PESTICIDE BOARD SUBCOMMITTEE MEETING

MINUTES OF MEETING

August 16, 2019

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

ALSO PRESENT:

- Susie Reed, Department of Agricultural Resources
- Bruce Taub
- David Melly

I. MINUTES

VOTED

That the Pesticide Board Subcommittee approves the summary notes for April 19, 2019 meetings.

Moved: Berman
Second: Nascarella
Approved: 5-0

II. PRODUCT REGISTRATIONS

VOTED

That the Pesticide Board Subcommittee registers the pesticide products listed on the EIPAS PR August16, 2019 Subcommittee cover letter:

Moved: Berman
Second: Keleher
Approved: 3-0

III. NEW ACITIVE INGREDIENT

Discussion of the new active ingredient **Polyhedral occlusion bodies (OBs) of the nuclear polyhedrosis virus of Helicoverpa zea** (corn earworm)**.**

Polyhedral occlusion bodies (OBs) of the nuclear Polyhedrosis virus of Helicovpa zea (corn earworm) formulated in Gemstar LC Insecticidal Virus, EPA Reg. No. 70051-45, labeled for control of earworm in cotton, tomato, and tobacco.

Gemstar LC is OMRI listed for organic production. It is a selective insecticide specific to larvae of earworm. The mode-of-action is by the larvae ingesting the virus, which causes them to stop feeding and die. The exposure to the dead larvae can infect other larvae.

Product can be applied by ground spray equipment and chemigation.

EPA registered this active ingredient in 2004 for use on dried nuts, fruit and other commodities to control Indian Meal Moth. The BioPesticide Registration Action Document for this active ingredient was included in the meeting package.

The overall profile of this bio-pesticide indicates that it is a naturally occurring organism and has described in the scientific literature for more than 40 years. It has a specific host range limited to arthropods. Data also indicates that no toxicity, pathogenicity or other adverse effects were observed in mammals, birds, fish, or plants.

EPA's bio-pesticide toxicity summary indicates acute toxicity is classified in category IV, dermal classified in category III. Sub-chronic and chronic studies were not required based on the low toxicity profile.

Dietary exposure is possible but occurs at a low level that is not of concern. Drinking water exposure is not likely given the nature and properties of this biopesticide.

Occupational exposure with the use of this product following the basic personal protection measures to prevent skin irritation will also be protective of other health effects.

Ecological risk assessment was based on review on literature data submitted in support of a data waiver for ecotoxicity studies. The lack of toxicity of this biopesticide was used to support the assessment that risks to non-target species are minimal.

This biopesticide was unconditionally registered. EPA also issued an exemption from requirement of tolerance in food and feed.

Move that the Pesticide Board Subcommittee approve the product registrations for the following pesticide products. These products contain the active ingredient **Polyhedral occlusion bodies (OBs) of the nuclear polyhedrosis virus of Helicoverpa zea** (corn earworm) and have never before been registered in Massachusetts.

1. Gemstar LC Insecticidal Virus, EPA Reg. No. 70051-45

Moved: Berman
Second: Wijnja
Approved: 5-0

Discussion of the new active ingredient **Bacillus thuringiensis subspecies kurstaki strain EG 7841.**

Bacillus thuringiensis subspecies kurstaki strain EG 7841 is a strain that is not formulated in any product currently registered in Massachusetts. This strain is formulated in Crymax Bioinsecticide, EPA Reg. No. 70051-86, labeled for control of lepidopteran pest on various crops.

Crymax Bioinsecticide is applied by foliar application using ground spray equipment.

The meeting package included EPA's document: Bacillus thuringiensis, Revised Preliminary Work Plan and Summary Document for Registration Review. This document includes kurstaki strain EG7841 (USEPA, 2014). This EPA document and additional supporting documents are available at www.regulations.gov, in docket "EPA-HQ-OPP- 2011-0705-0004". In addition, a National Pesticide Information Center fact sheet that summarizes information for the Bacillus thuringiensis strains was available at the meeting.

Bacillus thuringiensis (Bt) is naturally occurring in soil and was first isolated and described in the early 1900s. Bt was first registered in the US as an insecticide in 1961. Currently there are more than 130 products registered that contain this class of microbial strains.

Bacillus thuringiensis microbe produces highly specific crystalline proteins that are toxic to certain invertebrates, especially larvae of beetles, flies, and butterflies and moths. The toxins are strain-specific and not toxic to all insects.

Overall Bacillus thuringiensis strains have low toxicity to mammals and birds, they occur naturally, are not infective or pathogenic. Some Bt products may cause eye and skin irritation, but in general there is no concern for human health and ecological risks when applied according to label instruction. The exposure level associated with labeled use is not of concern for both human health and ecological facts.

Move that the Pesticide Board Subcommittee approve the product registrations for the following pesticide products. These products contain the active ingredient **Bacillus thuringiensis subspecies kurstaki strain EG 7841** and have never before been registered in Massachusetts.

1. Crymax Bioinsecticide (EPA Reg. No. 70051-86

Moved: Berman
Second: Nascarella
Approved: 5-0

IV. **New Business**

Wijnja informed the Pesticide Board Subcommittee that the final budget for FY2020 included earmark funding for the Department to conduct a scientific review of the potential impact of neonicotinoid insecticides on pollinators. The report of this review will be forwarded to the Subcommittee for their review. Moore inquired about further details on the process, such as whether a public hearing is part of this process and if the Subcommittee is expected to vote on this. Wijnja stated that more details will be provided at next month's meeting. Melly, legislative aid with Rep. Dykema, clarified that the earmark language included a public hearing as a component of the process. The Subcommittee indicated to be interested in opportunities to be engaged in this process.

MOTION TO ADJOURN THE MEETING

It was moved, seconded and passed unanimously.

VOTED
To adjourn the August 16, 2019 Subcommittee Meeting.

Moved: Berman
Second: Wijnja
Approved: 5-0
Meeting adjourned at 9:40 a.m.