

**Notice of Proposed and Final Decisions  
and Public Reports**

**Volume 2014-20  
May 16, 2014**

**Department of Pesticide Regulation  
Pesticide Registration Branch**

POST THROUGH JUNE 14, 2014

## **NOTICE OF PROPOSED DECISIONS TO REGISTER PESTICIDE PRODUCTS AND PUBLIC REPORTS**

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The Director of the Department of Pesticide Regulation (DPR) proposes to register the products listed below under Chapter 2 of Division 7 (beginning with Section 12751 of the Food and Agriculture Code) after June 14, 2014 and issues this notice and these public reports in accordance with Title 3, California Code of Regulations sections 6253 and 6254. Comments concerning these proposed decisions may be directed to the Pesticide Registration Branch, Department of Pesticide Regulation, P.O. Box 4015, Sacramento, California 95812-4015 until the above date. Contacts regarding this notice should be made to the Pesticide Registration Branch at (916) 445-4400.

### *Description of the Action – Label Amendments*

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*Tracking Number – (EPA Registration Number)*

*Applicant / Brand Name*

261467 - (81880 - 18 - 10163)

GOWAN COMPANY

SANDEA HERBICIDE

USE: HERBICIDE - FOR THE CONTROL OF VARIOUS WEEDS SUCH AS MILDWEED, GOOSEFOOT, AND JIMSONWEED IN VARIOUS CROPS SUCH AS ASPARAGUS, CUCUMBERS, AND PUMPKINS

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD USE IN CRANBERRIES AND ARTICHOKES

ACTIVE INGREDIENT(S):

HALOSULFURON-METHYL

CAS NUMBER(S): 100784-20-1

263350 - (53735 - 2)

KING TECHNOLOGY, INC.

POOL FROG PAC

USE: ANTIMICROBIAL, BACTERICIDE, DISINFECTANT - FOR THE CONTROL OF BACTERIA IN SWIMMING POOLS

TYPE: SECTION 3 LABEL AMENDMENT - TO REVISE PRECAUTIONARY STATEMENTS AND PHYSICAL OR CHEMICAL HAZARDS AND STORAGE AND DISPOSAL SECTIONS

ACTIVE INGREDIENT(S):

TRICHLORO-S-TRIAZINETRIONE

CAS NUMBER(S): 87-90-1

**Notice of Proposed Decisions to Register (Continued)**

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262778 - (6836 - 245)

LONZA, INC.

CSP-46

USE: ANTIMICROBIAL, BACTERICIDE, DISINFECTANT, VIRUCIDE - FOR THE CONTROL OF VARIOUS ORGANISMS SUCH AS ACINETOBACTER BAUMANNII, BURKHOLDERIA CEPACIA, AND ENTEROBACTER CLOCAE ON HARD, NONPOROUS SURFACES IN SITES SUCH AS HOSPITALS, DENTAL OFFICES, AND RESTAURANTS  
TYPE: SECTION 3 LABEL AMENDMENT - TO ADD CLAIMS AGAINST ORGANISMS SUCH AS AVIAN INFLUENZA VIRUS [H5N1], RESPIRATORY SYNCYTIAL VIRUS [RSV], VACCINIA VIRUS, STREPTOCOCCUS PYOGENES, AND STAPHYLOCOCCUS EPIDERMIDIS

ACTIVE INGREDIENT(S):

ALKYL (60%C14, 30%C16, 5%C12, 5%C18) DIMETHYLBENZYL AMMONIUM CHLORIDE

ALKYL (68%C12, 32%C14) DIMETHYLETHYLBENZYL AMMONIUM CHLORIDE

CAS NUMBER(S): 63449-41-2, 85409-23-0

262429 - (5383 - 137)

TROY CHEMICAL CORPORATION

MERGAL 758

USE: ANTIMICROBIAL, BACTERICIDE - FOR USE AS A PRESERVATIVE IN AQUEOUS APPLICATIONS SUCH AS POLYMER EMULSIONS, ADHESIVES, AND PAPER COATINGS

TYPE: SECTION 3 LABEL AMENDMENT - TO DELETE THE TERM FUNGI IN THE DIRECTIONS FOR USE

ACTIVE INGREDIENT(S):

1,2-BENZISOTHIAZOLIN-3-ONE

2-METHYL-4-ISOTHIAZOLIN-3-ONE

5-CHLORO-2-METHYL-4-ISOTHIAZOLIN-3-ONE

CAS NUMBER(S): 2634-33-5, 2682-20-4, 26172-55-4

This is a proposed decision to approve amended labels for certain pesticide products already registered for use in California (project). The amended labels submitted to replace the labels for currently registered products have already been reviewed and accepted by the United States Environmental Protection Agency (U.S. EPA). By law, before these labels can be approved for placement on currently registered products in California to control use, the labels must first be reviewed and accepted by U.S. EPA. The label under which a product is registered in California is controlled by, and must be essentially the same as, the label approved by U.S. EPA. DPR cannot give its final approval for the amended labels until such labels are officially accepted by U.S. EPA.

## Notice of Proposed Decisions to Register (Continued)

### Page 3

The products listed and described above are the subject of this registration action and are currently registered in California under labels that allow each product's use only for specific pests and/or at particular types of sites, and only in the manner consistent with the label requirements and instructions. The registrants of these products have now applied to amend the labels for their respective products in California by adding additional uses or types of sites, and/or setting forth additional or different conditions or instructions for use.

#### Mitigation and Alternatives

DPR evaluated the new labels for their potential to create adverse environmental effects to human health, water, air, and non-target species (checklist). After review of the new labels for the above-identified registered products, DPR has determined that use of each product in a manner consistent with its new label will have no direct or indirect significant adverse environmental impact, and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. Cal. Code of Regs., tit. 14, § 15252(a)(2)(B).

If DPR determines that the use of any of the registered products in a manner consistent with the amended label submitted for approval is anticipated to have a significant adverse environmental impact, the only alternative or mitigation to the project of accepting the amended label is to deny approval and maintain the registration of the product under the existing label. However, even if an adverse impact is identified, the registration project can be approved if the Director makes a written determination that the benefit of accepting the amended label in providing an additional pest control option outweighs the risk of a significant adverse environmental impact from allowing use of the product consistent with its requirements (overriding considerations determination). Cal. Code of Regs., tit. 3, § 6158.

In an overriding considerations determination, a discussion of the lack of feasible pest control options, including product alternatives, for one or more of the pest problems for which the product can be used under the amended label may be appropriate to support approval. However, that determination is not being made here as no significant adverse environmental impacts have been identified. Outside an overriding consideration determination, a discussion of product alternatives is irrelevant to a registration project.

If the proposed registration of these products under amended labels is denied (no project alternative), there will be no significant adverse environmental impact anticipated from the lack of additional pest control options. The benefit of accepting amended labels for these currently registered products is that such action may provide additional pest control options for specific pests or use sites allowing the selection of the optimal pest tool for each unique situation; or such action may result in new control measures or requirements on use that decrease the risk of adverse impact on human health and the environment.

## Notice of Proposed Decisions to Register (Continued)

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†† This product is designated as a California restricted material based upon the increased hazard the active ingredient may pose to human health or the environment. Although the labels submitted for registration include mitigation measures and restrictions that significantly reduce the potential for a significant adverse environmental impact, restricted material products also require a permit to be issued by the local county agricultural commissioner before they can be applied. The local county agricultural commissioner is required to conduct an evaluation before issuing a permit for the use of restricted material products to determine if the specific use at a specific time and location will result in a significant adverse environmental impact. If the evaluation finds that there is a likelihood of a substantial adverse environmental impact, and there is a mitigation measure which will significantly reduce that impact, the permit shall be conditioned on the use of that measure. If, however, no mitigation is possible and there is a feasible alternative that will substantially reduce the environmental impact while still achieving the intended pest management purpose, the permit will be denied.

### *Description of the Action – New Pesticide Products*

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*Tracking Number – (EPA Registration Number)*

*Applicant / Brand Name*

263070 - (706 - 69 - 88891)

AFFLINK, LLC

DISINFECTANT SPRAY LEMON SCENT

USE: ANTIMICROBIAL, DISINFECTANT - FOR THE CONTROL OF VARIOUS ORGANISMS SUCH AS ASPERGILLUS NIGER, HUMAN HERPES SIMPLEX VIRUS TYPE 1, AND SALMONELLA CHOLERAESUIS ON HARD, NONPOROUS SURFACES IN VARIOUS SITES SUCH AS HOMES, HOSPITALS, AND SCHOOLS

TYPE: SECTION 3 SUBREGISTRATION - CONDITIONAL

ACTIVE INGREDIENT(S):

ETHYL ALCOHOL

ORTHO-PHENYLPHENOL

PARA-TERT-AMYLPHENOL

CAS NUMBER(S): 64-17-5, 90-43-7, 80-46-6

261880 - (64962 - 1)

EARTH SCIENCE LABORATORIES, INC.

EARTHTEC QZ

USE: MOLLUSCICIDE - FOR THE CONTROL OF QUAGGA AND ZEBRA MUSSELS

TYPE: SECTION 3 REGISTRATION - ADDITIONAL BRAND NAME

ACTIVE INGREDIENT(S):

COPPER SULFATE (PENTAHYDRATE)

CAS NUMBER(S): 7758-99-8

## Notice of Proposed Decisions to Register (Continued)

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261088 - (10324 - 219)

MASON CHEMICAL COMPANY

MAQUAT SANI-FLOOR

USE: BACTERICIDE, DISINFECTANT - FOR THE CONTROL OF VARIOUS ORGANISMS SUCH AS ENTEROBACTER AEROGENES, ENTEROBACTER SAKAZAKII, AND ESCHERICHIA COLI ON HARD, NONPOROUS SURFACES IN DAIRY, FOOD, AND BEVERAGE PROCESSING INDUSTRIES

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

ALKYL (50%C14, 40%C12, 10%C16) DIMETHYLBENZYL AMMONIUM CHLORIDE

DIDECYL DIMETHYL AMMONIUM CHLORIDE

DIOCTYL DIMETHYL AMMONIUM CHLORIDE

OCTYL DECYL DIMETHYL AMMONIUM CHLORIDE

CAS NUMBER(S): 63449-41-2, 126851-24-9, 154765-32-9, 7173-51-5, 5538-94-3, 32426-11-2

This is a proposed decision to register certain pesticide products that already have been registered by U.S. EPA or for which federal registration is pending, under the specific labels that are now submitted for registration in California (project). The products listed and described above are the subject of this registration action and contain active ingredients already found in currently registered products, but may have different combinations and/or percentages of total ingredients, and/or be for different pests and/or types of sites. By law, all of these products must first be registered under a label approved by U.S. EPA before they can be registered for use in California. The label under which the product is registered in California is controlled by, and must be essentially the same as, the label approved by U.S. EPA. DPR cannot give its final approval for registration in California until the products are officially registered by U.S. EPA.

### Mitigation and Alternatives

DPR evaluated these proposed products for their potential to create adverse environmental effects to human health, water, air, and non-target species (checklist). DPR's review of this project, the registration of the above-identified products, has determined that use of each of these products in a manner consistent with its U. S. EPA-approved labeling will have no direct or indirect significant adverse environmental impact, and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. Cal. Code of Regs., tit. 14, § 15252(a)(2)(B).

If DPR determines that the use of any product proposed for registration in a manner consistent with its U.S. EPA-approved label is anticipated to have a significant adverse environmental impact, the only alternative or mitigation to the project of registering the product under the label presented is to deny registration. However, even if an adverse impact is identified, the registration project can be approved if the Director makes a written determination that the benefit of registering the product in providing an additional pest control option outweighs the risk of a significant adverse environmental impact from its use (overriding considerations determination). Cal. Code of Regs., tit. 3, §6158.

## Notice of Proposed Decisions to Register (Continued)

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In an overriding considerations determination, a discussion of the lack of feasible pest control options, including product alternatives, for one or more of the pest problems targeted by a particular product, may be appropriate to support registration. However, that determination is not being made here as no significant adverse environmental impacts have been identified. Outside an overriding consideration determination, a discussion of product alternatives is irrelevant to a registration project.

If the proposed registration of any of these products is denied (no project alternative), there will be no significant adverse environmental impact anticipated from the lack of additional pest control options. The benefit of registering these products is that they provide additional pest control options for each specific proposed use, allowing the selection of the optimal pest tool for each unique situation.

†† This product is designated as a California restricted material based upon the increased hazard the active ingredient may pose to human health or the environment. Although the labels submitted for registration include mitigation measures and restrictions that significantly reduce the potential for a significant adverse environmental impact, restricted material products also require a permit to be issued by the local county agricultural commissioner before they can be applied. The local county agricultural commissioner is required to conduct an evaluation before issuing a permit for the use of restricted material products to determine if the specific use at a specific time and location will result in a significant adverse environmental impact. If the evaluation finds that there is a likelihood of a substantial adverse environmental impact, and there is a mitigation measure which will significantly reduce that impact, the permit shall be conditioned on the use of that measure. If, however, no mitigation is possible and there is a feasible alternative that will substantially reduce the environmental impact while still achieving the intended pest management purpose, the permit will be denied.

### *Description of the Action – New Pesticide Products Containing New Active Ingredients*

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*Tracking Number – (EPA Registration Number)*

*Applicant / Brand Name*

243412 - (352 - 840)

E.I. DU PONT DE NEMOURS AND CO., INC.

DUPONT APPROACH FUNGICIDE

USE: FUNGICIDE - FOR THE CONTROL OF FOLIAR AND SOIL-BORNE PLANT DISEASES SUCH AS ALTERNARIA BLACK SPOT, SCLEROTINIA STEM ROT, AND ANTHRACNOSE ON CROPS SUCH AS CANOLA, CORN, AND SOYBEANS

TYPE: SECTION 3 REGISTRATION - CONDITIONAL

ACTIVE INGREDIENT(S):

PICOXYSTROBIN

CAS NUMBER(S): 117428-22-5

## Notice of Proposed Decisions to Register (Continued)

### Page 7

This is a proposed decision to register certain pesticide products that contain a new active ingredient not found in any currently registered product in California (project). These products have already been registered by U. S. EPA or have a federal registration pending under the specific labels that are now submitted for registration in California. By law, all of these products must first be registered under a label approved by U.S. EPA before they can be registered for use in California. The label under which the product is registered in California is controlled by, and must be essentially the same as, the label approved by U.S. EPA. DPR cannot give its final approval for registration in California until the products are officially registered by U.S. EPA.

### Mitigation and Alternatives

DPR evaluated these proposed products and their new active ingredient for their potential to create adverse environmental effects to human health, water, air, and non-target species (checklist). DPR's review of this project, the registration of certain pesticide products containing a new active ingredient, has determined that use of these products in a manner consistent with its labeling will have no direct or indirect significant adverse environmental impact and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. Cal. Code of Regs., tit. 14, § 15252(a)(2)(B).

If DPR determines that the use of any product proposed for registration in a manner consistent with its U.S. EPA-approved label is anticipated to have a significant adverse environmental impact, the only alternative or mitigation to the project of registering the product under the label presented is to deny registration. However, even if an adverse impact is identified, the registration project can be approved if the Director makes a written determination that the benefit of registering the product in providing an additional pest control option outweighs the risk of a significant adverse environmental impact from its use (overriding considerations determination). Cal. Code of Regs., tit. 3, § 6158.

In an overriding considerations determination, a discussion of the lack of feasible pest control options, including product alternatives, for one or more of the pest problems targeted by a particular product, may be appropriate to support registration. However, that determination is not being made here as no significant adverse environmental impacts have been identified. Outside an overriding consideration determination, a discussion of product alternatives is irrelevant to a registration project.

If the proposed registration of any of these products is denied (no project alternative), there will be no significant adverse environmental impact anticipated from the lack of additional pest control options. The benefit of registering these products is that they provide additional pest control options for each specific proposed use, allowing the selection of the optimal pest tool for each unique situation.

\*\* This product is designated as a California restricted material based upon the increased hazard the active ingredient may pose to human health or the environment. Although the labels submitted for registration include mitigation measures and restrictions that significantly reduce the potential for a significant adverse environmental impact, restricted material products also require a permit to be issued by the local county agricultural commissioner before they can be

**Notice of Proposed Decisions to Register (Continued)**

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applied. The local county agricultural commissioner is required to conduct an evaluation before issuing a permit for the use of restricted material products to determine if the specific use at a specific time and location will result in a significant adverse environmental impact. If the evaluation finds that there is a likelihood of a substantial adverse environmental impact, and there is a mitigation measure which will significantly reduce that impact, the permit shall be conditioned on the use of that measure. If, however, no mitigation is possible and there is a feasible alternative that will substantially reduce the environmental impact while still achieving the intended pest management purpose, the permit will be denied.

*Description of the Action – California Only Products*

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*Tracking Number – (EPA Registration Number)*

*Applicant / Brand Name*

**None to report this issue Volume 2014-20.**

*Continuous Evaluation*

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All products proposed for registration here are subject a continuous evaluation under Food and Agricultural Code section 12824 to identify and evaluate any potential significant adverse environmental impact that may be indicated after the initial registration. Following the process outlined in Title 3, California Code of Regulations sections 6220 through 6224, action may be taken to cancel the registration under Food and Agricultural Code section 12825.

*May 16, 2014*

*Original Signed by Ann Prichard*

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Dated

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Ann M. Prichard, Branch Chief  
Pesticide Registration Branch

POST THROUGH JUNE 14, 2014

**NOTICE OF FINAL DECISIONS TO REGISTER PESTICIDE PRODUCTS  
AND WRITTEN EVALUATION**

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Pursuant to Title 3, California Code of Regulations section 6255, the Director of the Department of Pesticide Regulation (DPR), files this Notice of Final Decisions to Register Pesticide Products with the Secretary of the Resources Agency for posting. For products conditionally registered pending the submission of specific data, the Director found that the use of the products during the time period(s) while the data are being developed is not expected to cause any significant adverse effect on the environment; there is a clear need for the products in California while the data are being developed; and that the benefits of using the products outweigh risks to human health and the environment. Conditional registration cannot be granted unless all the data required by Title 3, California Code of Regulations section 6200 and the other requirements of that section are satisfied. This notice must remain posted for a period of 30 days for public inspection. Contacts regarding this notice should be made to the Department of Pesticide Regulation's Pesticide Registration Branch at (916) 445-4400.

*Tracking Number – (EPA Registration Number)*  
*Applicant / Brand Name*

263272 - (264 - 1050)

BAYER CROPSCIENCE LP

MOVENTO

USE: INSECTICIDE - TO CONTROL INSECTS SUCH AS APHIDS, MEALYBUGS, AND WHITEFLIES ON CROPS SUCH AS CITRUS, APPLIES, AND ALMONDS

TYPE: SECTION 24(C) FIRST PARTY REGISTRATION - TO CONTROL ASIAN CITRUS PSYLLID ON BLOOMING CITRUS

ACTIVE INGREDIENT(S):

SPIROTETRAMAT

CAS NUMBER(S): 203313-25-1

**Notice of Final Decisions to Register (Continued)**

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261881 - (432 - 1518)

BAYER ENVIRONMENTAL SCIENCE

SPECTICLE FLO

USE: HERBICIDE - FOR THE CONTROL OF VARIOUS WEEDS SUCH AS CHICKWEED, CLOVER, AND HENBIT IN TURFGRASS, LANDSCAPE ORNAMENTALS, AND HARDSCAPES

TYPE: SECTION 3 LABEL AMENDMENT - CONDITIONAL - TO ADD "ANNUAL" TO CLARIFY TYPE OF BROADLEAF, "WARM SEASON" TO CLARIFY TYPE OF TURFGRASS, AND "VERY COARSE" TO CLARIFY TYPE OF DROPLETS APPLIED BY APPLICATION EQUIPMENT; REVISE LANGUAGE DESCRIBING IRRIGATION AFTER APPLICATION; ADD SENTENCE ABOUT PRODUCT'S STABILITY AFTER MIXING; ADD SECTION "USE OF SPECTICLE FLO ON COURSE AND SANDY SOILS;" ADD "NEWLY VERTICUT TURF" TO DESCRIPTIONS OF WEAKENED OR STRESSED TURF; MODIFY "GREENS" TO "GREENS AND TEES" THROUGHOUT THE LABEL; ADD "PERENNIAL RYEGRASS" TO COOL SEASON GRASSES EXAMPLES; ADD "ANNUAL" TO CLARIFY TYPE OF KYLLINGA; ADD "ANNUAL BLUEGRASS" TO THE TARGET WEEDS FOR MULTIPLE APPLICATIONS; ADD THE DESCRIPTOR "PRE-EMERGENT" THROUGHOUT THE LABEL; ADD VARIOUS RESTRICTIONS FOR USE ON ORNAMENTALS; ADD AMERICAN BURNWEED (FIREWEED) TO WEEDS CONTROLLED; AND ADD VARIOUS SPECIES TO THE CHART OF ORNAMENTALS TOLERANT TO THE PRODUCT INCLUDING APPLE, ARBORVITAE, BIRCH, CHERRY, CHOKEBERRY, COTTONWOOD, DOGWOOD, DOLLAR GUM, EUCALYPTUS, FIR, HAWTHORN, MAGNOLIA, PINE, RHODODENDRON, ROSE OF SHARON, SPRUCE, AND TAXUS (YEW)

ACTIVE INGREDIENT(S):

INDAZIFLAM

CAS NUMBER(S): 950782-86-2

260112 - (5813 - 107)

CLOROX COMPANY, THE

SONIC

USE: ANTIMICROBIAL, DISINFECTANT, FUNGICIDE, VIRUCIDE - FOR THE CONTROL OF VARIOUS ORGANISMS SUCH AS STAPHYLOCOCCUS AUREUS, SALMONELLA ENTERICA, AND PSEUDOMONAS AERUGINOSA ON HARD, NONPOROUS SURFACES IN SITES SUCH AS SCHOOLS, HOTELS, AND HOMES

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

SODIUM HYPOCHLORITE

CAS NUMBER(S): 7681-52-9

**Notice of Final Decisions to Register (Continued)**

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256882 - (71049 - 4)

KIM-C1, LLC

CPPU PLANT GROWTH REGULATOR

USE: GROWTH REGULATOR - FOR USE AS A PLANT GROWTH REGULATOR TO IMPROVE THE FRUIT SIZE AND FRUIT SET OF VARIOUS CROPS SUCH AS

BLUEBERRIES, GRAPES, AND KIWI

TYPE: SECTION 3 LABEL AMENDMENT - TO REVISE THE TANK MIX INSTRUCTIONS, TO DELETE THE TANK MIX LANGUAGE FROM THE SPRAY GUIDELINES, AND TO RESTRICT USE ON DUKE ANDREKA BLUEBERRIES IN CALIFORNIA

ACTIVE INGREDIENT(S):

FORCHLORFENURON

CAS NUMBER(S): 68157-60-8

262211 - (100 - 1470)

SYNGENTA CROP PROTECTION, LLC

CALLISTO GT

USE: HERBICIDE - FOR THE CONTROL OF VARIOUS WEEDS SUCH AS SICKLEPOD, PALE SMARTWEED, AND COMMON SUNFLOWER IN VARIOUS CROPS SUCH AS ALFALFA, CANOLA, AND POTATOES

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

GLYPHOSATE

MESOTRIONE

CAS NUMBER(S): 1071-83-6, 104206-82-8

*Written Evaluation*

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Pursuant to Title 3, California Code of Regulations section 6254, this notice includes a written evaluation of significant environmental points raised in comments submitted during the review and comment period required by Title 3, California Code of Regulations section 6253 for any of the products listed above.

DPR received comments raising environmental points and other concerns from Mr. Eric Mussen, Ph.D., University of California Cooperative Extension in response to DPR's March 28, 2014, posting of a proposed decision to accept a special local needs (SLN) registration request to allow the use of Bayer CropScience LP's (BCS's) Movento, EPA Reg. No. 264-1050 for the control of Asian citrus psyllid on blooming citrus. Movento contains the active ingredient spirotetramat and acts as an insect growth regulator (IGR). DPR evaluated these comments and provided a comprehensive response. A summary of the points raised and DPR's response are provided below. A copy of DPR's full response to Dr. Mussen can be found at the bottom of this notice.

**Notice of Final Decisions to Register (Continued)**

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COMMENT: The commenter noted difficulties keeping colonies of honey bees alive in California partly due to pesticide exposure. In particular, the commenter expressed concern regarding insect growth regulators (IGR's) when mixed with other pesticides, such as fungicides. Movento is a plant systemic IGR. The commenter stated it was not a good idea to expose bees and contaminate their food source with a chemical associated with delayed colony damage.

RESPONSE: BCS's SLN request allows applications of Movento to citrus during bloom and while bees are foraging. DPR scientists critically evaluated BCS's application and found the submitted citrus residue studies, larval toxicity studies, and semi-field hive studies to be acceptable. DPR scientists calculated the risk to honey bees using multiple lines of evidence and determined it to be below the no observed effects concentration (NOEC) for acute toxicity and the level of concern (LOC) for chronic risk to honey bees. Based upon its evaluation of available data, DPR determined that approval of the SLN for Movento will not have a significant adverse impact on bees. DPR is proceeding with the registration of the SLN request for Movento<sup>0</sup>, EPA Reg. No. 264-1050.

*May 16, 2014*

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Dated

*Original Signed by Ann Prichard*

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Ann Prichard, Branch Chief  
Pesticide Registration Branch

POST THROUGH JUNE 14, 2014

**NOTICE OF PROPOSED DECISIONS TO DENY PESTICIDE PRODUCTS**

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Pursuant to Title 3, California Code of Regulations section 6253, the Director of the Department of Pesticide Regulation (DPR), notices the Department's proposed decisions to deny the registration of the following pesticide products. Unless specified, the reason for denial is that the required data was not submitted, was determined to be inadequate, or there was a likelihood of a significant adverse environmental effect anticipated from the use of these products in a manner consistent with its label. This action will not have a significant adverse impact on the environment. Interested persons may comment on these proposed decisions up to and including the date shown on the top line of this notice to the Pesticide Registration Branch, Department of Pesticide Regulation, P.O. Box 4015, Sacramento, California 95812-4015. Contacts regarding this notice should be made to the Pesticide Registration Branch at (916) 445-4400.

*Tracking Number – (EPA Registration Number)*  
*Applicant / Brand Name*

**None to report this issue Volume 2014-20.**

*May 16, 2014*

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Dated

*Original Signed by Ann Prichard*

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Ann Prichard, Branch Chief  
Pesticide Registration Branch

POST THROUGH JUNE 14, 2014

## **NOTICE OF FINAL DECISIONS TO DENY PESTICIDE PRODUCTS**

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Pursuant to Title 3, California Code of Regulations section 6255, the Director of the Department of Pesticide Regulation (DPR) files this Notice of Final Decisions to Deny Pesticide Products with the Secretary of the Resources Agency for posting. Unless specified, the reason for denial is that the required data was not submitted, was determined to be inadequate, or there was a likelihood of a significant adverse environmental effect anticipated from the use of these products in a manner consistent with its label. This action will not have a significant adverse impact on the environment. This notice must remain posted for a period of 30 days for public inspection. Contacts regarding this notice should be made to the Department of Pesticide Regulation's Pesticide Registration Branch at (916) 445-4400.

*Tracking Number – (EPA Registration Number)*  
*Applicant / Brand Name*

243582 - (71711 - 36)

NICHINO AMERICA, INC.

BEXAR INSECTICIDE

USE: INSECTICIDE - FOR THE CONTROL OF VARIOUS INSECTS SUCH AS APHIDS, MEALYBUGS, CUTWORMS, AND BUD MITES ON CROPS SUCH AS APPLES, CITRUS FRUIT, AND CUCURBIT VEGETABLES

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

TOLFENPYRAD

CAS NUMBER(S): 129558-76-5

**\*APPLICATION FOR REGISTRATION OF PRODUCT ID#243582 WITHDRAWN PER REGISTRANT'S REQUEST.**

**Notice of Final Decisions to Deny (Continued)**

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243583 - (71711 - 31)

NICHINO AMERICA, INC.

TORAC INSECTICIDE

USE: INSECTICIDE - FOR THE CONTROL OF VARIOUS INSECTS SUCH AS THRIPS, APHIDS AND LEAFHOPPERS ON COTTON, CUCURBIT VEGETABLES, LEAFY VEGETABLES, AND POTATOES

TYPE: SECTION 3 REGISTRATION -

ACTIVE INGREDIENT(S):

TOLFENPYRAD

CAS NUMBER(S): 129558-76-5

**\*APPLICATION FOR REGISTRATION OF PRODUCT ID#243583 WITHDRAWN PER REGISTRANT'S REQUEST.**

*May 16, 2014*

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Dated

*Original Signed by Ann Prichard*

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Ann Prichard, Branch Chief  
Pesticide Registration Branch



# Department of Pesticide Regulation



Brian R. Leahy  
Director

Edmund G. Brown Jr.  
Governor

May 1, 2014

Mr. Eric C. Mussen, Ph.D.  
University of California Cooperative Extension  
One Shields Avenue  
Davis, California 95616

Dear Dr. Mussen:

Thank you for your recent letter regarding the Department of Pesticide Regulation's (DPR's) March 28, 2014, Notice of Proposed and Final Decisions, Vol. 2014-13. In your letter, you expressed concern regarding DPR's decision to approve Bayer CropScience LP's (BCS's) "special local needs registration" request for their spirotetramat containing product, Movento<sup>®</sup>, EPA Reg. No. 264-1050 without bee hazard language.

Federal Insecticide, Fungicide, Rodenticide Act Section 24(c) and Title 40, Code of Federal Regulations, section 162.152, authorize states to register a new end-use product or an additional use of a federally registered pesticide product to address an existing or imminent pest situation. The pest situation must be a special local need (SLN) within the state that cannot be mitigated by a currently registered product. In order to issue a SLN, certain conditions must apply such as (1) if the pesticide is to be used on a food or feed commodity, the use is covered by the necessary tolerances or exemptions from tolerances; (2) registration for the same use has not previously been denied, disapproved, suspended, or cancelled by the U.S. Environmental Protection Agency (U.S. EPA), or voluntarily cancelled by the registrant; (3) the pesticide product does not contain a new active ingredient unregistered by U.S. EPA; and (4) there is no federally registered product available to address the special local need. In order for DPR to consider an SLN application, it must also be accompanied with detailed letters or documentation from experts such as UC farm advisors or UC extension specialists demonstrating the SLN pesticide/use pattern has been shown to address an existing or imminent pest problem and no federally registered pesticide product is sufficiently available to mitigate the pest situation. This SLN request is to add application directions to blooming citrus for the control of Asian citrus psyllid (ACP). ACP transmits a deadly bacterial disease fatal for citrus called Huanglongbing, also known as citrus greening disease. The best prevention, aside from killing citrus trees, is to control ACP.

As your letter states, the California registered Movento<sup>®</sup> label prohibits applications within 10 days prior to bloom, during bloom, or until petal fall is complete. BCS's SLN request removes this prohibition and allows applications of Movento<sup>®</sup> to citrus during bloom and while bees are foraging. BCS submitted spirotetramat residue studies in citrus pollen and nectar, two larval toxicity studies, and an ecological risk assessment to support its SLN request.



DPR scientists critically evaluated BCS's submission and found the citrus residue submission to be scientifically sound. It provided residue data based upon two applications at the maximum application rate and minimum reapplication interval. Additionally, application timing compared to sampling was varied to maximize the potential residues. One study scenario included applications made to citrus 20 days before and 1 day after bloom. Samples were taken at three different intervals during the bloom period. The study indicated that applications made closer to bloom resulted in higher residues in pollen and nectar. Residues also varied depending on when the samples were collected during the bloom period.

DPR scientists also found the submitted larval toxicity studies to be scientifically sound. BCS conducted two replicated studies, one on technical grade spirotetramat, and another study on the major metabolite. Both studies followed the larval stage through the emergence of adult bees. The No Observed Effects Concentration (NOEC) for both the technical and its metabolite was 150 ppb.

BCS conducted the honey bee risk assessment in accordance with U.S. EPA's "White Paper in Support of the Proposed Risk Assessment Process for Bees" recommendations. Calculations of risk quotients (RQ) were conducted using the highest residues found in nectar coupled with the second highest pollen residue and the NOEC from the larval toxicity tests. Nectar consumption is considerably higher than pollen consumption in honey bee foragers and represents the highest route of exposure for bees. It should be noted that the next highest nectar value was one third lower and most were 1/10 or less of the highest residue reported. The resulting RQ was below the Level of Concern (LOC) for chronic risk to honey bees of 1.0.

DPR scientists also evaluated U.S. EPA's spirotetramat ecological risk assessment document and communicated with U.S. EPA's Environmental Fate and Effects Division staff. U.S. EPA's risk assessment document included data on individual bees representative of different life stages (Tier 1), as well as colony-level exposure routes related to pesticide use (Tier 2). Much of this data was previously evaluated by DPR scientists. The Tier 2 data included two honey bee feeding studies, both showing effects to brood following exposure to spirotetramat in the syrup. However, the test concentrations used were unrealistically high – near 10 ppm. This is not a realistic exposure scenario as the highest citrus residues reported were less than 100 ppb. Of the numerous semi-field studies submitted, most noted no effects to adults or brood. A small number of semi-field studies noted temporary effects to brood and one replicate in one study noted an increase in *Varroa* infestation following over-wintering. The studies reporting effects on brood were neither replicated nor conducted according to Good Laboratory Practices.

DPR scientists reviewed the presentation titled, "Movento<sup>®</sup>, Citrus and Honey Bees: Results of a successful cooperative study." The presentation provides a summary of the results of a study conducted by BCS in cooperation with a commercial beekeeper. The full study was not submitted to DPR for evaluation. According to the presentation, the study concluded in the fall with results indicating applications of Movento<sup>®</sup> did not result in impacts to brood success, colony health or survival. There was no information in the presentation from which to conclude the study was intended to run from April to April. Since BCS did not submit the study to DPR

Mr. Eric C. Mussen, Ph.D.  
May 1, 2014  
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for review, information contained in the presentation and the perspectives of Mr. Hackenberg (Pennsylvania commercial beekeeper) are subjective. DPR scientists did not consider information contained in the presentation in reaching decisions with regard to the hazards or safety of Movento<sup>®</sup> to honey bees following the application to citrus at labeled application rates during bloom.

As discussed above, BCS provided several semi-field studies that included an over-winter component. None of the semi-field studies provided were conducted with citrus as a source of pollen and nectar. While a few of the semi-field studies noted possible adverse effects to colonies, most did not, and the studies that did were the least rigorous. The submitted citrus residue data indicate that effects to honey bee brood are unlikely at the recommended label rates. Therefore, based on the multiple lines of evidence as summarized above, DPR scientists recommended registration of the proposed SLN labeling of Movento<sup>®</sup> to allow applications to citrus during bloom for the control of ACP.

DPR evaluated BCS's SLN application and supporting data and determined this product meets current regulatory requirements for registration. DPR plans to proceed with the registration of the SLN request for Movento<sup>®</sup>, EPA Reg. No. 264-1050.

Thank you for your comments and participation in DPR's regulatory process. If you have any questions, please contact Ms. Denise Alder by e-mail at <Denise.Alder@cdpr.ca.gov> or by telephone at (916) 324-3522.

Sincerely,

*Original signed by*

Ann M. Prichard, Chief  
Pesticide Registration Branch  
916-324-3931

cc: Ms. Denise Alder, Senior Environmental Scientist (Specialist)