Insecticide. The product is labeled for use on leafy vegetables, fruiting vegetables, and cucurbit vegetables. This new active ingredient provides growers with a tool that benefits management with specific subset of crop-pest combinations that are problematic in vegetable crops where alternative pesticides are less effective or cannot be used. Target pest include are cucumber beetles, stink bugs, pepper weevil, and spotted wing drosophila.

Harvanta 50SL Insecticide is a liquid suspension concentrate applied by ground spray equipment, chemigation and aerial spraying. The application rate is very low with a maximum rate of 0.054 lb. of active ingredient per acre.

The environmental hazards statement on the product label addresses the protection of bees and aquatic organisms. Language relative to resistance management points out that the product allows beneficial insects to exist with use of this insecticide and thereby provides a useful tool in Intergraded Pest Management (IPM). Risk mitigation language for beneficial insects includes requirements for timing of application and spray drift management.

Wijnja further summarized information for this new active ingredient based on the EPA registration documents that were included in the meeting package. The documents and additional information is available in Docket ID: EPA-HQ-OPP-2014-0679 at www.regulations.gov.

EPA registered this new active ingredient in 2017. This active ingredient was granted a reduced risk status based on the data that indicate a lack of human health risk, efficacy for certain crop pest combination, and an overall low ecological toxicity profile.

Cyclaniliprole belongs to anthranilic diamide insecticide; mode of action is the interaction with the insect ryanodine receptors, not a systemic chemical.

The database regarding human health risk assessment of cyclaniliprole is complete and a low toxicity profile; acute chronic and chronic study showed no adverse effects in the dose range, no end-points could be established, and there was no increased susceptibility observed in developmental and reproductive studies. Cyclaniliprole classified as “not likely to be carcinogenic to humans” not genotoxic. No quantitative risk assessment was conducted due to lack of endpoints. EPA concluded that there are no human health risk concerns with the proposed uses of this active ingredient. EPA established tolerances in labeled crops to harmonize with Canada’s tolerance assessment.

The environmental fate of this chemical is characterized by low water solubility, persistence in soil, moderately to slightly mobility, and non-volatility. Photolysis is major route of degradation, there is very limited root up take and translocation, it is not considered systemic.

Cyclaniliprole’s ecological effects indicate it being a selective insecticide. Potential for risk to pollinators was identified, but mitigation language addresses this concern. It poses low risk to fish and aquatic invertebrates, and is practically non-toxic in an acute and sub-chronic exposure for birds and mammals. Pollinator risk mitigation label language is required to reduce the exposure by restriction that consider flowering period (discrete or inderterimate) and spray drift

management.

Product was unconditionally registered by EPA.

Relative to the Massachusetts groundwater protection regulations 333 CMR 12, it was pointed out that this chemical does not meet the criteria for potential groundwater pollutant.

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

1. Harvanta 50SL Insecticide (EPA Reg. No. 71512-26-88783

Moved: Nascarella
Second: Wijnja
Approved: 3-0

Discussion of the new active ingredient ***Nitrapyrin*** (Instinct HL Nitrogen Stabilizer, EPA Reg. No. 62719-692)

Nitrapyrin is a nitrogen stabilizer, it controls microorganism that converts ammonia and urea to nitrate and product prohibit process of this bacteria in the soil. This chemical is used for controlling organism in the soil to minimize transformation of ammonia nitrogen to nitrate.

Information on this new active ingredient included a EPA registration document from 2017 describing a human health risk assessment. This document and additional information is available in Docket ID: EPA-HQ-OPP-2012-0170 at www.regulations.gov.

Nitrapyrin is a microencapsulated formulation, that grower apply, by ground spray equipment and mixing it with fertilizer or manure, 10 day window to incorporate into soil. The label states incorporation of product may occur at any time up to 10 days after application, by mechanical means or by moisture which is rain. The database risk assessment for human health is sufficient, and indicates it has low toxicity via oral and dermal routes of exposure, is not a dermal irritant, but is a skin sensitizer. Developmental studies in rabbits showed some effect, but were not considered adverse effects. There is no concern for reproductive effects with this chemical. Neurotoxicity studies provided endpoints that were used in the dietary risk assessment. Cancer classification is 'suggestive evidence of carcinogenicity' based on liver adenomas in mice.

There is no residential use for this compound, therefore a residential assessment not needed. A specific assessment was done for bystander because of spray drift and volatility of this chemical. The assessment indicated that the exposure was below the established level of concern.

Occupational handler risk assessment showed margins of exposure that did not exceed levels of concern, and there is no post-application exposure expected.

The environmental fate information of this chemical indicates that it is a volatile chemical, non-persistent (half-life of 10 days) somewhat mobile and has a high water solubility.

The ecological effects show it's moderately toxic to fish and aquatic invertebrates, highly toxic to marine invertebrates. The product label addresses the risk to aquatic organisms in the environmental hazard statement; spray drift management and application instructions. Nitrapyrin is slightly to moderately toxic to birds on acute basis, but did not show chronic effects. It is slightly toxic to mammals, and non-toxic to honey bees.

This chemical does not meet criteria for potential groundwater pollutant as specified in 333 CMR 12).

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

1. Instinct HL Nitrogen Stabilizer (EPA Reg. No. 62719-692)

III. Consideration for a renewal of Experimental Use Permit for the use of PoaCure for control of annual blue grass and creeping bent grass on putting of golf courses.

The Subcommittee considered a renewal of an Experimental Use Permit (EUP) for the use of Poacure on a golf course site in Southwick, MA. The golf course is participating in a national EUP project to further test of this herbicide on golf courses to assess the efficacy in different regions of US. This EUP was first approved on December 17, 2014 and renewed in 2016 and 2017.

Poacure is used on golf courses to control certain annually grasses, application are done in May and November, according to instruction on the experimental use label. The extension of the EUP was requested and granted by EPA in order to collect additional data during the upcoming year to to better assess the longer-term efficacy.

The applications and data collection at the golf course in Southwick are supervised Dr. Jung, turf specialist at UMass Amherst. Dr. Jung had provided a brief report on the experimental use on the golf course in Southwick, MA. The report indicated that the control of annual bluegrasses was satisfactory while there were no adverse effects observed on desirable grass species. The data suggest that the use of PoaCure has potential to become a valuable tool in golf course turf management and may reduce the overall use rate of herbicides in these systems.

MOVED: To grant a renewal of Experimental Use Permit for ***PoaCure*** for control of annual blue grass and creeping bent grass on putting greens of golf courses**:**

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: Berman
Second: LaScola
Approved: 3-0

MOTION TO ADJOURN THE MEETING

It was moved, seconded and passed unanimously.
VOTED
To adjourn the April 20, 2018, 2018 Subcommittee Meeting.

Moved: Berman
Second: LaScola
Approved: 3-0
Meeting adjourned at 10:25 a.m.