

**From:** [Trossbach, Liza](#)  
**To:** [Muench, Andrew](#)  
**Cc:** [Nguyen, Khue](#); [Britton, Cathryn](#); [Jones, Ricardo](#); [Fox, Eric M.](#)  
**Subject:** Re: Label Compost Language for Pyridine Herbicides  
**Date:** Friday, March 6, 2020 3:22:11 PM

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Thank you for the opportunity to comment on the proposed label language. As requested, I shared your email with SFIREG Pesticide Operations and Management (POM) and Environmental Quality Issues (EQI) Working Committees for feedback.

The Working Committees combined comments are below. They have been separated into general comments/questions and specific comments on the proposed labeling (red font indicated proposed changes).

### GENERAL COMMENTS/QUESTIONS

- *The applicator who has to follow the label instructions is rarely the same person who later has access or control of manure, straw, or animal bedding materials etc. later downstream in a process.*
- *The restriction should be equal to the risk. The risk is greater than 30 days, then restrict to 60 or 90 days based on the science. Again, the applicator should be required to communicate this if making an application for hire or if renting.*
- *I looked at some of the label language and I think it needs standardization and a tiered approach.*
- *I think the proposed label statements are a good warning for the person using the herbicide whether it be a homeowner and their lawn and garden, or a rancher/farmer and his grazing cattle and manure in the barns. [The question is] are we protective enough for the next potential user of the plant material tainted with these herbicide residues (who doesn't have a label and/or may not know that herbicides were used).... like a city picking up grass clippings curbside and composting them and providing them to the public, a neighbor picking up another neighbor's grass clippings on the street, or a grower buying or getting free manure/hay material from a rancher who treated his pastures with one of these herbicides?*
- *Compost can be a valuable resource or a waste product..... when is it safe to use, and where do I find out if my plants are susceptible?*
- *Maybe more stewardship from our registrants?*
- *In the context of this request, it is worthwhile to take a look at the SFIREG Issue Paper 'Persistent Herbicide Residues in Compost and Plant Materials and the Potential for Adverse Impact' (<https://aapco.files.wordpress.com/2015/10/compost-issue-paper-sfireg-3-2013.pdf>). The effectiveness and enforceability of label statements are among the issues highlighted in this paper.*
- *The only way the composter can be sure that the compost is not contaminated is to do assays.*
- *For the pyridine herbicides with low to moderate risk for compost contamination, I agree that the 30-day criterion should be based on risk characterization. I quickly searched the latest ecological risk assessments for fluroxypyr, triclopyr and dithiopyr, but did not find any information related risk assessments of residues in compost. It would helpful to learn more about the basis for the 30-day criterion for these herbicides.*
- *Most of the High Risk (picloram, aminopyralid & clopyralid) herbicides are labeled with "DO NOT USE PLANT MATERIAL TREATED WITH (PRODUCT NAME) FOR MULCH OR COMPOST".*

- Hay growers or grass pasture owners (manure producer) that treat the fields do not have anything to do with the end use --- compost or mulch.
- Hay that is fed to a cow cannot be traced back to the hay grower, because the hay is sold to a broker (different growers on the same load of hay or the broker will not disclose the growers). The hay is fed to cows, these end products; manure and hay waste and bedding is composted by another individual.

## COMMENTS – PROPOSED LABELING

### Generic Labeling Comments

- Most of these compounds are applied commercially, by for hire applicators in ROW, Turf or related categories. Property owners never see the label, nor is the label written for them. If this language is to mitigate damage from these products, there must be notification to the property owner. If the site is owned by the applicator, presumably he/she has read the label and is aware of the precautions required.
  - As an example, the following does provide some protections. **“Applicators must advise property owners or customers, in writing of the following precautions. Records of the notifications must be kept for 2 years”**

### High risk of compost contamination- picloram, aminopyralid, and clopyralid:

For the pesticides with high risk of compost contamination (picloram, aminopyralid, and clopyralid), the language EPA is considering putting on the labels is: *“This product is persistent and may be present in plant materials for months after application. Do not use treated plant material or manure from animals that have grazed or consumed forage from treated areas for compost, mulch, or mushroom spawn.”*

*Suggested label language:*

- It would be more enforceable for an SLA as follows:
  - *“This product is persistent and may be present in plant materials for months after application. Do not use **or allow to be used** treated plant material or manure from animals that have grazed or consumed forage from treated areas for compost, mulch, or mushroom spawn. **Applicators must document they have advised owners of impacted compost, mulch, or mushroom spawn of this prohibition”***
- This product is persistent and may be present in plant materials for months after application. **Do not use** treated plant material or manure from animals that have grazed or consumed forage from treated areas for compost, mulch, or mushroom spawn.”
- Stronger language such as, **“Use of treated plant material.....is prohibited.”** would be clearer and enforceable. There should be a requirement on the label to communicate this information to others who need to know, such as a landowner who may be renting the property to a grower.
- *“This product is persistent and may be present in plant materials for months after application. Do not use treated plant material or manure from animals that have grazed or consumed forage from ~~treated areas~~ **treated plant material** for compost, mulch, or mushroom spawn.”*

### Low to moderate risk of compost contamination- fluroxypyr, triclopyr, and dithiopyr

For the pesticides with low to moderate risk of compost contamination (fluroxypyr, triclopyr, and dithiopyr), the language EPA is considering putting on the labels is: *“This product is persistent and may be present in plant materials for over 30 days after application. Do not use treated plant material or manure from animals that have grazed or consumed forage from treated areas for compost, mulch, or mushroom spawn until 30 days after application.”*

*Suggested label language:*

- *“This product is persistent and may be present in plant materials for **over 30 days** after application. Do not use treated plant material or manure from animals that have grazed or consumed forage from treated areas for compost, mulch, or mushroom spawn **until 30 days** after application.”*
- *“This product is persistent and may be present in plant materials for over 30 days after application. Do not use treated plant material or manure from animals that have grazed or consumed forage ~~from treated areas~~ **treated plant material** for compost, mulch, or mushroom spawn until 30 days after application.”*

Should you have any specific questions or wish to discuss the comments that have been provided, please do not hesitate to let me know.

Again, we appreciate the opportunity to comment on the proposed labeling and are available should you need additional input or assistance.

Best Regards,

LFT

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