PESTICIDE BOARD SUBCOMMITTEE MEETING

MINUTES OF MEETING

March 17, 2017

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
- Kenneth Gooch, Designee for Commissioner Leo Roy
  - Department of Conservation and Recreation
- Richard Berman
  - Commercial Applicator

ALSO PRESENT:

- Susie Reed, Department of Agricultural Resources

I. MINUTES

VOTED

That the Pesticide Board Subcommittee approves the summary notes for February 17, 2017 meetings.

Moved: Berman
Second: Nascarella
Approved: 5-0

II. PRODUCT REGISTRATIONS

a. Packet number 170324-170327

VOTED

That the Pesticide Board Subcommittee registers the pesticide products in packets numbers 170324-170327 with the exception of the following products:

1. Helmet SPC, EPA Reg. No. 74530-730 (SRU)
2. Evinco, EPA Reg. No. 83100-48-83979 (SRU)
3. Trifluence, EPA Reg. No. 62719-679-534 (SRU)
4. Double Header Herbicide, EPA Reg. No. 34704-1099 (SRU)
5. Weed Rhap LV-4, EPA Reg. No. 5905-600 (SRU)

Moved: Berman
Second: Gooch
Approved: 5-0

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. Helmet SPC, EPA Reg. No. 74530-73 and Envinco, EPA Reg. No. 83100-48-83979 containing ***Metolachlor***
2. Trifluence, EPA Reg. No. 62719-679-534 and Double Header Herbicide, EPA Reg. No. 34704-1099 containing ***Acetochlor***

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,*** and ***Acetochlor*** from general to restricted use for groundwater concerns.

Moved: Berman
Second: Wijnja
Approved: 5-0

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

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

1. Weed Rhap LV-4, EPA Reg. No. 5905-600

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: Wijnja
Approved: 5-0

III. NEW ACITIVE INGREDIENT

- Discussion of the new active ingredient ***Halauxifen-methyl*** (Quelex, EPA Reg. No. 62719-661)

  Halauxifen-methyl is the new active ingredient in Quelex™ and coformulated with the active ingredient florasulam. This product is labeled for use on wheat, barley, and triticale for control of broadleaf weeds. Quelex herbicide is a granular formulation.

  Halauxifen-methyl belongs to the picolinic acid family of herbicides, which includes other registered herbicides such as aminopyralid, clopyralid and picloram. Quelex is a post-emergent herbicide with low application rates of 0.75 oz. of product per acre, a maximum seasonal rate of 0.75 lbs. of product/acre, and 60 days pre-harvest interval.

  Wijnja summarized the information on this new active ingredient that was included in the meeting packet. The documents included the Final Registration Decision Document for the New Active Ingredient Halauxifen-methyl (USEPA, 2016), Human Health Risk Assessment, USEPA, 2016 (Executive Summary), and Environmental Fate and Ecological Risk Assessment, USEPA, 2016 (Executive Summary). These EPA documents and additional supporting documents are accessible at www.regulations.gov, in docket "EPA-HQ-OPP-2012-0919".

  Information related to human health risk assessment indicates a low acute toxicity profile. The parent compound is readily metabolized to the free acid form and both compounds were considered in the risk assessment. The parent compound halauxifen-methyl target organ is the liver, while the free acid target is the kidneys. Both compounds have low acute toxicity by oral exposure (Category IV), mildly irritating to the eye, and not a dermal irritant or sensitizer. There is no evidence of neurotoxicity or immunotoxicity. Inhalation studies were waived because of very low volatility of these compounds.

  Regarding chronic toxicity, the free acid form is classified as 'not likely to be carcinogenic to humans', the parent compound is classified as 'not likely to be carcingogenic to human at doses below those that induce liver Cyp1a1 expression. The point-of-departure (POD) for liver Cyp1a1 expression is protective of effects to the liver. Other tissues are only affected by the acid form. There was no evidence of offspring or reproductive effects.

Dietary risk was not done for acute effects. For chronic effects, the PID was from a 90-day study in rat. Chronic dietary risk was below the level of concern; the highest exposure was less than 1% of the cPAD for infants, the most sensitive subpopulation group.

Occupational risk assessment was based on inhalation exposure assessment, which was determined to below the level of concern with baseline PPE.

The environmental fate characteristics of haulixifen-methyl are dominated the rapid transformation to the free-acid form (half-life 1-2 days). The free acid form exists predominantly in the anionic form in most environments. It's the relatively mobile in soils, somewhat persistent with a half-life of 2-42 days in soils and 2-12 days in aquatic systems. Field dissipation studies indicated that hauloxifen-methyl can be more persistent in certain soils than indicated by laboratory data. Field study half-lives ranged from 3 to 273 days for the parent and 12 – 361 days for the free acid form.

Ecotoxicity data for acute effects indicate moderate toxicity to aquatic organisms, and no toxicity to birds, mammals, and terrestrial vertebrates. Chronic effects included effects on survival and reproduction. As expected, plants are sensitive to this compound and levels of concern were determined to guide the risk assessment.

Risk assessments indicated low risk for most non-target organisms due to low exposure levels associated with the low application rates. The identified risks are mitigated by label language that addresses drift, runoff, and leaching of applied product.

Available data for the fate of halauxifen-methyl in compost could not rule out the potential risk to plants from residues in compost. Therefore, the label contains language that restricts the use of treated materials in compost.

The benefits of halauxifen-methyl were identified to be a new chemistry that provides a additional tool that can be very helpful with weed resistance management. Furthermore, this chemical has a low human health risk profile as well as a low risk profile for non-target organisms compared to alternative registered products.

The product label contains detailed restrictions tank mixing with other herbicides because of synergism claims in patents; EPA concluded that this needs further evaluation.

The registration decision required mitigation and labeling statements to address identified risks. These included a groundwater and surface water advisory, composting restriction, added spray drift language.

Overall risk to non-target plants was determined not to be unreasonable compare to the benefits. This product was conditionally registered because of new data requirements for pollinators risk assessment.

Regarding the ground water protection regulations (333 CMR 12.00), halauxifen-methyl does not meet the criteria for potential groundwater contaminant.

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

1. Quelex, EPA Reg. No. 62719-661

Moved: Berman
Second: Nascarella
Approved: 5-0

IV. Consideration of a renewal application for an Experimental Use Permit (EUP) for PoaCure (a.i. methiozolin).

The Department received an application for a renewal of a EUP for Poacure (a.i., methiozolin) to control annual blue grass on golf course greens, tees, and fairways. This EUA is a part of national EUP; the number of golf courses in MA participating in the experiment went from two to one.

Initially, the federal EUP was approved for 2 years; the company applied and was granted an extention that ends this year.

Massachusetts state regulation requires annual renewal of a EUP. Poacure is used for control of poa weed grass, which is very difficult to manage on golf courses. The purpose of EUP is to get experience with product in the real world in different regions within the United State, also to evaluate if the rates currently used are sufficient to achieve the intended control.

As required by EUP approved for 2016, the applicant provided a report on the applications and results on the. The report indicate good efficacy of this herbicide on the target weed without injury to the turfgrass. An additional season of data will be useful to further evaluate its longer-term efficacy. Overall Poacure promises to be an effective tool for weed control in golf courses, and is also expected to reduce the use of other herbicides, and improve water and nutrient management.

MOVE: To grant a renewal of the Experimental Use Permit for **PoaCure (ai. Methiozolin) – file symbol 89633-EUP-1; first approved on December 17, 2014 –** to evaluate its use as an herbicide to control annual bluegrass on golf course greens, tees, and fairways. 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 on 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: Wijnja
Approved: 5-0

MOTION TO ADJOURN THE MEETING

It was moved, seconded and passed unanimously.
VOTED
To adjourn the March 17, 2017 Subcommittee Meeting.

Moved: Berman
Second: Nascarella
Approved: 5-0
Meeting adjourned at 9:45 a.m.