



SFIREG

State FIFRA Issues Research and Evaluation Group

August 25, 2024

Charles Smith, Director
Registration Division
Office of Pesticide Programs
Office of Chemical Safety and Pollution Prevention
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460-0001

Delivered via email to: smith.charles@epa.gov

RE: SFIREG Comments on Pesticide Product Registration: Application for New Use, Dicamba and S-metolachlor, Docket Number EPA-HQ-OPP 2024-0154; Syngenta product Tavium with Vapor Lock.

Dear Mr. Smith,

On behalf of the State FIFRA Issues Research and Evaluation Group (SFIREG), I am submitting comments on the above noticed Pesticide Product Registration request. I was not able to complete these comments within the thirty-day comment period, but I am asking you to take these into consideration in any decision regarding this and similar products.

I am commenting on this product due to inclusion of references to requirements for the use of the Bulletins Live Two (BLT) system in the proposed label, and the proposed language for the notice to be included in the BLT for the proposed registration. As you are aware, the implementation of the EPA ESA Herbicide Strategy incorporates requirements regarding BLT, and these requirements, and how they are implemented on labels, are an active area of review and comment for State Lead Pesticide Agencies.

The product that is the subject of this notice contains similar active ingredients to two other dicamba products proposed for registration and noticed in this docket, although at earlier times than this product. I have taken the opportunity to compare the relevant BLT related language between these three products, included in the table below. Differences in the formulation of the BLT statements and the lack of information provided to the persons using these products, is a

matter of concern. Incomplete or differing information can lead to poor compliance, which is a concern for State Lead Pesticide Agencies (SLAs).

Product Name	Registrant	Active Ingredients	Concentration
Tavium	Syngenta	Diglycolamine salt of dicamba s-metolachlor	17.7% 24.0%
Engenia	BASF	dicamba: (N,N-Bis-(3-aminopropyl)methylamine salt of 3,6-dichloro- <u>o</u> -anisic acid)	60.8%
KHNP0090	Bayer	Diglycolamine salt of dicamba	42.8 %

Comparison of the BLT references for these products shows differences in the language on the label and in the proposed Bulletins regarding these products. The differences between the products are summarized below:

Product Name	Registrant	BLT reference	Runoff management on label	Run off management in BLT language
Tavium	Syngenta	http://www.epa.gov/espp/	No	Requires 2 credits
Engenia	BASF	http://www.epa.gov/espp/	No	Requires 2 credits
KHNP0090	Bayer	https://www.epa.gov/endangered-species/bulletins-live-two-view-bulletins	Yes – 3 credits, specifics to be developed with EPA	Requires 6 credits

All three direct applicators to check a product specific website and all three labels require specific records to be kept of the application. None include a requirement to document the date on which the required product specific website was consulted.

The Tavium label makes no reference to any of the Interim Ecological Mitigation Measures (IEMs) being proposed as part of the EPA ESA Herbicide Strategy, although the KHN0090

label references future inclusion of these measures to be developed with EPA. Is there a rationale for these products to be treated differently in this respect?

Suggestions for improving these labels are:

- Use the direct BLT website address when directing applicators to the BLT site (<https://www.epa.gov/endangered-species/bulletins-live-two-view-bulletins>)
- If specific websites are required to be consulted prior to application, add a requirement to document the date this was done, as well as document the Bulletin obtained when consulting BLT
- Specify on the label where applicators can obtain information on “approved mitigation measures”

I would welcome a discussion of these issues as part of the SFIREG process. Please let me know if you have any questions or need more information.

Sincerely,

Steve Dwinell

Steven Dwinell
SFIREG Chair
Director, Public Health & Agricultural Resource Management Division
Vermont Agency of Agriculture, Food and Markets
116 State Street, Montpelier, VT 05620-2901