

- **Dicamba**

Multiple Regions shared States concerns over the removal of the FIFRA section 24(c) registrations for Dicamba. Some States also raised the point that label differences b/t cotton and soybeans may not make sense when the fields are planted near each other. States are needing more flexibility to tailor Dicamba management to their specific needs.

One state in particular has sent a letter to Administrator Regan and after two meetings is still waiting on a reply to the issue. The letter asked EPA to immediately adopt or approve the use of one or more options that would help states reduce dicamba damage for the 2022 growing season. One option is to reinstate the policy that would allow states to use FIFRA Section 24c registrations to impose state specific restrictions on dicamba.

- **C&T Plan approval processes and feedback from EPA Regions and Headquarters**

Regions continue to wait on a confirmed second pass review process and timeline for plan approvals. Questions on when the plans currently in second pass will come back to regions and a timeline for Regions who have not yet received HQ initial comments. Regions and States anxiously awaiting update on rule extension.

- **Chlorpyrifos tolerance revocation action- stockpile disposition**

Regions expressed concerns over existing stockpiles of Chlorpyrifos and the potential burden, both logistic and financial, that this may pose to state disposal programs to dispose of the unused stocks. One Region asked if growers with stockpiles may be eligible for indemnity per FIFRA Section 15.

States urgently request guidance from EPA and/or a draft Notice of Intent to Cancel chlorpyrifos uses to support their state registration decisions. States need some idea from EPA on how they should handle the cancellations for food and feed uses so they can make their own decisions about renewing registrations for those products/uses.

Regions would like to see additional information from EPA on this tolerance revocation and any potential product cancellations for chlorpyrifos in the future.

- **FIFRA Section 24(c) state registration processes**

Regions expressed concerns about the current process for FIFRA 24(c) label approval and would like improved communication from HQ on the process. Some Regions expressed that the complexity of the process created delays or even an inability to develop more restrictive pesticide use requirements associated with Special Local Need registrations. The Regions expressed that situation is not consistent with the program's past registration practices to protect unique resources. Without this option states are often forced to deny a registration of a product until a federal label change is completed. This denial may leave pesticide applicators at a significant disadvantage associated with the control of certain pests. In addition, the process to regulate specific uses using FIFRA section 24(a) is a time-consuming process and is typically ineffective as short-term solution.

- **PFAS/PFOS**

Regions shared that the states look forward to guidance from EPA on how to proceed with this issue, including the final disposition of any remaining containers identified in the initial complaint. Regions feel it would be beneficial if information on EPA's response to the larger environmental contributions associated with potential multi-media sources of PFAS/PFOS in general could be shared with states.

- **Treated Seeds and Articles Exemption**

The regulation of neonicotinoid treated seed is still a concern for some states. For some time, one state has been engaged in discussions regarding the regulation of certain neonicotinoid pesticides and neonicotinoid treated seed in an effort to protect pollinators from potential neonicotinoid exposure. Regions request that SFIREG workgroups continue to explore this matter in coordination with EPA and other involved agencies to establish a national position regarding the regulation of neonicotinoid treated seeds.

At least one state has legislation pending to regulate treated seed as a pesticide (i.e., and not exempt from registration as treated articles). A petition along these lines is also pending at OPP. States want to see that unused treated seed be disposed of properly, that is, as a characteristic hazardous waste under RCRA.

Of note, California Dept. of Pesticide Regulation has begun process to collect information regarding which commodities are grown using treated seeds, which active ingredients are used for each commodity, and the extent to which treated seeds are used in CA. Concerns include non-point surface water contamination, use of seeds treated with pesticides not registered in CA, and high level of pesticide use that is not currently captured in the state's Pesticide Use Reporting system. More information is available here:
https://www.cdpr.ca.gov/docs/emon/surfwtr/pest_seeds.htm

- **Paraquat Labeling- Equipment adapter availability**

Regions stated some growers are having problems obtaining the necessary parts to adapt their application equipment to work with the Paraquat closed systems (Phase 3 Labels). Syngenta seems to be the only company that is producing the smaller 2.5 gal container of Paraquat. Syngenta produced an adapter in limited quantities and distributed them to dealers to either include with sale or sell separately. This is pushing some growers to fabricate their own adapters, which states are concerned about. The Regions report that some states believe that Syngenta should be required to provide the adapter with every sale.

- **COVID-19 product registrations and devices**

Regions still have concerns with companies who are making public health protection claims for COVID-19-disinfecting devices, due to limited efficacy data. States still have recurring questions about onsite systems/devices that electrolyze a salt solution to create either

hypochlorous acid (as a disinfectant) or sodium hydroxide (as a detergent), or both (in separate streams). One Region raised concerns about “snake oil” devices. Regions expressed that States have been pointing out inadequacies in device regulations for years and would like to see EPA enhance their focus on device regulation.

- **Pet Collar ingredients and pet poisoning incidence**

One Region asked their states to provide more improved communication on poisoning incidents affecting pets.

- **ESA and Pesticide Label evaluations, and Bulletins Live2**

Several Regions brought up their States want more timely info, and more specifics related to pesticide label evaluation status and Bulletins Live2.

Additional topic shared by R5:

Basecamp Information Sharing among States and EPA for FIFRA Topics: The Office of Indiana State Chemist (OISC) started a new FIFRA information sharing and exchange communication group for SLAs and EPA using the Basecamp platform. This was funded by R5 in FY 21 as a pilot and focused on registration reviews and 25(b) products. There are some 46 members currently in the 25(b) workgroup. In FY 22, it will be funded only by OISC and will be expanded to include Section 3 registrations and devices. OISC is the host to allow members on request. Besides providing a FOIA-exempt forum for information and file sharing, it could be used by EPA as well to send out enforcement alerts.