



Mary-Ann Warmerdam
Director

Arnold Schwarzenegger
Governor

**DEPARTMENT OF PESTICIDE REGULATION
PESTICIDE REGISTRATION AND EVALUATION COMMITTEE
Meeting Minutes – May 16, 2008**

Committee Members/Alternates in Attendance:

Syed Ali, State Water Resources Control Board (SWRCB)
Lynn Baker, Air Resources Board (ARB)
Tobi Jones, Department of Pesticide Regulation (DPR)
Brian Larimore, Integrated Waste Management Board (IWMB)
Stella McMillin, Department of Fish and Game (DFG)
Dennis Patzer, Structural Pest Control Board (SPCB)
Rebecca Sisco, University of California IR-4 Program
Patti L. TenBrook, U.S. Environmental Protection Agency, Reg. 9 (U.S. EPA)
Barbara Todd, Department of Food and Agriculture (CDFA)
David Whitmer, California Agriculture Commissioners and Sealers Association (CACASA)
Joy Wisniewski for Anna Fan, Office of Environmental Health Hazard Assessment (OEHHA)

Visitors in Attendance:

Charles Andrews, DPR
Rich Bireley, DPR
Melinda Bowman, Valent
Glenn Brank, DPR
Angela Csondes, ARB
Nasser Dean, Western Plant Health Assn.
Roberta Firoved, California Rice Commission
Victoria Hornbaker, CDFA Vertebrate Control
Nisreen Jaradat, DPR
Artie Lawyer, Technology Sciences Group
Aron Lindgren, DPR
Shelley Lopez, DPR
Zhimin Lu, Water Board
Jeanne Martin, DPR
Eric Paulsen, Clark Pest Control
Ann Prichard, DPR
John Troiano, DPR
Denise Webster, DPR
Jim Wells, Environmental Solutions Group

1. Introductions and Committee Business – Tobi Jones, Chairperson, DPR
 - a. About 30 people attended the meeting.
 - b. There were no corrections to the minutes of the previous meeting held on March 21, 2008.



2. Continuous Evaluation Processes at the Department of Pesticide Regulation –
Tobi Jones, DPR

Chair Jones introduced this topic as a follow up to the March agenda item on DPR's Pesticide Illness Surveillance Program (PISP). She distributed a new DPR document, entitled "Community Guide to Recognizing and Reporting Pesticide Problems." The Guide is intended as a reference source for local agencies, advocacy groups, and individuals to make the pesticide regulatory program more accessible, including how to report pesticide illnesses. DPR created the guide in response to advocacy groups reports of calls that they received from people not knowing where to report pesticide emergencies. The county agricultural commissioners provided very useful input during guide development.

Jones discussed DPR's mandate to have an orderly program to continuously evaluate registered pesticides to detect problems. PISP is one of several programs within DPR that provides feedback to inform DPR's regulatory program. Sources outside of DPR, such as county agricultural commissioners and other state agencies, also provide feedback to DPR. Reevaluation is part of continuous evaluation and provides a means to collect additional data to better characterize pesticides' risks or to guide mitigation measures. Several of the programs periodically report their activities to the PREC.

During the discussion, committee members Dave Whitmer and Syed Ali provided additional examples of how their respective programs (county agricultural commissioners, Water Board) provide feedback to DPR such as workability of conditions for restricted material permits and sediment and aquatic toxicity data for water quality.

3. Brodifacoum

a. Update on Reevaluation – Denise Webster, Pesticide Registration Branch

In January of 2007, the U.S. Environmental Protection Agency's (U.S. EPA's) proposed a risk mitigation decision for nine rodenticides. U.S. EPA's decision is publicly available on its Regulations.gov Web site. U.S. EPA's proposal would make the three more toxic second generation anticoagulants (brodifacoum, bromadiolone, and difethialone) restricted use and require that all consumer products be formulated as a solid and sold in a bait station.

In response to this proposal, the Rodenticides Registrants Task Force (RRTF) proposed label mitigation language in lieu of the restricted use classification for second-generation rodenticides. The RRTF believe that maintaining these products is essential for protecting public health. The RRTF indicated a preference to work towards improved packaging and labeling specific to agricultural and residential users to reduce product misuse and inadvertent exposure of wildlife to anticoagulant baits.

Consumer Products:

The RRTF proposed to limit consumer use products to indoor use only and create a smaller package size (1 to 4 pounds) with a package that is resistant to small child access. They proposed to reduce the amount of bait consumers use either by reducing the amount of bait in each package or reducing the number of packages recommended for control. The RRTF is proposing to assist the U.S. EPA to modify their current Pesticide Registration notice on tamper resistant bait stations with a performance-based standard. In February of this year, U.S. EPA stated they were considering a tiered scheme allowing for bait stations that provide varying levels of bait protection. Some would require laboratory testing according to EPA protocols, and others would allow self-certification.

Agricultural Use and Use by Professional Applicators:

The RRTF proposed to limit the agricultural use of second generation products by restricting all above-ground applications to tamper resistant bait stations (below-ground applications would have no restrictions). Such products would be available in larger package sizes (larger than 1 pound) available for sale through agricultural and animal husbandry supply markets. With higher product pricing and larger packaging, RRTF feels that the size will direct use of the products away from consumers.

The RRTF also proposed to provide product stewardship and consumer outreach through point of sale educational materials. They currently have a Web site available for the public at <www.rodentfacts.org>. U.S. EPA told the RRTF that they are interested in proposals for research or monitoring that would measure the success of mitigation measures in reducing secondary wildlife exposure to rodenticides.

b. Findings on Monitoring Studies on San Joaquin Kit Foxes – Stella McMillin, Department of Fish and Game

Since 1984, the California Department of Fish and Game's Pesticide Investigation Unit (PIU) has investigated 85 cases of animals showing signs of anticoagulant poisoning (unexplained bleeding). Species impacted include Great-horned owl, barn owl, golden eagle, red-tailed hawk, Cooper's hawk, mountain lion, bobcat, coyote, and San Joaquin kit fox. A high number of these (73%) contained anticoagulant residues in their livers, with brodifacoum being the most frequently detected. Brodifacoum is a second-generation anticoagulant rodenticide and is more persistent in animal tissues and more toxic than older anticoagulant rodenticides. It is registered for use only on commensal rodents. At the request of PIU, DPR placed brodifacoum in reevaluation in 1999.

Since then, the PIU has been monitoring San Joaquin kit foxes (a Federal and State listed endangered species) in the Bakersfield urban area for anticoagulant exposure. Results indicate that 87% of the fox livers contained brodifacoum and 43% contained bromadiolone (another second-generation anticoagulant rodenticide). As a comparison,

none of the foxes collected at a nearby wildlife area contained anticoagulant residues. The results of this study confirm the widespread exposure of nontarget animals to brodifacoum and the urban contribution to the problem.

4. Update of DPR's Groundwater Protection Program – John Troiano, Environmental Monitoring Branch

In May of 2004, DPR revised the regulations for protecting ground water from contamination by pesticides. The main changes in the regulations are that all of the 6800(a) listed pesticides, which are those that are known to contaminate ground water, require a permit for agricultural use in vulnerable areas. The vulnerable areas are designated as Ground Water Protection Areas (GWPA's). Since the pathway to ground water depends on the predominant soils in the GWPA's, specific management practices have been tailored to mitigate movement to ground water.

In Leaching GWPA's, the soils are coarse so management focuses on reduction of percolating water when residues are in contact with irrigation water. In Runoff GWPA's, the soils have low water infiltration rates, so management practices target either moving residues into the soil prior to the production of runoff events or on the control of runoff water that contain residues. The regulations allow adoption of modifications of management practices when feasible. One modification was reviewed at the request of Citrus Mutual. Additional studies on pathways to ground water have shown that ponds are a potential source and that they may not necessarily be tied to a specific soil type. DPR is developing mitigation measures to address potential pathways to ground water, especially since adoption of ponds appears to be a potential mitigation to recent surface water regulatory actions. DPR would like to prevent a switch in contamination from surface water to ground water.

Lastly, DPR reviewed a current analysis of well water sampling data collected from a set of domestic monitoring wells. Detected trends will be used to monitor the success of the revised regulations. Preliminary analysis indicated that one effect of the previous set of regulations was a switch in the detection pattern of contaminants. Under the previous regulations, a detected pesticide was regulated in a section of land where it had been detected in ground water. One response to the regulations from growers was to shy away from use of the regulated pesticides, which are predominately pre-emergence herbicides, to another herbicide not yet detected or regulated. For a few wells, graphs relating past use to detections clearly indicated cessation of use for diuron when it was regulated in a Pesticide Management Zone (PMZ) in 1999, which resulted in a decrease in concentration in well water around 5 years later. On the other hand, use of norflurazon, a substitute herbicide, was initiated in the section at the time it was identified as a PMZ in 1999, which resulted in detections in well water around 5 years after the start of use in the same well where diuron concentrations were decreasing. This observation underlies the point that simple substitution of products is not necessarily a solution to the problem and that the approach taken by DPR in its revised

regulations to mitigate the pathway of movement in water to ground water will be effective in decreasing current levels in wells and in preventing future detections.

5. 2006 Emission Inventory – Pamela Wofford, Environmental Monitoring Branch

Postponed

6. Agenda items for next meeting – Tobi Jones, DPR

Committee member Baker requested a presentation on DPR's monitoring for the Light Brown Apple Moth (LBAM) eradication project.

The next meeting will be held on Friday, July 18, 2008, in the Sierra Room on the second floor of the Cal/EPA building, located at 1001 I Street, Sacramento, California.

7. Closing Comments – Tobi Jones, DPR

Chair Jones thanked the committee members and visitors for their support throughout her term. Since she will be retiring from DPR, Ms. Ann Prichard will be the acting chair. Please forward any agenda items to her attention by email at <aprichard@cdpr.ca.gov>. She may also be reached by telephone at telephone at (916) 324-3931.

The meeting was adjourned.