



California Notice 2018-08

NOTICE OF CHLORTHAL-DIMETHYL DEGRADATION PRODUCT RESIDUE DETECTIONS IN CALIFORNIA GROUND WATER AND REGISTRANT OPPORTUNITY TO REQUEST A HEARING

The Department of Pesticide Regulation (DPR) detected residues of two degradation products of the pesticide active ingredient chlorthal-dimethyl (DCPA), monomethyl tetrachloroterephthalate (MTP) and 2,3,5,6-tetrachloroterephthalic acid (TPA), in ground water in California. Based on the results of DPR's investigations, the Director determined DCPA degradation residues detected in ground water resulted from legal agricultural use of a pesticide product containing DCPA.

Currently, DPR registers one product containing the active ingredient DCPA for sale and use in California, **Dacthal Flowable Herbicide, EPA Reg. No. 5481-487-AA**. The product is an agricultural use pre-emergent herbicide for control of annual grasses and certain broadleaved weeds in various fruit and vegetable crops and ornamental turf.

When a pesticide ingredient or degradation product of a pesticide is first detected and confirmed in ground water and the contamination found to be due to legal agricultural use, the provisions of the Pesticide Contamination Prevention Act (PCPA) require DPR to conduct a formal review to determine if use of the pesticide can continue and, if so, under what conditions. This review process begins when DPR notifies all registrants of agricultural use products containing the detected pesticide active ingredient or degradate and provides them with an opportunity to request a hearing in response to the notification. Pursuant to Food and Agricultural Code (FAC) section 13149(b), notice is hereby given of the Director's determination and that the sole DCPA registrant, AMVAC Chemical Company, has 30 days from the date of this notice to request a hearing. If the registrant does not request a hearing within 30 days, pursuant to FAC section 13149(c), DPR will cancel the registration of the DCPA agricultural use product specified above.

If the registrant requests a hearing, it will be held within 180 days after DPR receives the initial request. The purpose of the hearing is to gather evidence from the registrant and the public regarding the continued agricultural use of the DCPA product. DPR will issue a notice specifying the date, time, and location of the hearing. The hearing is public and will be convened by a subcommittee of the Pesticide Registration and Evaluation Committee (PREC). The PREC subcommittee consists of one member each from the State Water Resources Control Board, the Office of Environmental Health Hazard Assessment, and DPR.



Pursuant to FAC section 13150, if the registrant requests a hearing, the registrant is required to submit a report and documented evidence to support the continued registration, sale, and use of pesticide product containing the active ingredients DCPA. The registrant may specify that it intends to rely upon a report and documented evidence submitted by third party. The report and documented evidence should be submitted to DPR 30 days before the scheduled hearing date.

The registrant, or its designated agent, will be given time at the hearing to provide oral testimony and answer the subcommittee's questions about the registrant's report and any other material that the registrant submits to DPR. The public will also be given time to provide oral testimony to the subcommittee.

The PREC subcommittee will review the documented evidence presented and submitted by the registrant and others and will make any of the following findings and recommendations:

- 1) That the ingredient found in the soil or ground water has not polluted, and does not threaten to pollute, the ground water of the state.
- 2) That the agricultural use of the pesticide can be modified so that there is a high probability that the pesticide would not pollute the ground water of the state.
- 3) That modification of the agricultural use of the pesticide or cancellation of the pesticide will cause severe economic hardship on the state's agricultural industry, and that no alternative products or practices can be effectively used so that there is a high probability that pollution of the ground water of the state will not occur. The subcommittee will recommend a level of the pesticide that does not significantly diminish the margin of safety recognized by the subcommittee to not cause adverse health effects.

The Director will issue a decision regarding the continued agricultural use of the pesticide within 30 days of the submission of the subcommittee's reported findings. If none of the above findings are made, any product registrations will be cancelled.

More information regarding PCPA can be found at http://www.cdpr.ca.gov/docs/emon/grndwtr/pcpa_review.htm. Requests for additional information or questions should be directed to Mr. Tulio Macedo, Pesticide Registration Branch, DPR, 1001 I Street, P.O. Box 4015, Mail Stop 3D, Sacramento, California 95812-4015. Mr. Macedo can be reached at 916-324-3527 or by e-mail at Tulio.Macedo@cdpr.ca.gov.

Original signed by Ann M. Prichard

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March 8, 2018

Date

cc: Mr. Tulio Macedo, Senior Environmental Scientist (Supervisory)