

OPP Updates
Full SFIREG Meeting
December 12-13, 2016

Implementation of the Revised Worker Protection Standard

During the first part of 2016, EPA undertook an aggressive schedule of training for states, territories, tribes and EPA staff who are charged with implementing the 2015 Worker Protection Standard (WPS). This included two PREP courses, one PIRT course, and in-person training sessions with state, territorial and tribal inspectors in most of the EPA regions. The goal of the training sessions is for participants to come away with a working understanding of the WPS rule revisions and what the changes mean for states, territories, tribes, and the regulated and protected communities. Another WPS PIRT course will be held in Oregon in April 2017.

In the fall, EPA and the Pesticide Educational Resources Collaborative (PERC) issued two key outreach documents that are available on EPA's and PERC's web sites:

- How to Comply Manual
- Quick Reference Guide

The EPA inspector guidance is complete and should be issued soon.

PERC continues to develop and post documents on their website: (<http://pesticideresources.org/>).

Some other key documents include:

- An EPA-approved train-the-trainer program (hands on/PowerPoint presentation) for workers and handlers (that qualifies for use in 2017, 2018 and beyond) – December 2016
- An EPA-approved online train-the-trainer program for workers and handlers (that qualifies for use in 2017, 2018 and beyond) – June 2017
- A manual for pesticide safety trainers of workers and handlers in English (a resource for trainers) – November 2016
- Spanish manual for pesticide safety trainers of workers and handlers (a resource for trainers) – Spring 2017
- Respirators 101, which explains respirator terminology – January 2017
- Updated central posting materials, including a revised pesticide safety poster – March 2017

In addition, EPA continues to review and approve train-the-trainer programs and WPS training materials. Betsy Buffington of the Iowa State Extension Service, developed a train-the-trainer program that EPA has approved for trainers of workers in 2017 and has made it available online at: <http://www.extension.iastate.edu/workerprotection/>. Trainers across the country can take this online training to be qualified to train workers in 2017.

By the end of December 2016, EPA will revise the WPS information on our web site (<https://www.epa.gov/pesticide-worker-safety>) to reflect the requirements in the revised WPS and to list the approved train-the-trainer programs and the approved training materials.

Zika

~~We have provided expanded information about naled and Bti to help answer questions about use and safety of these pesticides that are being used in mosquito control efforts to combat Zika.~~

~~We continue to work with CDC on issues that are in EPA's purview. As of October 2016, EPA has approved five Section 18s to help combat Zika. Four were issued to CDC and one to DoD.~~

Find information on:

- ~~mosquito control topics: <https://www.epa.gov/mosquitocontrol>~~
- insect repellent topics: <https://www.epa.gov/insect-repellents>

Glyphosate

EPA has rescheduled the Scientific Advisory Panel (SAP) meeting for December 13-14, 2016 to seek feedback from experts on how to interpret certain cancer data. The SAP has 90 days to provide EPA with a written report. Once EPA has reviewed the report and made any necessary changes in its risk assessment, EPA intends to release all the components of its full human health and ecological risk assessments for a 60-day public comment period.

EPA is currently scheduled to publish its glyphosate risk assessments in spring 2017. Once public comments have been reviewed, EPA intends to publish a Proposed Interim Registration Review Decision that may detail specific risk mitigation measures for glyphosate, if needed. The Proposed Interim Registration Review Decision for glyphosate will be available for another 60-day public comment period. An Interim Registration Review Decision will be issued after public comments are considered.

More information about:

- the glyphosate SAP: <https://www.epa.gov/sap/carcinogenic-potential-glyphosate>
- glyphosate: <https://www.epa.gov/ingredients-used-pesticide-products/glyphosate>

Malathion Registration Review Human Health Risk Assessment & ESA Update

We released the malathion draft human health risk assessment for public comment in September 2016. The comment period closes December 21, 2016. (The comment period was extended by 30-days at the request of commenters.)

The draft assessment identifies risks exceeding EPA's level of concern for dietary (drinking water alone exceeds; food alone does not exceed), residential, and occupational exposure scenarios for almost all registered agricultural, non-agricultural and residential/home-owner uses. In addition, post-application residential risks were identified for the mosquitocide use when applied by air (mosquitocide ground application does not raise concerns).

Given the current importance of aerial mosquito spraying as a tool to minimize transmission of the Zika virus and other mosquito-borne diseases, EPA provided mosquito control professionals in local

governments and mosquito control districts with advice on malathion aerial spraying to reduce risks (*i.e.*, adjusting height of application and droplet size of spray). This guidance was posted to the EPA Web page and the malathion registration review docket at the same time the draft human health risk assessment was released in September 2016. While EPA would normally not make risk management recommendations based on a draft risk assessment, we have provided this information to mosquito control professionals in the interim so they can be confident in the safety of malathion aerial spraying as the registration review process continues.

The draft Endangered Species Assessment, Biological Evaluation (BE) was released for public comment in April of 2016. EPA made “likely to adversely affect” determinations for 97% of all listed species assessed and “likely to adversely affect” determinations for 99% of all critical habitats as a result of current registered uses. The comment period closed in June 2016 and we are now preparing to release a final BE in January 2017.

EPA expects to receive new malathion physiologically based pharmacokinetic modeling (PBPK) data being developed by the technical registrant within the next few months. This may change the human health risks estimated in the current draft risk assessment. After considering the comments received on the draft risk assessments, EPA anticipates addressing risk concerns and proposing risk mitigation measures in a Proposed Interim Decision (PID). We anticipate completing the malathion PID in 2017 and releasing it for public comment.

Chlorpyrifos Human Health Risk Assessment Updated

In November, we published a revised the human health hazard assessment and drinking water exposure assessment for chlorpyrifos. The assessment originally supported our October 2015 proposal to revoke all food residue tolerances for chlorpyrifos. We have further analyzed watershed data from across the United States and characterized dietary exposure risk from drinking water residues in order to better understand the risk of chlorpyrifos exposure. We will make a final decision by March 31, 2017.

The revised analyses do not result in a change to the EPA’s proposal, but having considered the advice of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel (SAP), we are proposing to modify the scientific analysis that supports that finding. The revised analyses indicate that expected residues of chlorpyrifos on food crops exceed the safety standard under the Federal Food, Drug, and Cosmetic Act (FFDCA). In addition, the majority of estimated drinking water exposures from currently registered uses, including water exposures from non-food uses, continue to exceed safe levels even taking into account more refined drinking water exposures.

The comment period on these analyses closes January 17, 2017.

SmartLabel Pilot

The SmartLabel Pilot is entering a new phase. We met with the pilot participants on September 21 and began the testing soon after the meeting. This phase of testing focused on:

- The SmartLabel Content Builder, which allows users to input pesticide label content by category (e.g., precautionary statements, directions for use, etc.), and pick lists of vocabulary terms (e.g.,

active ingredient, use site, pest, etc.) that, when put together, make up the pesticide product label content. These vocabulary terms will be used for searching and sorting pesticide labels.

- The SmartLabel Use Index Builder, which allows users to input product use data using a structured format, numerical data fields, and picklists of vocabulary terms (e.g., active ingredient, use site, application equipment, application timing, restrictions/limitations, etc.) that, when put together, make up the pesticide product use list. These vocabulary terms and numerical data fields will be used for searching and analyzing product use data.
- Updated documentation, including a revised User Guide, terminology lists, and style sheets. EPA revised these documents based on feedback from pilot participants.

The testing and comment on documentation ended November 18. We are planning next steps, including a public webinar this winter and updates based on comments from the pilot testing.

Label Matching Mobile App

~~EPA recently began beta testing for the Pesticide Label Matching mobile application. Any parties interested in participating in beta testing can contact Alan Boutureira, a member of the label matching project. You can do so at LMP@epa.gov.~~

~~The label matching mobile application, a product of the Pesticides Data Accessibility and Label Matching Project, seeks to modernize and streamline the current manual process for sampling and reviewing pesticide labels for potential violations. The application will give inspectors the ability to instantly compare pesticide product labels against state and federal label databases via their cell phone, tablet or other mobile device. This will dramatically improve inspectors' efficiency, allowing them to inspect more labels. We expect this new tool to improve compliance rates over time.~~

~~The label matching application will be open for beta testing through December 31, 2016. After beta testing is complete, the application will be released on the Apple App store for iOS devices and the Google Play store for Android devices. There will also be a Web-based component for access via supported browsers on other devices such as laptops and desktops.~~

~~Find more information on the mobile application:~~

~~<https://www.epa.gov/pesticide-labels/mobile-application-pesticide-label-matching>~~

ESPP Hotline Number Changed

The Endangered Species Protection Program (ESPP) Hotline number has changed to (844) 447-3813. This replaces the previous number that appears on some labels and Bulletins. The ESPP Hotline is intended to be used by stakeholders with questions related to endangered species [Bulletins](#), specifically for issues accessing or printing the Bulletins. Questions can also still be sent to espp@epa.gov.

Registration of Dicamba Formulation for use on Dicamba Tolerant Crops

On November 9th, we announced registration of the dicamba formulation Xtendimax™ with Vapor Grip™ Technology. This formulation is specifically designed to have lower volatility. The registration is to control weeds in cotton and soybean crops genetically engineered to tolerate dicamba. The product formulation is different from the products that are alleged to have been used illegally. The label includes very specific and rigorous drift mitigation measures. The registration is time-limited and can be changed or allowed to expire if there are problems with resistant weeds or pesticide drift.

More information at <https://www.epa.gov/pesticides/epa-registers-dicamba-formulation-use-dicamba-tolerant-crops> and <https://www.epa.gov/ingredients-used-pesticide-products/registration-dicamba-use-genetically-engineered-crops>.

Memorandum to Pesticide Registrants on Location of First Aid Statements on Pesticide Labels

We are clarifying where first aid statements must be placed on pesticide product labels. Specifically, first aid statements must be immediately visible on a pesticide product when the product is sold or distributed. It should not require opening a booklet or other manipulation of the label to read the first aid statement.

For the most hazardous products (Toxicity Category I), the first aid statement must appear on the front panel unless we have approved something different. For Toxicity Categories II or III, the first aid statement can appear on the front, side or back panel, but it must be visible without manipulation of the label. If a registrant chooses to list first aid statements for Toxicity Category IV products, this language must also appear on a visible panel.

Recent variation in types of labels has led to less consistent placement of the first aid statement. Because of the importance of first aid information, we have decided to make it clearer to registrants where first aid statements must appear on labels. We sent a memorandum to pesticide registrants clarifying the required placement of first aid statements. The memorandum is available in the docket at www.regulations.gov (Docket ID No. EPA-HQ-OPP-2016-0545). The comment period on this memorandum is open until January 6, 2017.

Water Soluble Packaging Labeling Effort (PRD, Rich Dumas)

When used properly, products in water soluble packages (WSPs) can significantly reduce exposure during the mixing and loading and are considered an engineering control under the Agricultural Worker Protection Standard. In conducting an exposure study of handlers using WSP products, the Agricultural Handler Exposure Task Force (AHETF) observed some participants engaging in practices that were inconsistent with the proper use of products in WSP. The practices involved activities causing the packages to rupture in the mix tank basket. The AHETF notified EPA of what they observed and offered label language to address the improper use of the products. Since that time, OPP has worked with state officials, OECA, OGC and the AHETF to develop clear, consistent and enforceable label language.

We have received comments from several states. Comments were generally positive, and we have incorporated some suggested wording changes. The next step will be to share with AHETF and some applicator groups.

Currently, handling instructions labels vary across WSP products and most do not adequately address observed improper practices. Once we finalize the language, we will reach out to all registrants with WSP products intended for use in mix tanks to incorporate the new instructions for use. We expect to formally approach the registrants in January. [In Rich's notes—not sure if this is to be communicated--: Two questions that will need to be answered is how long do we give them to get labels to us and how much time for getting new labeling on all products released for shipment.]

In addition, we intend to provide pesticide educators with slides to help incorporate the issues into their winter training programs. Currently, the slides are in internal review.

State Regulator in Residence program (FEAD, Emily Ryan)

EPA is reenergizing its Regulator in Residence program that was so successful in 2012 and 2013-2014. EPA plans to host up to three state regulators for about four visits throughout the year. During these visits, state regulators will have the opportunity to learn about OPP practices and processes and participate in the management of pesticide topics affecting their states. More information will come in the next several months and the program will begin in early 2017.

Supplemental Distributor Forms- Pin-punch and Electronic Watermark Date Stamps

EPA is accepting both paper and electronic versions of the Supplemental Distributor Form 8570-5. These forms will have either a pin-punched date or an electronic watermark date stamp indicating when the form was received. If states or tribes have suggestions for changing the current watermark for electronic submissions: “Electronic Date Stamp: XX/XX/XXXX” to enhance enforceability, they have been asked to submit these to OPP via Yvette Hopkins in FEAD.