AAPCO
LETTER TO THE MEMBERSHIP
FEBRUARY 2020

AAPCO Annual Meeting and Conference
Collaboration: Working Together for the Common Good

Please join us for the 73rd Annual Meeting of the Association of American Pesticide Control Officials in Old Town Alexandria on March 8 - 11, 2020. Our goal is to have every state represented so please make plans to attend!

About this Event

We will look at broad and impactful issues such as Climate Change, Collaborating with Stakeholders, and Public Perceptions of Regulatory Authority.

We will explore collaboration in topics such as Pollinator Protection, Biostimulants, Paraquat Training, Hemp,Dicamba Research, UAVs, and Devices. Some of our favorite programs are updating this year, and we will hear from PREP, CTAG, and about funding models for PIRT. Involvement with our partners at U.S.EPA, USDA, CDC, NASDA, AAPSE, and PERC will make for a well-rounded, interesting and educational conference. Come join us for a great three days in beautiful Alexandria, VA!

Sun, Mar 8, 2020 (AAPCO Board Meeting for Members and Invited Guests)
March 9 - Mar 11, 2020, AAPCO Conference

For more information, https://aapco.org/2015/07/31/aapco-

IMPORTANT: Currently, AAPCO has a block of rooms at the Hilton Old Town Alexandria. Please refer to AAPCO's website for updates.

If you should have any logistical questions, please email or call Amy Sullivan, AAPCO Executive Secretary, aapco.sfireg@gmail.com (406) 431-3176.

Our mission is to represent states in the development, implementation, and communication of sound public policies and programs related to the sale, use, transport, and disposal of pesticides.
Making Surveys Easier For You!

To increase member services and the accessibility of survey results, this past year AAPCO developed a flexible policy regarding member surveys.

In the past, AAPCO would email a survey out on behalf of a State Lead Agency (SLA) / territory, and the responses from members would be emailed directly to the inquiring entity. The inquiring entity would then have to sift through and tabulate all of the results, and responding SLAs and territories might never see the results.

To minimize work for inquiring members and to coordinate survey questions with possible ongoing AAPCO/SFIREG committee or workgroup efforts, AAPCO is now sending surveys out via an outline survey tool, and posting the aggregated results and individual comments, https://aapco.org/surveys-1998-to-present/. The AAPCO Board of Directors may provide editing suggestions.

AAPCO members interested in initiating a survey, may contact Amy Sullivan, aapco.sfireg@gmail.com

To read more about the policy, see Member Survey Requests, https://aapco.org/administrative-policies/

Recent AAPCO Activities

We hope that you enjoy reading the February 2020 AAPCO Newsletter, and we welcome your comments. As many of you know, the Association of American Pesticide Control Officials (AAPCO) is an organization of pesticide regulatory officials from U.S. states and territories, federal agencies, and Canadian provinces who administer and enforce pesticide laws and regulations.

In March 2019, Rose Kachadoorian was elected President of AAPCO. Kachadoorian is a Program Manager with the Oregon Department of Agriculture (ODA) Pesticides Program. In March 2020, she will transition to Immediate Past President, a position currently held by Tony Cofer of Alabama. Leo Reed of Indiana is AAPCO’s President-Elect.

Two new AAPCO workgroups have been formed over the last year: one to address emerging technologies, such as UAVs (see article in this issue); and the other to address pesticide and hemp issues. Rose Kachadoorian (OR) & John Scott (CO) are co-chairs of the Hemp Workgroup.

AAPCO has been working with IR-4 and EPA on pesticide related hemp issues, and in October 2019, IR-4 was able to tour hemp (CBD and CBG) crop production fields, and also various types of extraction facilities in Oregon, a major production state.

Rose Kachadoorian (AAPCO), Grower, and Jerry Baron (Executive Director, IR-4 Project).

Viewing hemp being dried in a hop drying facility in Oregon.
Recent AAPCO Activities - Continued

In addition to the new workgroups, AAPCO/SFIREG began the initial steps of undertaking a long-term label improvement project based on the development of the ideal “good” label, rather than reviewing “bad labels”. The project will be coordinated and overseen by a Project Manager and Project Chair and utilize specialized teams. It is anticipated that EPA will participate and be highly engaged in all phases of the project. If you are interested in possibly participating or have questions, please contact: Megan Patterson (Megan.L.Patterson@maine.gov) or Liza Fleeson Trossbach (liza.fleeson@vdacs.virginia.gov).

AAPCO has an important role in addressing emerging issues with a unified voice. States are sometimes so busy they can not individually comment on every new issue. AAPCO seeks to find consensus and we make every effort to have our members voices heard on important issues.

During the last year, AAPCO has submitted a requested letter to the United States Senate (Committee on Agriculture, Nutrition & Forestry); a letter to FDA about tolerances and hemp; and a letter to NASDA/USDA regarding biostimulants. AAPCO has also provided multiple letters to EPA on topics such as WPS; antimicrobials and devices; funding for POINTS; biostimulants; and the recently established tolerance exemption for sodium laurel sulfate as an active ingredient. See, https://aapco.org/documents/

AAPCO has also been a vocal opponent to any changes in FIFRA Section 24(c) registration standards that would hinder the ability of a state to reduce pesticide related risk. See AAPCO letter and EPA response:


AAPCO Presidents over the years have strongly advocated increasing State and Tribal Assistance Grants (STAG) funding. Past President, Tony Cofer was a particularly strong advocate, and the states and tribes remain cautiously optimistic. Current efforts involve building strategic partnerships with like-minded advocates. NASDA members passed a resolution to support increases in STAG funding and to lend NASDA staff support toward lobbying efforts. AAPCO will continue to advocate for more resources to meet the demands of an ever increasing workload.

As the Immediate Past President, Kachadoorian will also be the Chair of the Pesticide Regulatory Education Program (PREP) Steering Committee. Tony Cofer has been admirably serving in this role during the past year. PREP will be celebrating its 30th year as the premier education source for state regulators during the 2020 program season, https://prep.ipm.ucanr.edu

For additional information regarding AAPCO, contact Rose Kachadoorian rkachadoorian@oda.state.or.us, Leo Reed, reedla@purdue.edu or any other member of the AAPCO Board of Directors.

Also please check out AAPCO’s amazing website! Thank you Amy Sullivan, aapco.sfireg@gmail.com

https://aapco.org
Full SFIREG Activities

Liza Fleeson Trossbach (VA), Full SFIREG Chair

The State FIFRA Issues, Research, and Evaluation Group (SFIREG) is a permanent committee of AAPCO that serves as mechanism to address national pesticide concerns. States and Territories are represented by 10 Regional Representatives who are responsible for bringing issues to SFIREG.

Full SFIREG, which refers to the 10 Regional Representatives, acts as the States’ and Territories’ decision-making body, determining which issues have widespread significance and how best to resolve the issues, including seeking EPA’s assistance. Full SFIREG is supported by two Working Committees: Pesticide Operations and Management (POM); and Environmental Quality Issues (EQI).

During 2019, Full SFIREG considered a number of issues and took several actions to address those issues.

Provided a letter to EPA regarding:
- Pesticide regulation on crops and concerns associated with non-FIFRA state agencies developing Action Levels (ALs), and the misinterpretation of ALs.
- EPA’s proposed pyrethroid label language.
- Seeking clarification from EPA on Section 24(c) registrations on cannabis, including hemp.

Submitted an Issue Paper to EPA concerning:
- Pesticide Impurities in EPA Registered Pesticides.
- Cover Crop Issues and Plant-Back Restrictions.

Provided a memo to states that clarified the specific use of pesticides in animal feed for the control of immature and/or adult insects or other pests in manure.
- Forwarded a White Paper on POINTS to the AAPCO Board for consideration and action.
- Reviewed and considered devices survey submitted by POM.

The SFIREG EPA Dicamba Ad Hoc Workgroup completed its work, including development of the Dicamba Guidance Document and Label Tables, which are available on the AAPCO website. Full SFIREG also piloted a new format for 1.5 days Full SFIREG Meetings to better meet the needs of state/territorial and federal pesticide regulatory officials:

Day 1 – Public Meeting; and

Day 2 – Working Session (States/Tribes/Territories & EPA OPP and OECA)

SFIREG continued to actively participate in meetings of the Tribal Pesticide Program Council (TPPC), which affords the opportunity to work on issues of mutual interest and leverage both resources and expertise.

Finally, SFIREG also participated as a presenter at EPA’s National Program Managers Meetings, providing both headquarters and regional staff information regarding its activities and the resources available to them through AAPCO/SFIREG.

For additional information regarding SFIREG, including roles and responsibilities, current members and meetings, please visit https://aapco.org/2015/07/30/sfireg-3/.
SFIREG working committees, Environmental Quality Issues (EQI) and Pesticide Operations and Management (POM) routinely meet as the Joint Working Committee (JWC). The most recent JWC meeting was held in West Lafayette, Indiana, September 23 - 25, 2019. The POM and EQI committees met together, and also had concurrent breakout sessions to discuss issues in detail within each committee.

EQI Committee members in attendance were: Gary Bahr, Chair (WA), Carrie Leach (IN, Laboratory) (2021), Mary E. Tomlinson (ME) (2020), Nan Singhasemanon (CA) (2020), Colton Bond (OR) (2021), Hotze Wijnja (MA) (2021), James Cooper (FL) (2022), Rajinder Mann (MN) (2022), and Jennifer Teerlink (2022).

The JWC and EQI discussed and worked on a variety of topics, while the team also had the opportunity to meet with Northcentral Weed Science Society researchers. We heard presentations and held discussions on dicamba herbicide topics, including Indiana drift cases, enforcement issues, research updates, and data collection and assessment.

The JWC also had the opportunity to tour Purdue University research facilities. EQI members talked about specific labels, cases, education, and other issues such as buffers and drift. We discussed how data from inspections and research could be combined and provided to Purdue, other regional weed scientists, and EPA OPP to better understand the complex dicamba issues that would help inform future regulatory decisions.

EQI sessions included presentations and discussions about the progress the Indiana Office of State Chemist (OISC) staff are making on developing laboratory methods to prepare for a new water pesticide testing program in Indiana. Dr. Ping Wan and Dave Scott provided extensive details of the new program and EQI provided feedback. EQI and the Laboratory Workgroup can assist OISC and other states with Lab and Monitoring designs.

EQI discussed the Pesticides of Interest National Tracking System (POINTS) system and the POINTS White Paper, and the future EPA grant guidance. We discussed the Issue Paper related to Cover Crop Issues and Plant Back Restrictions and how that paper has been submitted to EPA OPP. We discussed assisting on the dicamba issues, including creating a protocol and guide for the kinds of field and research data that could be collected from enforcement cases and university research to assist in state and federal decision making.

EQI talked about the ESA BiOp processes. EPA’s comment period closed on August 15, 2019, related to the changing ESA and Pesticide Registration Review Guidelines and the potential to utilize pesticide usage data. EQI talked about providing some state examples of Pesticide Stewardship efforts for the BiOp and potential EPA response, and EQI member scientists participated in the EPA Pesticide Usage Webinar that was held October 16, 2019.

EQI provided input to a multi-agency team from EPA, USGS, and WA State that is working on the SEAWAVEQEX modeling project to provide a predictive tool for ground and surface water pesticide fate
and transport modeling. The team, led by Rochelle Bohaty (EPA OPP EFED), presented their progress in 2019 and completed the EPA SAP meeting process in Rosslyn, VA in November 2019.

EQI worked through the summer and early fall to provide comment on EPA’s Pyrethroid Outdoor Application Statements that may result in decisions for changing pesticide labels. EQI continues to work on the proposed interim registration review decisions announced in Docket EPA-HQ-OPP-2017-0750.

EQI is conducting conference calls and discussions during the winter months to plan the work and prepare for the April 2020 JWC meeting in Arlington, Virginia.

For additional information, contact Gary Bahr, GBahr@agr.wa.gov

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**SFIREG POM Working Committee**

Jeffrey Rogers (VA), Chair

SFIREG’S Pesticide Operations and Management (POM) Working Committee is one of two working committees that function primarily to research and develop issues, which are in turn reported to Full SFIREG for action. POM focuses on the operational and managerial aspects of implementation of pesticide programs; for example, product registration, applicator certification, enforcement and worker protection. Committee members are chosen through a nomination process, based on technical expertise, problem-solving capacity, specific skill sets and the current needs of the committee.

During 2019, POM focused on a number of ongoing issues, including:
- Dicamba;
- Pesticide Devices Making Public Health Claims;
- Integrated Collection and Transfer of Information and Evidence; and
- Packaging of Multiple Products.

In addition, POM completed a number of work products which were subsequently forwarded to Full SFIREG for consideration, including:
- An Issue Paper on Pesticide Impurities in EPA Registered Pesticides;
- A letter to EPA requesting clarification on Section 24(c) registrations as an option for registration of pesticides on cannabis, including hemp;
- A memo to states clarifying the specific use of pesticides in animal feed for the control of immature and/or adult insects or other pests in manure.

**AAPCO SFIREG Label Improvement Project**

Moving forward, POM will also be undertaking efforts in support of the AAPCO SFIREG Label Improvement Project.

POM has historically served an important role in addressing specific labeling issues that have been identified by states/territories or EPA; for example, conflicting label language, undefined terms, and enforceable vs. advisory label language. In addition to continuing to offer its support and expertise as issues are identified, POM will also actively seek feedback from states/territories on specific
pesticide labels/labeling issues to be addressed and develop metrics to categorize and define the scope and prioritization of issues. This will help inform future activities of POM as well as contribute to the development of the Label Improvement Project plan.

For additional information regarding POM, current members and meetings, please visit https://aapco.org/2015/07/29/working-committees/.

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**Dicamba Work Group Update**

Leo Reed (IN) Chair

The SFIREG Dicamba Work Group conducted a brief survey at the end of the 2019 growing season. Each of the States with over-the-top (OTT) dicamba uses responded to the survey and also indicated that they would be willing to provide information to USEPA. A conference call was held subsequent to the survey, during which States related their experiences during the 2019 growing season.

Several individuals from USEPA were present during the JWC meeting, held in West Lafayette, IN. Dicamba research and discussions with the Weed Science Society of America (WSSA) were featured heavily during that meeting. State concerns regarding the OTT use of dicamba for the 2020 growing season remain high. We are hopeful that additional data presented by researchers across the country will be useful to USEPA as they make future registration decisions.

For additional information contact Leo Reed, reedla@purdue.edu

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**AAPCO FIFRA 25(b) Workgroup**

Sarah Caffery (IN) and Jerin Borrego (MT) Co-Chairs

The workgroup's mission is to facilitate the collaboration of states and industry in order to share information, provide guidance, foster label consistency, and reduce the duplication of efforts in the review and registration of Minimum Risk Pesticide products. Our workgroup consists of 78 state members (representing 49 states and the District of Columbia) and 58 industry members. We implement small focus teams to develop guidelines that assist with the registration process of FIFRA Section 25(b) products. The focus teams are based on project requests and completely volunteer based.

In 2019, the 25(b) workgroup produced or updated the following guidelines documents.

- **Label Guidance**
  Updated the original document to reflect additional terms that linked to the Efficacy Data Guidance.

- **Efficacy Data Guidance**
  Developed to help companies comply with state requirements and provides consistent guidelines for state lead agencies to use when reviewing efficacy data for product registration.
Q&A for Efficacy Data Guidance
A companion to the ‘Efficacy Data Guidance’ as it gives consistent responses to the most common questions that state lead agencies receive from industry regarding efficacy data guidance.

Inert Ingredient Research Guidance
Highlights concerns with potential "hidden actives" within the list of acceptable inert ingredients.

We will establish goals and projects for 2020 shortly. If you have a project that you are interested in proposing, or for details on how to be more involved, please contact Jerin Borrego (jborrego@mt.gov) or Sarah Caffery (scaffery@purdue.edu).

AAPCO Pollinator Protection Workgroup

Rose Kachadoorian (OR) and Pat Jones (NC) Co-Chairs

For over 10 years, concerns have been expressed about pollinator health, particularly colony collapse disorder in honeybees. Scientists have determined that there are likely interrelated contributing factors responsible for the losses, these include: habitat loss, diseases and parasites, poor nutrition and management practice, and also pesticide exposure.

In 2014, the White House issued a memo: “Creating a Federal Strategy to Promote the Health of Honey Bees and Other Pollinators”. In this memo, EPA was charged with engaging states and tribes in the development of pollinator protection plans. AAPCO members became engaged at a number of levels. SFIREG (committee of AAPCO) issued a "Final Guidance for State Lead Agencies for the Development and Implementation of Managed Pollinator Protection Plans (June 2015)". Members believed that it was important to assess the effectiveness of these voluntary plans.

National Assessment of Pollinator Plans - Survey

After a deliberative process, a decision was made that a national assessment could be made from data collected in an AAPCO Pollinator Survey.

In October 2019, the 34 question survey was distributed to State Lead Agencies (SLAs), Territories, and Tribes. Despite the length of the survey, participation was high. The results clearly show a high level of engagement, and creative efforts to reduce pesticide exposure and promote managed and native pollinator health. We thank everyone that participated in this survey. The results are available at: https://aapco.org/2015/07/01/current-topics/

For additional information contact Pat Jones (patrick.jones@ncagr.gov) or, Rose Kachadoorian, rkachadoorian@oda.state.or.us
Technology Workgroup Updates

Robby Personette (WI) - Chair

The workgroup has identified UAV/UAS as the first type of technology to address. Within this technology, there are four subsets that will be explored: certification and training; pesticide product labeling; drift and potential 24(c) issues; and UAV equipment in use and future use. Since the inception of the workgroup (May 2019), our members have, within our respective state(s), conducted pesticide use observations with UAVs and highlighted applicator concerns and issues as they relate to those applications. Additionally, the workgroup has collected information from other states, as well as other stakeholders, on what issues are coming to the forefront. We have had a number of conversations with developers of these technologies, and will continue to meet with these groups (i.e., developers, researchers, registrants, etc.) in an effort to garner a more thorough understanding of the technology and its uses.

Throughout the duration of the workgroup, we have and will continue to exchange information between the EPA OPP’s internal UAV/UAS workgroup, in an effort to stay ahead of this emerging trend. In order to aid the workgroup in dedicating resources to specific emerging issues, we will be releasing a survey to partners. The information we hope to collect in the survey will be used by the workgroup to hone in on specific areas of concern, but also may be used by other partners to develop an understanding of how neighboring states are addressing these topics and to aid EPA’s OPP group in addressing these needs on a national scale.

For additional information contact Robby Personette at robbypersonette@wisconsin.gov

Worker Protection Standard (WPS) Committee

Patrick Jones (NC) Chair

The Worker Protection Standard (WPS) Committee provides feedback to EPA regarding prominent issues and regulatory changes to the WPS Rule. The Committee also brings issues forward from States regarding enforcement or interpretative guidelines. Seven different Regions encompassing 13 different States across the US, along with representatives from NASDA and US EPA, currently serve on AAPCO’s WPS Committee.

We have held several conference calls in the last few months to review and comment on the following items: guidelines for the WPS Focused Inspections; an updated policy for golf courses and sod production areas and the Government Accountability Office’s study of the Designated Representative as outlined in the WPS. We also provided comments to AAPCO on the application exclusion zone (AEZ) proposed rule change published in October, 2019.

The WPS Committee always welcomes participation from States or individuals willing to serve on the Committee. Interested persons should contact Patrick Jones at Patrick.jones@ncagr.gov
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Thank You

A big thank you for all the many members who participate in committees and workgroups, and for the members who chair these groups.

We appreciate the efforts of the people who wrote articles for this "AAPCO Letter to the Membership". A special thanks to Rose Kachadoorian (Ore.), Leo Reed (IN), David Priebe (Ore.) and Amy Sullivan (AAPCO) who helped edit and format this newsletter; and to Gilbert Uribe, Meredith Schreiber and Moriah LaChapell Schalock, all of Oregon, who shared their photographs.