

EPA Region 2 Pre-SFIREG Meeting Report

Submitted by Anthony Lamanno, EPA Region 2 State FIFRA Issues Research and Evaluation Group (SFIREG) Representative.

The United States Environmental Protection Agency (EPA) Region 2 Pre-SFIREG meeting was held virtually on April 29th, 2026. New York, New Jersey, Puerto Rico, the US Virgin Islands (Region 2 states and territories), EPA Region 2 staff, and the Cornell Pesticide Safety Education Program participated in the meeting. The Minnesota Department of Agriculture also participated in a portion of the meeting. The following topics were discussed during this meeting:

Pesticides in Water Calculator:

The SFIREG Environmental Quality Issues (EQI) Working Committee has been working to improve the understanding and use of EPA's Pesticides in Water Calculator. To assist in this effort, they requested that the regional representatives to ask if the states are interested in attending a webinar or training program on how to use the Pesticides in Water Calculator.

New York, New Jersey and the US Virgin Islands are not using the Pesticides in Water Calculator. The Puerto Rico Department of Agriculture does not handle water quality, so they were not sure if the calculator was used. There seems to be little knowledge or use of this calculator in EPA Region 2. Training on this calculator may be helpful for the Region 2 states and territories to determine if this this will be a useful tool in the future.

Pesticide Treated Seed:

The SFIREG EQI Working Group has been tracking EPA's developments on the evaluation of treated seed. EPA received extensive comments regarding the October 2023 Advanced Notice of Proposed Rulemaking (ANPRM) for treated seed that may lead to potential changes in the way these treated articles are regulated.

As part of these potential changes EQI is advising SLAs to be aware of any announcements regarding treated seeds and requested information regarding any current regulatory issues or investigations involving treated seed that the states may be involved with.

New York State is currently working on implementing an amendment to the Environmental Conservation Law prohibiting the sale and distribution of neonicotinoid treated soybean, corn, and wheat seeds unless a waiver is granted for the purchase. This law goes into effect in 2029, and the waiver process will be accomplished through regulation.

New Jersey does not have any current enforcement cases, although they did work on a case involving a large bird kill related to treated seeds several years ago.

The New Jersey neonicotinoid ban does not address seeds. They are waiting for a decision from EPA on treated seed regulation.

Both New York and New Jersey continue to have concerns regarding the treated article exemption for treated seeds. They believe that the treated article exemption is not appropriate for treated seeds since this exemption originally related to inanimate objects, specifically antimicrobial pesticides to protect the object. Many of the treated seeds claim to also protect the sprouting seeds and plants, which seems to go beyond the treated article exemption. There was also a discussion that USDA is the agency with jurisdiction over seeds and plants and that using the FIFRA treated article exemption may not be appropriate for treated seeds due to agency authority.

Puerto Rico and US Virgin Islands do not have any recent enforcement cases regarding treated seeds.

Minnesota has also been focusing on treated seeds by tracking potential legislation related to treated seeds and conducting surface water testing for neonicotinoids.

Expiration Dates on 24(c) Special Local Need:

In December 2025, EPA made several announcements regarding the process for emergency exemptions. As part of these announcements EPA no longer recommends expiration dates for 24(c) Special Local Need (SLN) registrations. States may continue to require SLN expiration dates. However, expired SLNs cannot be amended and a new SLN registration and number will be required. EPA has offered to provide some temporary flexibility for recently expired SLNs.

SFIREG was interested in how states will handle 24(c) SLN registrations with this change.

New Jersey plans to continue to require an expiration date for SLN's, so it is not anticipated that this change will impact their program. In Puerto Rico SLN's are registered on a 3-year basis with renewals going through the reregistration process. Puerto Rico does not believe this will impact their program. In the US Virgin Islands SLNs are issued with expiration dates, but they can currently grant extensions to the expiration dates. This change is not anticipated to cause concern for their program. In New York most SLNs do not have expiration dates and must be renewed every 2 years along with regular renewal cycle for the pesticide registration. New York does not see this change causing any issues with their program.

There was also a discussion regarding the EPA's website for SLN registrations. It seems that the website may be out of date and have some errors. New York noticed that there seems to be some very old SLNs and one SLN that NY did not request. New York intends to speak to the Office of Chemical Safety and Pollution Prevention regarding this matter.

New World Screwworm:

The Region 2 states and territories were asked if they are taking any actions related to the New World Screwworm. This pest is not currently a concern for the EPA Region 2 states and territories and no actions have been taken for monitoring or prevention.

Farm Bill:

Brian Verhougstraete, Pesticide Administrator for Michigan Department of Agriculture and the Association of American Pesticide Control Officials (AAPCO) President, provided an update regarding the federal Farm Bill during this meeting at the request of the Region 2 representative.

At the time of the meeting the Farm Bill proposed some restrictions on state and local authority that could be seen as eroding the state's authority to regulate pesticides. It was explained that APPCO, the National association of State Departments of Agriculture (NASDA) and the Association of Structural Pest Control Regulatory Officials (ASPCRO) are very involved in this matter and are working on a solution to minimize impacts to the state pesticide programs.

Shortly after the Region 2 Pre-SFIREG meeting the proposed language was removed from the Farm Bill and this is no longer an issue for Region 2 states and territories.

Label Complexity of OTT Dicamba products registered in February 2026:

During this meeting the Region 2 states and territories discussed the Dicamba labels registered in 2026 for over-the-top applications. This discussion did not identify any issues regarding the registration or label language. The Region 2 states did not conduct any drift investigations or need to interpret the requirements for downwind buffers.

The topic of weather data to determine compliance with pesticide labels was also raised during this discussion. New Jersey uses weather apps and New York uses weather apps and local airport information. In addition, the Region 2 states and territories may rely on video taken by witnesses. New York also conducts on-site observations using anemometers. The Region 2 states and territories have found that applicator weather information is frequently similar to the information collected through the various sources used by the Departments.

Resources for Implementation of ESA Strategies:

ESI's information regarding resources to implement the Endangered Species Act Strategies was presented at this meeting. This information included the ESA Compliance Navigator, Acre Blitz, and FESTF/Lens. The Region 2 states and territories have not used these resources but will consider using them in the future. It was mentioned by Cornell that these tools should always direct applicators back to the label, since ESA compliance ultimately relies on the pesticide label.

Comments provided by Pesticides Operation and Management Working Committee (POM) on the proposed revision to PR 98-10:

An overview of POM's comments on the revision to PR notice 98-10- *EPA guidance to registrants for Notifications, Non-Notifications and Minor Formulation Amendments* was provided during this meeting. There were no questions regarding the comments.

ESI's comments on the draft Proposed Process to Become an EPA Qualified Conservation Program and Qualified External Party:

ESI's comments on the draft proposal were also discussed during this meeting. There were no questions on the comments.

New and Ongoing Issues:

The Region 2 states and territories did not identify any new or ongoing issues to be addressed by SFIREG.