PESTICIDE REGISTRATION AND EVALUATION COMMITTEE (PREC)
Meeting Minutes – January 17, 2014

Committee Members/Alternates in Attendance:

Charles Salocks, Office of Environmental Health Hazard Assessment (OEHHA)
Elizabeth Pelham, Department of Pesticide Regulation (DPR)
Eric Lauritzen, California Agricultural Commissioners and Sealers Association (CACASA)
Jeff Fowles, Department of Public Health (CDPH)
Lynn Baker, Air Resources Board (ARB)
Rebecca Sisco, University of California, IR-4 Program
Rich Breuer, State Water Resources Control Board (SWRCB)
Stella McMillin, Department of Fish and Wildlife (CDFW)

Visitors in Attendance:

Amanda Palumbo, SWRCB
Andi Cameron, DPR –Pesticide Registration Branch
Anne Katten, California Rural Legal Assistance Foundation
Artie Lawyer, Technology Sciences Group
Brian Bret, Dow AgroSciences
Bryan Eya, OEHHA
Denise Alder, DPR –Pesticide Registration Branch
Doug Downie, DPR –Pest Management and Licensing Branch
George Farnsworth, DPR –Enforcement Headquarters
Jay Schreider, DPR –Medical Toxicology Branch
Jeanne Martin, DPR –Enforcement Headquarters
Jill Townzen, DPR –Pesticide Registration Branch
Jim Wells, Environmental Solutions Group
Kyle Lawson, Lawson and Associates
Leslie Crowl, DPR –Worker Health and Safety
Pam Wofford, DPR –Environmental Monitoring Branch
Rachel Kubiak, Western Plant Health Association
Randy Segawa, DPR –Environmental Monitoring Branch
Rima Woods, OEHHA
Terry Davis, Univar
Victoria Hornbaker, California Department of Food and Agriculture (CDFA)

1. **Introductions and Committee Business –Elizabeth Pelham, Acting Chairperson, DPR**
   a. About twenty-nine people attended the meeting.
   b. A correction to the minutes of the meeting held on September 20, 2013, to denote Valerie Mitchell with the Department of Toxic Substances Control in attendance.
   c. No corrections to the minutes of the previous meeting held on November 15, 2013 identified.

2. **<u>Volatile Organic Compounds (VOC) Update</u> –Randy Segawa, DPR**
DPR released its draft report on the 2012 VOC emissions inventory for public comment. In 2012, four of the five ozone nonattainment areas tracked by DPR complied with the State Implementation Plan (SIP) goal for pesticide VOC reductions. Ventura slightly exceeded its SIP goal due to an error in the system for tracking fumigant emissions. DPR corrected the error and is accepting comments on the draft report until January 24, 2014. Please send your comments by email to <randy.segawa@cdpr.ca.gov>.

DPR implemented regulations to reduce VOC emissions from fumigant pesticides in 2008. Key elements of those regulations require "low-emission" fumigation methods during May-October in the San Joaquin Valley, Southeast Desert, and Ventura ozone nonattainment areas. In 2013, DPR issued interim approval for new low-emission fumigation methods that use "totally impermeable films" (TIF). TIF applications have significantly lower emissions compared to applications with standard tarps. DPR will begin rulemaking in 2014 to permanently add TIF methods to the regulations.

Regulations to reduce VOC emissions from non-fumigant pesticide products used in the San Joaquin Valley went into effect on November 1, 2013. The regulations establish criteria to designate certain products containing abamectin, chlorpyrifos, gibberellins, and oxyfluorfen as "high-VOC." Pesticide dealers selling high-VOC products for use in San Joaquin Valley are required to provide certain VOC information to the purchasers. Growers are required to obtain a pest control advisers recommendation prior to using a high-VOC product in San Joaquin Valley during May-October for any of seven crops. Additional restrictions will trigger if pesticide VOC emissions in the San Joaquin Valley exceed 95% of the SIP goal.

3. **<u>Risk Assessment Prioritization Update</u> –Jay Schreider, DPR**
The Risk Assessment Prioritization Work Group (RAPWG) reconvened to rank a list of ten pesticide active ingredients (AIs) for risk assessment prioritization. The RAPWG consists of five senior scientists from DPR, one senior scientist from ARB, and one senior scientist from OEHHA. PREC members and other interested parties submitted suggestions. The composite ranking of the 10 AIs are: (1) mancozeb, (2) paraquat dichloride, (3) dimethoate, (4) iprodione, (5) propylene oxide, (6) ziram, (7) glufosinate ammonium, (8) cypermethrin, (9) glutaraldehyde, and (10) pentachloronitrobenzene (PCNB).

There will be a 30-day public comment period regarding the proposed ranking. Please submit any comments on or before February 17, 2014. Please send comments by email to <jay.schreider@cdpr.ca.gov>. DPR will publish the final ranking on its website following review of submitted comments and approval from DPR management.

4. **<u>U.S. EPA Pollinator Protection Labeling Update</u> –Denise Alder, DPR**
In letter dated August 15, 2013, the U.S. Environmental Protection Agency (U.S. EPA) notified certain registrants that their products would require new labeling statements to protect pollinators. These label statements apply to all outdoor foliar use products (except granular formulations) containing the active ingredients clothianidin, dinotefuran,

imidacloprid, or thiamethoxam. These active ingredients are collectively called neonicotinoids. U.S. EPA required neonicotinoid registrants to submit amended label requests by October 1, 2013.

The new labeling requirements include a bee advisory box and a bee hazard icon in the directions for use for each application site to identify additional restrictions to protect bees and other insect pollinators. If no specific bee protection language exists, an all-encompassing application restriction applies for all outdoor foliar applications. The advisory box will not replace existing bee protection language, but will make the neonicotinoid product labels uniform. Additional label mitigation may be identified for other application methods (soil and seed treatment) in the future. These restrictions apply to application directions for crops with contracted pollinator services or for food/feed and commercially grown ornamentals that are attractive to pollinators.

DPR identified three advisory categories: (1) for crops under contracted pollination services, (2) food crops and commercially grown ornamentals not under contract for pollination services but are attractive to pollinators, and (3) all other types of products.

For category 1, the directions for use statements include, “do not apply this product while bees are foraging” and “do not apply this product until flowering is complete and all petals have fallen.” Crops under contracted pollination services may apply the product with notification to the beekeeper providing pollination services is no less than forty-eight hours prior to the time of the planned application.

For category 2, the directions for use statements include, “do not apply this product while bees are foraging” and “do not apply this product until flowering is complete and all petals have fallen.” Foliar applications made to food crops and commercially grown ornamentals not under contract for pollination services but are attractive to pollinators may occur with certain conditions. These conditions apply with applications made to the target site after sunset, when temperatures are below 55ºF; is in accordance with state-administered apiary registry program, or with a predicted imminent threat of significant crop loss.

For category 3, the same statements as above including, “do not apply this product while bees are foraging,” “do not apply this product to plants that are flowering,” and “only apply after all flower petals have fallen off.”

U.S. EPA identified over three hundred products needing the bee advisory language. To date, they are still reviewing and approving the amendment requests. The U.S. EPA approval letter with the amended label requires products entering the marketplace after February 28, 2014, to bear the pollinator protection language.

DPR determined submission of each registrant’s amended label to add pollinator protection labeling is an early mitigation effort in advance of the conclusion of the reevaluation. DPR issued a letter dated November 7, 2013 requiring the registrants of 155 products to submit

amended product labels within 30 days of U.S. EPA approval. In an effort to achieve the marketplace deadline, DPR is expediting its label evaluation process. Since January 16, 2014, DPR has received 19 label amendment requests and has completed 15 of those requests. Additionally, DPR eliminated 19 products from the label amendment requirements as they are granular formulations or the company has chosen not to renew their California registration.

On November 12, 2013, the state of Oregon announced their labeling requirement to exclude the use on *Tilia* species. This additional label prohibition has caused a delay in submitting revised labels to California as the registrants want to print one label that includes U.S. EPA and Oregon's labeling requirements.

DPR's Enforcement branch is working closely with U.S. EPA to provide information on how the new label language complies with California's existing citrus/bee protection regulations.

5. <u>Public Comment</u>

DPR received a public comment regarding the VOC update provided by Randy Segawa. The commenter questioned whether exceedance of VOC reduction goals in the San Joaquin Valley would trigger a separate restriction for high VOC pesticide products used in structures. Mr. Segawa stated DPR would review its emission inventory and determine what products and uses are causing these exceedances. Currently, structural use in the San Joaquin Valley is not on the top 10 list. However, if structural use were to increase suddenly, DPR would need to take regulatory action at that time. Another commodity specific example was if reduction goals exceeded based on increased pesticide use on corn, then DPR would restrict high VOC products used on corn. It would depend on what is causing the exceedances. The current regulations are focused on agricultural restrictions. DPR has a good enforcement process for agricultural uses, not necessarily for structural applications.

6. <u>Agenda Items for Next Meeting</u>

Victoria Hornbaker, CDFA, will provide an update to the Asian Citrus Psyllid (ACP) Program during the next meeting.

The next meeting will be on Friday, March 21, 2014, in the Sierra Hearing Room on the second floor of the Cal/EPA building, located at 1001 I Street, Sacramento, California.

7. <u>Adjourn</u>