



Paul E. Helliker
Director

Gray Davis
Governor
Winston H. Hickox
Secretary, California
Environmental
Protection Agency

California Notice 2003-5

POST UNTIL November 28, 2003

**NOTICE OF DECISION TO BEGIN REEVALUATION
OF PESTICIDE PRODUCTS CONTAINING ORYZALIN**

Pursuant to Article 8, Subchapter 1, Chapter 2, Division 6 of Title 3 of the California Code of Regulations, the Director of the Department of Pesticide Regulation (DPR) notices his decision to begin a reevaluation of certain pesticide products containing oryzalin. Interested persons may comment on this decision up to and including the date shown on the top-right corner of this notice to the Department of Pesticide Regulation, Pesticide Registration Branch, 1001 I Street, P.O. Box 4015, Sacramento, California 95812-4015.

REEVALUATION

DPR is beginning a reevaluation of the pesticide products listed below. The products included in this reevaluation are agricultural use herbicides that are intended for use around bearing almond trees. The products contain the active ingredient oryzalin.

<u>Registrant</u>	<u>Brand Name and U.S. EPA Reg. No.</u>
Dow Agrosiences, LLC	Surflan A.S. 62719-112-AA
	Surflan A.S. 62719-112-ZA
Farmsaver.com, LLC	Farmsaver.com Oryzalin 4 A.S. 72167-17-AA-73220

BASIS FOR THE REEVALUATION

DPR initiates this reevaluation based on the results of almond residue data currently on file with DPR. Data submitted by Farmsaver.com, LLC (Farmsaver) contains an interim report of three magnitude of residue trials in and on almonds. In each of the three almond trials, the soil surface of the orchard floor was treated twice at the maximum application rate of six pounds of active ingredient per acre, with approximately two and one-half months between applications. Once ripe, the almonds were harvested by knocking/shaking them from the tree to the soil surface below. This is the commercial practice for harvesting almonds. The almonds were gathered and

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almond samples collected 39 to 70 days after the final oryzalin application. The almond nutmeat and hull samples were analyzed separately for oryzalin residues. The U.S. EPA established tolerance for oryzalin residues on almond nutmeat and hulls is 0.05 parts per million (ppm), which is the limit of quantification (LOQ) for the analytical method. Interim results indicate that no oryzalin residues at greater than, or equal to, the LOQ were detected on any of the almond nutmeat samples. However, analysis of the almond hulls detected oryzalin residues ranging from less than 0.05 ppm to 0.522 ppm. Almond hulls are sold for use as animal feed. This raises the concern that the legal use of oryzalin may result in oryzalin residues in animal feed that exceed the established tolerance.

Dow Agrosiences LLC (Dow) also submitted residue data to support the use of oryzalin on almonds. The study includes four almond trials conducted from 1971 to 1973. In the trials, the soil surface of an almond orchard was treated with oryzalin one time at an application rate of three pounds of active ingredient per acre. Almond samples were harvested five to seven months after the application, and almond meats, shells and hulls were analyzed for oryzalin residues. The study results indicate that no oryzalin residues were detected in any sample. However, the study report does not indicate how the almond samples were harvested. Unless the almonds were knocked to the ground, it is unlikely that the almond hulls would pick up any oryzalin residues.

Because the Farmsaver data showed residues on almond hulls that clearly exceed the established tolerance, and because it is unclear how the almonds in the Dow study were harvested, DPR placed Farmsaver's and Dow's agricultural use oryzalin products in reevaluation.

Pursuant to this reevaluation, Dow and Farmsaver are required to submit the results of a field residue study in almonds. The almonds must be harvested in the same manner as is done commercially in California.

For information regarding this reevaluation, please contact Ms. Ann Prichard, Senior Environmental Research Scientist, Pesticide Registration Branch, by e-mail at aprichard@cdpr.ca.gov or by telephone at (916) 324-3931.

Original signed by Barry Cortez

October 14, 2003

Barry Cortez, Chief
Pesticide Registration Branch
(916) 445-4377

Date

cc: Ms. Ann Prichard