The Commonwealth of Massachusetts

Executive Office of Energy and Environmental Affairs

Department of Agricultural Resources

225 Turnpike Road, Southborough, MA 01772

www.mass.gov/agr

PESTICIDE BOARD SUBCOMMITTEE MEETING MINUTES

January 20, 2026

BOARD MEMBERS IN ATTTENDANCE

Michael Moore, DPH, Food Protection Program, (Chair)	Present
Taryn LaScola, MDAR, Designee for Commissioner Randle	Present
Meg Blanchet, DPH, Designee for Commissioner Goldstein	Present
Eric Seaborn, DCR, Designee for Commissioner LaChapelle	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 November 25, 2025

Motion: R. Berman
Second: T. LaScola
Discussion: None
In Favor: E. Seaborn, M. Moore, T. LaScola, M. Blanchet, R. Berman
Opposed: None
Abstained: None

B. PRODUCT REGISTRATIONS

Motion That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR January 20, 2026, Subcommittee cover sheet with the exception of the following products:

1. Metribuzin 4L, EPA Reg. No. 34704-990,
2. AceFourPrime, EPA Reg. No. 71532-42-91026,
3. Radar LV6000, EPA Reg. No. 71368-11-534,
4. Radar LV4000, EPA Reg. No. 228-139-534,
5. Radar AM4000, EPA Reg. No. 71368-1-534, and
6. Shielder, EPA Reg. No. 91554-2-72662.

Moved: R. Berman
Second: T. LaScola
Discussion: None

In Favor: M. Blanchet, R. Berman, T. LaScola, M. Moore, E. Seaborn
Opposed: None
Abstained: None

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

1. Metribuzin 4L, EPA Reg. No. 34704-990, containing metribuzin, and
2. AceFourPrime, EPA Reg. No. 71532-42-91026, containing acetochlor,

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 substances 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 **metribuzin** and **acetochlor** from general to restricted use for groundwater concerns.

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

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

1. Radar LV6000, EPA Reg. No. 71368-11-534, containing 2,4-D isooctyl ester at 87.3%,
2. Radar LV4000, EPA Reg. No. 228-139-534, containing 2,4-D isooctyl ester at 67.2%, and
3. Radar AM4000, EPA Reg. No. 71368-1-534, containing 2,4-D dimethylamine salt at 46.8%

be categorized 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: R. Berman
Second: T. LaScola
Discussion: None
In Favor: M. Blanchet, R. Berman, M. Moore, T. LaScola, Eric Seaborn
Opposed: None
Abstained: None

C. SECTION 18 EMERGENCY EXEMPTION RENEWAL REQUEST

As an introduction, Wijnja, MDAR staff, provided an introduction to pesticide emergency exemptions by summarizing information from EPA. Section 18 refers to the chapter of FIFRA that authorizes EPA to allow emergency exemptions for unregistered uses of pesticide uses to address emergency conditions. Under such an exemption, EPA allows limited use of a pesticide in defined geographical areas for a finite period of time. Federal regulations for Section 18s (40 CFR 166) establish procedures for use of pesticides under emergency conditions.

MDAR received a request for a specific exemption for the use of Excalia Fungicide during the 2026 use season to manage target spot in tobacco in Massachusetts. Wijnja pointed out that 8 states have been preparing a Section 18 request for this use. The request for MA was prepared and submitted by Dr. Angela Madeiras, Ph. D., UMass Extension Plant Diagnostic Laboratory and Dr. Nate Westrick, Ph. D, Connecticut Agricultural Experiment Station. The request document outlines elements and information as required by EPA and includes a description of the emergency condition. The pest in tobacco known as 'target spot' has become a persistent and increasingly destructive disease affecting tobacco production in the northeastern

United States, including Massachusetts. Multiple factors—including elevated disease pressure, extremely low economic thresholds for infection in cigar wrapper tobacco, inadequate control provided by currently registered fungicides, and the development of fungicide resistance—have resulted in a non-routine pest management emergency. In recent years, these conditions have led to catastrophic yield losses that threaten the economic viability of Massachusetts tobacco growers.

Dr. Nate Westrick, Plant Pathologist with the Connecticut Agricultural Experiment Station, was in attendance and presented information in support of a Section 18 emergency exemption. Target spot, caused by *Rhizoctonia solani*, was first reported in the region around 2012 and has become an increasingly common disease affecting tobacco production. Because the crop is produced primarily for cigar wrapper tobacco, which requires leaves with very high cosmetic quality, even minor foliar damage can render leaves unmarketable. Massachusetts produces approximately 1.5 million pounds of tobacco annually with an estimated crop value of $7.5–$15 million. Current control options are very limited. Azoxystrobin (Quadris) is the only labeled fungicide with demonstrated efficacy against target spot, but foliar applications have a limited window of utility and are known to cause phytotoxicity in broadleaf and Havana tobacco under conditions in MA. Efficacy of azoxystrobin has steadily decreased in recent years. In addition, resistance development is also of concern. The failures in pest control have resulted in significant crop losses during recent growing seasons. Excalia fungicide represents a novel mode of action (SDHI; FRAC Group 7) and has demonstrated efficacy against target spot with minimal phytotoxicity in field trials conducted in other tobacco-growing states. The emergency exemption for use of Excalia fungicide would provide growers with a tool to restore disease management capability. The product is already registered for use on several other crops in Massachusetts. It is pointed out that the registrant is pursuing full registration (Section 3) for this use.

LaScola brought up the aspect related to human health risk assessment specifically for tobacco, which differs from crop uses that are currently on the Excalia label. Relative to use under this Section 18, the issue of potential pesticide residues in tobacco and the implications for human health risk assessment is of concern, particularly with respect to inhalation exposure. It is currently not clear what progress is with the work that is needed to address this aspect. Dr. Westrick indicated that he had learned that the registrant is conducting those studies. He also pointed out that the tobacco crop produced in MA and CT is subject to stringent pesticide residue testing and that pesticides are not applied in the late growing stage. Wijnja reminded that it is the role of EPA to conduct the human health risk assessment for the Section 18 use. LaScola suggested that the MDAR will highlight this aspect related to human health risk assessment in the letter to EPA.

Blanchet sought clarification on the method of application. Westrick indicated that is applied as a foliar spray.

Move: That due to the lack of currently registered pesticide products for the control of the emergency pest problem, the Pesticide Board Subcommittee approves of a FIFRA Section 18 emergency exemption petition for the use of Excalia® Fungicide (EPA Reg. No.: 59639-230), containing the active ingredient Inpyrfluxam, for the control of target spot in tobacco in Massachusetts.
This motion also takes into account the following information provided by the Department, the University of Massachusetts Extension, and product registrant:

- Section 18 Emergency Exemption Request;
- Registrant's letter of support;
- Proposed label for a Section 18 Emergency Exemption for Excalia Fungicide; and
- Any other data or conditions as included.

Moved: R. Berman
Second: T. LaScola

Discussion: As described above
In Favor: M. Blanchet, R. Berman, T. LaScola, M. Moore, E. Seaborn
Opposed: None
Abstained: None

D. NEW ACTIVE INGREDIENT

Miller presented information on the new active ingredient (AI) sodium bicarbonate, formulated in the product Shielder (EPA Reg. No. 91554-2-72662), for use on various crops and ornamentals to control fungal diseases via induced systemic resistance and increased alkalinity.

Shielder contains two active ingredients: a biological that is already registered in Massachusetts and sodium bicarbonate, a common compound to be considered for registration for the first time in the state as a pesticidal ingredient. The product is a broad-spectrum fungicide that contains 99.66% sodium bicarbonate by weight. The sodium bicarbonate mode of action involves making the pH of the plant surface more alkaline, inhibiting development of hyphae and spores. The other AI, *Bacillus subtilis* strain *IAB/BSO3*, is present at 1 million colony forming units (cfu)/gram minimum and stimulates disease resistance in plants. Shielder is labeled for organic use (OMRI Listed).

The label signal word is 'Caution'. PPE required are long sleeve shirt, long pants, shoes, socks, waterproof gloves, and goggles. Mixers, loaders, and applicators must use a NIOSH-approved particulate respirator. The environmental hazard language is limited to a short statement about being for terrestrial use only - no application to surface waters or intertidal areas below the mean high-water mark. The restricted entry interval (REI) is 4 hours.

Uses: Shielder is for foliar use on a wide range of agricultural crops, including berries, brassicas, cucurbits, leafy vegetables, herbs, ornamentals, pome and stone fruits, roots and tubers, and tree nuts. Use on strawberries, grapes, and cranberries is also allowed. Applications can be made with ground or aerial equipment at a maximum application rate of 4 lbs per 100 gallons of water. Application frequency is every 7 to 14 days or as needed. The label has drift language to minimize off-site exposures: medium or coarse droplet sizes must be used, applications are generally limited to when wind speeds are between 2 and 15 miles per hour, and temperature inversion should be avoided. Height release is restricted to 10 feet above the canopy unless there is a concern for pilot safety. However, if there is a 'no-spray' zone within the larger target area, absolutely no applications are permitted above 10 feet. The label also contains standard language to not allow spray to drift from the site onto people in sensitive areas.

Human Health: Sodium bicarbonate has a low toxicological risk profile. It is Category IV, or lowest risk, for acute oral and inhalation exposures. Sodium bicarbonate is Category III for acute dermal, eye, and primary dermal irritation. No sensitization or hypersensitivity incidents have been reported and it is not thought to be an endocrine disruptor. EPA states that there are no known reproductive, developmental, mutagenic, neurotoxic, or oncogenic effects associated with exposure to bicarbonates.

A dietary exposure and risk assessment was not conducted based on the lack of toxicity of bicarbonates. EPA determined that there is reasonable certainty that no harm will result to the general population from exposure to products containing sodium bicarbonate when used according to label directions. This includes both residential and occupational risk. Bicarbonates are ubiquitous in nature and naturally present in human food. They are considered Generally Recognized as Safe (GRAS) by the FDA, with a food tolerance exemption issued in 1996.

Environmental Risk Assessment: EPA has determined that the non-toxic mode of action of bicarbonates and their rapid biodegradation into non-toxic components will minimize risks to terrestrial and aquatic species. No direct or indirect risk is expected for terrestrial and aquatic organisms from exposure to sodium

bicarbonate in pesticides. EPA notes that submitted published studies indicate negligible potential for environmental and ecological effects. LC50 values for various insect, mammal, and aquatic invertebrate and fish species all indicate sodium bicarbonate is of low toxicity. For the same reasons, EPA has made a "No Effect" determination for bicarbonates under the Endangered Species Act (ESA) for all listed endangered or threatened species and their designated critical habitats.

Fate/Transport: Sodium bicarbonate is fairly biodegradable and has low persistence. It has high water solubility but non-toxic degrades.

Groundwater Protection: Sodium bicarbonate 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 Shielder, EPA Reg. No. 91554-2-72662, containing the new active ingredient sodium bicarbonate, which has never before been registered in Massachusetts.

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

E. NEW BUSINESS

Berman shared an observation related to the topic of timely notification of items and meeting materials. As an example, he mentioned the letter that was shared with the Subcommittee on the day of the meeting last month. Berman would like to reiterate that the Subcommittee should receive documents related to the meeting at least a few days ahead of the meeting. LaScola stated that staff will forward documents as soon as possible. Berman suggested that if it pertains to documents related to items that will be voted on, it would be better to share them after the meeting. LaScola pointed out that the Subcommittee can always decide to postpone a vote if additional time is needed to review information. Blanchet brought up the discussion that took place at the November meeting, where it was suggested to develop a process and policy for timely notification, particularly in the context of topics that need substantial time to evaluate. Blanchet inquired about the status of this effort. LaScola indicated that this topic will be on the agenda of an upcoming meeting.

E. ADJOURN
Motion: To adjourn January 20, 2026, Subcommittee Meeting.
Moved: R. Berman
Second: M. Blanchet
Discussion: None
In Favor: M. Blanchet, R. Berman, T. LaScola, M. Moore, E. Seaborn
Opposed: None
Abstained: None

"Any documents referenced in these minutes may be obtained through a Public Records Request. To make a request, please go to AGR Public Records Requests | Mass.gov."