

PESTICIDE REPORTS

Division of Agricultural Sciences and Natural Resources • Oklahoma State University

<http://pested.okstate.edu>



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before September. If you are not on USAg contact list or need to check on your status please call them at 1-800-654-3145. (OSU PSEP).

EPA: TIME TO START CONSIDERING AN END DATE TO METHYL BROMIDE USE

As EPA seeks applications for critical use exemptions (CEUs) from the international phase out of methyl bromide for 2013, the agency says it is time to start considering and end year to such exemptions under the Montreal Protocol on Substances that Deplete the Ozone Layer.

In the July 15 *Federal Register*, EPA published a notice of solicitation of applications for the CEUs and requested information on methyl bromide alternatives.

Under the Montreal Protocol, use of methyl bromide was phased out in 2005, except for critical uses that lack an economically and technically viable alternative. Before users are granted permission to apply methyl bromide in a given year, there is a three-year process that involves approval from other parties to the Montreal Protocol on the total amount of CEUs for the U.S. in that year, as well as U.S. allocation of CUE allowances to different uses through the rulemaking process.

According to the *FR* notice, EPA plans to request such exemptions for another four years – 2011-

FUMIGATION PRACTICAL

The final Fumigation Practical has been scheduled for September 28 in Stillwater. This will be the last Fumigation Practical for 2010. There are also practicals scheduled for the Structural Category September 14-16 and General Pest for September 21. (OSU PSEP).

PESTICIDE CONTAINER RECYCLING

USAg Recycling will be in the state chipping plastic pesticide containers approximately the first two weeks in September. USAg should start contacting applicators in the next few weeks to set up their route in Oklahoma. Please make sure all containers are triple rinsed, labels removed, and caps discarded

2014. However, use of methyl bromide in the U.S. is on a downward trend. In 2010, the amount of methyl bromide authorized for use in the U.S. was about 3,000 metric tons, an 88% drop from the 1991 baseline level under the Montreal Protocol of about 25,500 metric tons. For 2012, the U.S. is requesting approval for approximately 1,200 metric tons.

EPA notes only four other developed countries – Australia, Japan, Israel and Canada – currently request CEUs for methyl bromide. Israel and Japan have indicated the last year for which they plan to request CEUs is 2011 and 2013, respectively. Australia and Canada each use only 1% of methyl bromide CEUs.

EPA further notes that developing countries face a 2015 phase out date for methyl bromide. They will also be able to request critical use exemptions, but the extent to which they will do so “is not yet known.” Out of 86 developing countries that have a 1991 baseline for use of methyl bromide, only 34 continued to use it as of 2008.

Given that international context and the lengthy approval process, the agency says “it is appropriate at this time to consider a year in which the U.S. government will stop requesting applications for critical use exemptions.”

EPA stresses it “is not making a final decision at this time whether to accept applications for subsequent control periods, [but] will seek comment on this issue in the proposed rule for the 2011 CUE.”

David Doniger, policy director for the Natural Resources Defense Council’s Climate Center, who also works on methyl bromide issues, says “NRDC welcomes EPA’s announcement that it is finally contemplating drawing an end to the continued exemptions for methyl bromide.

But grower groups see no need to end the exemption process, especially before suitable alternative are developed.

“We’re abiding by the terms of the international treaty, and until that treaty is changed we don’t see any reason to artificially put an end to the CUE process. It’s up to industry to document whether we have an urgent, non-routine situation that justifies the use of methyl bromide. Ending the CUE process should be dictated by the science as alternatives to methyl bromide are developed,” says Dan Botts, vice president of industry resources at the Florida Fruit and Vegetable Association.

Nothing in the Montreal Protocol requires an end to the CUE process, notes Robert Dolezal, executive vice president of the California Association of Nurseries and Garden Centers.

Dolezal tells *PTCN* the only viable alternative for meeting California’s zero tolerance standard for soil nematodes is methyl iodide, which has not been approved yet in the state. But even if it is approved, which could happen this fall, Dolezal says methyl bromide may still be necessary to deal with insect resistance and allow for crop rotation.

Applications for 2013 CUE must be postmarked on or before Sept. 13. In November 2011, the parties to the Montreal Protocol are expected to decide whether to authorize methyl bromide CEUs in the U.S. for 2013, with EPA publishing a final rule in late 2012 allocating those CEUs. (*Pesticide & Toxic Chemical News*, July 19, 2010, Vol. 38, No 34)

EPA ISSUES LARGEST CIVIL FINE UNDER FIFRA FOR MISBRANDING OF COTTON SEEDS

EPA last week announced that Monsanto Company has agreed to pay a \$2.5 million penalty to resolve misbranding violations related to the sale and distribution of cotton seed products containing genetically engineered pesticides. The agency says the action is the largest civil administrative penalty settlement ever received under FIFRA.

Monsanto Bollgard and Bollgard II cotton seed products contain genetically engineered pesticides known as plant incorporated protectants (PIPs) which are registered under FIFRA. As a condition of the registrations, EPA included planting restrictions on Bollgard and Bollgard II, which contain *Bacillus thuringiensis* (*Bi*).

EPA restricted planting of the cotton seed product in 10 Texas counties (Carson, Dallam, Hansford, Hartley, Hutchison, Lipscomb, Moore, Ochiltree, Roberts and Sherman) to protect against pests becoming resistant to *Bt* PIPs and other microbial products used in sprays and dusts.

EPA says that in 2007 Monsanto informed the agency that it had distributed misbranded Bollgard and Bollgard II cotton seed customers in the Texas counties where the agency had restricted its planting. The agency reports that its subsequent investigation confirmed or sold the cotton products more than 1,700 times nationwide without the planting restriction in its grower guides and that Bollgard and Bollgard II cotton was planted in the restricted counties.

Monsanto subsequently corrected the grower guides by including the required planting restriction for the Bollgard and Bollgard II products, EPA says. In September 2008, EPA lifted the planting restriction in the 10 Texas counties for Bollgard II, after Monsanto applied for a change in registration of that product.

“People who manufacture and distribute pesticide products must follow the federal registration requirements,” Steve Owens, assistant administrator for EPA’s Office of Chemical Safety and Pollution Prevention, says in a July 8 news release. “These requirements are critical to preventing the development and spread of insect resistance.” (Pesticide & Toxic Chemical News, July 12, 2010, Volume 38, Number 33)

ECONOMIST ESTIMATES TENS OF THOUSANDS OF JOBS LOST IF ATRAZINE BANNED

A University of Chicago economist estimates that 24,000 to 48,000 jobs related to corn production would be lost if EPA were to ban atrazine, and additional job losses would occur in the sugarcane and sorghum sectors.

“The range is wide because we have never before banned a product on which so many depend and for which suitable replacements have a wide variety of prices and application regimes,” Don Coursey, a professor of public policy studies at the University of Chicago, says in a statement.

Coursey presented his findings at a July 7 press conference sponsored by the Triazine Network in Washington, D.C. He notes he did not conduct “a definitive analysis of atrazine’s value to the economy.” Instead, he derived his estimated job losses using gross domestic product, total workforce and atrazine’s annual production value to corn.

EPA began a re-evaluation of the widely used herbicide last year after reregistering it in 2006. Critics, including the Triazine Network, say the review, it cited “articles in the media and a report by the Natural Resources Defense Council (NRDC)” that raised both human health concerns about the herbicide.

“Unplanned reviews to satisfy implacable activists may bring political benefits, but wiping out established inputs based on anything less than clear and compelling science treats jobs and income cheaply – and expresses wanton indifference to our need for economic recovery,” Coursey says.

EPA is seeking input from its FIFRA Scientific Advisory Panel at various stages of its re-evaluation. The SAP is expected to meet again in September to evaluate EPA’s review of atrazine’s non-cancer effects and drinking water monitoring frequency.

EPA has indicated it will decide whether to revise its current risk assessment and determine if new restrictions are necessary at the end of the SAP evaluation process.

But Jere White, Triazine Network chairman and executive director of the Kansas corn growers Association, noted during a phone conference with reporters about Coursey's study that Robert Verchick, deputy associate administrator in EPA's office of Policy, Economics and Innovation, told attendees of a Federalist Society event last month that the SAP will consider some sort of EPA decision on atrazine at its September meeting.

White says he hopes Verchick's comments are "a misstatement." But until September, "we won't really know."

A review of the June 15 event, which is posted on YouTube, reveals that Verchick noted that studies have associated atrazine with non-cancer and cancer effects. In addition, he referred to studies done since 2003, when EPA determined the herbicide isn't likely to cause cancer, raise some question about that assertion.

"And so the EPA is evaluating all laboratory and population studies, including those after 2003," Verchick said. "It's seeking advice from a science advisory panel established under our pesticides laws. And it is going to reach its conclusions and then subject them to independent peer review in September, so coming up this fall."

When asked to clarify Verchick's comments, EPA referred *PTCN* to its website on its atrazine evaluation at www.epa.gov/opp00001/reregistration/atrazine/atrazine_update.htm and summarized its review plans, which include the September SAP meeting, an SAP meeting in 2011 to present its review of human cancer epidemiology studies and an additional meeting for the SAP to review atrazine's potential effects on amphibians and aquatic ecosystems. (Pesticide & Toxic Chemical News, July 12, 2010, Volume 38, Number 33)

EWG IN WAR OF WORDS WITH FARM INDUSTRY OVER "DIRTY DOZEN" LIST

The Environmental Working Group concluded its battle of words with the Alliance for Food and Farming July 15 by asserting that consumers should continue to eat fruits and vegetables but take steps to reduce their exposure to pesticides.

EWG in April released its latest list of the so-called "dirty dozen" fruits and vegetables with the highest level of pesticide, ranking celery, peaches and strawberries at the top. EWG also gave a "clean 15" report, identifying onions, avocados and sweet corn as the three typically best examples of pesticide-free produce (see the complete list at <http://static.foodnews.org/pdf/EWG-shoppers-guide.pdf>)

This time, however, the Alliance for food and Farming fired back. The group, which describes itself as a non-profit alliance of farmers and farm groups, released a report and held a webinar on July 15 in which various speakers challenged the validity of EWG's lists. A panel of five scientists, led by Rick Reiss, a principal at consulting firm Exponent, concluded that EWG's dirty dozen list is an impediment to good health because it acts as a deterrent to the consumption of fruits and vegetables. Reiss noted that the EWG list focuses on exposure to pesticides, not the toxicity level of those pesticides, a key component of the overall risk equation.

In addition, there is minimal established epidemiological evidence of harm from dietary exposure to pesticides most epidemiological studies focus on occupational exposure, which is much higher, Reiss asserted.

Determined to have the last word, EWG President Ken Cook held a conference call with reporters on July 15, just a few hours after the Alliance webinar and defended his group's lists.

Cook said there were many examples of the data analyzed on pesticide residue levels (produced each year by USDA) where a sample had residues from multiple pesticides, and scientists' understanding of how pesticides interact is very limited. And even for fruits and vegetables where a single pesticide was typically detected, Cook said it makes more sense to inform consumers in a more straightforward fashion by focusing on exposure, not toxicity.

Cook questioned whether there is a lack of epidemiological evidence on the harmful impacts of dietary exposure to pesticides while noting that EPA has taken action in the past to ban the use of pesticides like methyl parathion and azinphos methyl on fruits and vegetables based largely on animal studies. But EWG isn't attempting to deter customers from eating fruits and vegetables, Cook clarified. Rather, it is suggesting they take steps to reduce their exposure to pesticides, like eating organic.

Consumers who normally buy organic fruits and vegetables don't have to worry that EPA might someday determine a pesticide typically used on a conventionally grown fruit or vegetable they eat is dangerous and decide it must be banned. "That may be the single best argument for parents and other to use the guide," Cook said

He took one more shot at the Alliance, saying its attack on the EWG list was really a shot at the organic sector. "This is about organic getting so much market share – [agribusiness] is worried about it." He said
(Pesticide & Toxic Chemical News, July 19, 2010, Volume 38, Number 34)

EPA DIALS BACK EXTENDED COMPLIANCE DATE FOR PESTICIDE CONTAINER RULE

EPA is proposing to extend the compliance date for amending pesticide labels pursuant to its 2006 pesticide container and containment regulations, acknowledging that its actions have contributed to the large number of labels still to be revised. But the

proposed one-year extension – to Aug. 16, 2011 – is less than what EPA previously indicated it would pursue.

In a letters sent to several industry stakeholders last month, Steven Bradbury, director of EPA's Office of Pesticide Programs, said EPA planned to extend the compliance date to Aug, 16 2012. The compliance date was previously extended in 2008 – as EPA adopted several changes to the regulation.

Nevertheless, EPA says it is proposing another extension in response to stakeholder concerns and further agency consideration.

EPA points to several factors prompting the lengthier-than-expected label amendment process, including: "more antimicrobial product labels that expected [requiring] alternate rinsing instructions, rather than the standard text in the regulations" and longer times for states to review and approve labels due to furlough days and staffing reductions in some states as a result of budget shortfalls.

EPA further notes that its "position on the appropriate container-related statements (particularly rinsing and treatment of rinsate) for certain pesticides has changed over time as a result of experience with product-by-product label reviews. This has resulted in reconsideration of some decisions, and has caused some confusion in the regulated community."

While proposing to extend the compliance deadline so that only pesticide products released for shipment after Aug. 16, 2011 would be subject to the labeling requirements of the container and containment regulation, EPA is encouraging registrants to submit their applications for label changes before the current Aug. 16, 2010 deadline.

EPA says it will give priority to such applications "with the goal of processing them to allow sufficient time for the registrants to obtain state approvals of the new labeling by the revised compliance date."

Applications received after Aug. 16 will be processed on a non-priority basis.

No complaints

Ray McAllister, regulatory affairs leader for CropLife America, tells *Pesticide & Toxic Chemical News* that while two year extension would have been preferable “those on top of their game and diligent about getting their labels [revised] shouldn’t be affected.”

McAllister says he hasn’t heard any complaints from CropLife members about the one-year vs. two-year extension other than the fact that they’ll have to work a little hard.

The label approval process has taken longer than expected, in part because it has not been a high priority for states, especially ones facing budget difficulties, he notes.

Karen Reardon, spokeswoman for specialty pesticide group Responsible Industry for a Sound Environment, says that while the group’s members have been supportive of industry’s request for an extension, they are on track to meet the current deadline.

The extension would provide “ample time for RISE members to come online with this,” she tells *PTCN*.

But other stakeholders are still evaluating whether a one-year extension will be sufficient.

“We are reaching out to our members to assess if a year is workable,” Brigid Klein, vice president and general counsel for Consumer Specialty Products Associated, tells *PTCN*.

EPA did not respond to a request for comment on why it ultimately decided to go with a one-year instead of a two-year extension. But in the *Federal Register* notice announcing the proposed rule, EPA says that with concerted effort by the agency to review the remaining labels and estimates by state agencies that they will need three to six months to

review any label revisions, one additional year should be enough, if all applications are submitted soon.

“EPA believes that a longer extension is unjustified because the rule was published four years ago, so registrants have had a reasonable amount of time to prepare and submit their label modification requests and because EPA has already extended the deadline by one year.”

Meanwhile, EPA does not expect the rulemaking process for its proposed extension to be completed before the current compliance deadline of Aug. 16, so it has issued a final rule, effective Aug. 16, extending the compliance by four months, to Dec. 16, 2010.

According to EPA, the change “will avoid the temporary removal of a significant number of pesticides from the market while [the proposed one-year extension] ... proceedings through the rulemaking process.”

Based upon recent agency actions and discussions with registrants, EPA believes a majority of label changes already have been submitted and approved, but “there are at least 1,000 labels and potentially several thousand remaining pesticide product labels that EPA still needs to review.”

Notices for both rules were published in the June 15 *Federal Register*. The deadline for comments on the proposed rule is July 15. (*Pesticide & Toxic Chemical News*, June 21, 2010, Volume 38, Number 31)

RESEARCHERS TARGET INSECTICIDE RESISTANT BUG

Researchers at USDA’s Agricultural Research Service and the University of California-Riverside have discovered a pheromone component that may prove useful against pear psylla, a cicada-like pest that tends to develop resistance to insecticides.

The component, which comes from the female of the species, could be used to lure males into traps or

possibly as lures for monitoring or disrupting the reproductive cycle. “Both approaches could diminish the reliance on insecticides – saving growers money, sparing beneficial insects, and forestalling the pest’s development of insecticide resistance,” ARS says in July 2 news release.

The researchers were able to isolate chemicals from a female pear psylla and identify those most attractive to males. They confirmed that males were as attracted to a particular pheromone component as they were to females and found the compound could be used in pear orchards to trap pear psylla.

The researchers have filed a patent application for combining the component with other attractants to use in traps, bait stations and pheromone dispensers. (Pesticide & Toxic Chemical News, July 12, 2010, Volume 38, Number 33)

AROUND THE COUNTRY

New Jersey: The state Department of Environmental Protection on July 9 announced it found Newark-based TVF Pest Control used carbaryl, and malathion indoors to combat bedbugs in 70 homes since October. Neither is approved for indoor use. Residue cleanup has already begun, as ordered by DEP. (Pesticide & Toxic Chemical News, July 19, 2010, Volume 38, Number 34)

New York: The Times Union reports that Albany’s auditor last month presented findings that the city has routinely violated its 10-year-old ban on the most toxic pesticides. (Pesticide & Toxic Chemical News, July 19, 2010, Volume 38, Number 34)

Colorado: DailyCamera.com reports that Boulder will spend \$50,000 to hire a consultant to review the process by which pesticides are added to a list of chemicals approved under the city integrated pest management policy. The review comes after members of a city council IPM subcommittee, city staff and residents raised concerns about the approval process. (Pesticide & Toxic Chemical News, July 19, 2010, Volume 38, Number 34)

In-State CEU Meetings

Date: August 19
Title: CTN
Location: Oklahoma City, OK
Contact: Tommy Kezar (512) 829-5114
To Register:
Course #:
CEU's: 1 in each of the following categories
Category(s): 5, Aquatic; 8, Public Health; 10, Demonstration/Research; 7b Structural Pest; 7a, General Pest; 3a, Ornamental/Turf.

Date: September 20 - 22
Title: OKVMA's Fall Training
Location: Catoosa OK
Contact: Kathy Markham (918) 256-9302
To Register:
Course #:
CEU's: Category(s):
General Session
3 5, Aquatic; 6, Right of Way; 10,D&R
1 3a, Ornamental/Turf
Vegetation Management Session
3 6, Right of Way; 10, D&R;
2 5, Aquatic & 1 3a, O&T

ODAFF Approved Online CEU Course Links

Wood Destroying Organism Inspection Course
www.nachi.org/wdocourse.htm

CTN Educational Services Inc
http://www.ctnedu.com/oklahoma_applicator.html

Pest Network
<http://www.pestnetwork.com/>

Univar USA
<http://www.pestweb.com/>

Southwest Farm Press Spray Drift Mgmt
<http://www.pentonag.com/nationalsdm>

SW Farm Press Weed Resistance Mgmt in Cotton
<http://www.pentonag.com/CottonWRM>

Western Farm Press ABC's of MRLs
<http://www.pentonag.com/mrl>

Western Farm Press Biopesticides Effective Use in Pest Management Programs
<http://www.pentonag.com/biopesticides>

Western Farm Press Principles & Efficient Chemigation
<http://www.pentonag.com/Valmont>

For more information and an updated list of CEU meetings, click on this link:
<http://www.state.ok.us/~okag/cps-ceuhome.htm>

ODAFF Test Information

Testing Dates and Locations
Pesticide applicator test sessions for August/September, 2010 are as follows:

	August	September
9	Tulsa	1 Altus
12	OKC	2 Enid
23	Tulsa	9 Tulsa
26	OKC	13 OKC
		27 OKC
		30 Tulsa

Altus: Western OK State College
2801 N Main, Room A23

Enid: Garfield County Extension Office,
316 E. Oxford.

Goodwell: Okla. Panhandle Research &
Extension Center, Rt. 1 Box 86M

Hobart: Kiowa County Extension Center
Courthouse Annex, 302 N. Lincoln

Lawton: Great Plains Coliseum, Annex Rm.
920 S. Sheridan Road.

McAlester: Kiamichi Tech Center on
Highway 270 W of HWY 69

OKC: Oklahoma County Extension Office,
930 N. Portland.

Tulsa: NE Campus of Tulsa Community
College, (Apache & Harvard)
Large Auditorium

Pesticide Safety Education Program

The information given herein is for educational purposes only. Reference to commercial products or trade names is made with the understanding that no discrimination is intended and no endorsement by the Cooperative Extension Service is implied. Oklahoma State University Cooperative Extension service does not discriminate in its programs and activities because of race, color, national origin, sex, age, religion, disability, or status as a veteran. This publication is printed and issued by Oklahoma State University as authorized by the Dean of the Division of Agricultural Sciences and Natural Resources and has been prepared and distributed at a cost of \$75.00 for 150 copies