



California Notice 2013-06

SEMIANNUAL REPORT SUMMARIZING THE REEVALUATION STATUS OF PESTICIDE PRODUCTS DURING THE PERIOD OF July 1, 2012 THROUGH December 31, 2012

California regulations require the Department of Pesticide Regulation (DPR) to investigate reports of possible adverse effects to people or the environment resulting from the use of pesticides. If a significant adverse impact occurred or is likely to occur, the regulations require DPR to reevaluate the registration of the pesticide.

Title 3, California Code of Regulations (3CCR), section 6221, specifies a number of factors under which DPR may initiate a reevaluation: (a) public or worker health hazard, (b) environmental contamination, (c) residue over tolerance, (d) fish or wildlife hazard, (e) lack of efficacy, (f) undesirable phytotoxicity, (g) hazardous packaging, (h) inadequate labeling, (i) disruption of the implementation or conduct of pest management, (j) other information suggesting a significant adverse effect, (k) availability of an effective and feasible alternative material or procedure that is demonstrably less destructive to the environment, and (l) discovery that data upon which a registration was issued is false, misleading, or incomplete. Often, ongoing DPR reviews trigger a reevaluation. Reevaluation triggers also include State and county pesticide use surveillance and illness investigations, pesticide residue sample analyses, environmental monitoring activities, and information from other state or federal agencies.

When a pesticide enters the reevaluation process, DPR reviews existing data and may require registrants to provide additional data to determine the nature or the extent of the potential hazard or identify appropriate mitigation measures, if needed.

DPR concludes reevaluations in a number of different ways. If the data demonstrates that use of the pesticide presents no significant adverse effects, DPR concludes the reevaluation without additional mitigation measures. If additional mitigation measures are necessary, DPR places appropriate restrictions on the use of the pesticide to mitigate the potential adverse effect. If the adverse impact cannot be mitigated, DPR cancels or suspends the registration of the pesticide product(s).

This report complies with the requirements of 3CCR section 6225, which requires DPR to prepare a semiannual report describing pesticides evaluated, under reevaluation, or for which factual or scientific information was received, but no reevaluation was initiated. The report contains two sections:

- I. Formal Reevaluation - initiated when an investigation indicates a significant adverse impact has occurred or is likely to occur (see page 2); and



- II. Preliminary Investigations (Evaluations) - products or active ingredients for which DPR receives possible adverse factual or scientific information, but no reevaluation has been initiated (page 17).

I. FORMAL REEVALUATION

Initiated when investigations indicate that a significant adverse impact has occurred or is likely to occur. This section of the report intends to provide stakeholders with a summarizing description of the scope, basis, data requirements, relevant activity (e.g. new product roll-in, study proposal-design, protocol development, protocol submission and review, study/data submission and review, DPR analysis papers, risk assessments), status, and mitigation efforts for each reevaluation.

ANTIFOULING PAINT PESTICIDES (COPPER-BASED) – 204 Products

On June 1, 2010, DPR placed into reevaluation certain pesticide products containing the active ingredients copper oxide, copper hydroxide, and cuprous thiocyanate used as antifouling paint (AFP) pesticides. DPR initiated this reevaluation based on findings from a June 2009 DPR report titled, *Monitoring for Indicators of Antifouling Paint Pollution in California Marinas*. The report found that dissolved copper concentrations in more than half the water samples taken from salt and brackish water marinas exceeded the California Toxics Rule (CTR) chronic water quality standard, as well as the acute standard in about a third of these water samples.

California Regional Water Quality Control Boards' (CRWQCBs') water quality criteria require that all waters be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. Dissolved copper concentrations were determined to violate CRWQCBs' water quality objectives for toxicity. DPR's report found that copper-based AFP pesticides applied to boat hulls are likely a major source of dissolved copper in salt and brackish water marinas, particularly during dry weather periods, and that the main pathways of copper contamination appear to be passive leaching of AFP-painted boat hulls and underwater boat hull cleaning.

Under this reevaluation, DPR requires registrants of copper-based AFPs to submit the following: (1) information identifying the paint type (e.g. soft sloughing, epoxy ester conventional); (2) data characterizing the products' copper leach rate; (3) specific mitigation strategies that will reduce dissolved copper concentrations in California salt and brackish water marinas to levels below CTR or regionally applicable standards; and (4) marina monitoring data to determine compliance with CTR standards after mitigation strategies have been implemented. In March 2011, copper AFP registrants were notified of an additional data requirement intended to determine the impact of underwater hull cleaning activities on copper concentrations in California marinas. DPR will address specific mitigation strategies and marina monitoring after analysis of the underwater hull cleaning study because this study is critical to making those determinations.

In January 2012, DPR completed review of leach rate and paint type information for all AFP pesticide products included at 2010 initiation and 2011 data expansion of this reevaluation. In May 2012, DPR notified AFP products registered after the data expansion that they are subject to the reevaluation. By August 2012, DPR received leach rate and paint type information for these products, which are currently under review. Based on the information reviewed so far, most copper-based AFPs are either copolymer ablative or epoxy ester paint types. Copper leach rate and paint type provides DPR with important data and information to better assess the factors contributing to dissolved copper concentration in marinas from AFP pesticides. In June 2012, DPR approved American Coating Association-Antifouling Working Group's (ACA-AWG) underwater hull cleaning study protocol. The underwater hull cleaning study has been initiated and DPR anticipates submission of a final report by April of 2013.

BRODIFACOUM (SECOND-GENERATION RODENTICIDES) – 23 Products

On December 30, 1999, at the request of the Department of Fish and Wildlife (DFW) (formerly Department of Fish and Game), DPR placed pesticide products containing the active ingredient brodifacoum, a second-generation anticoagulant rodenticide, into reevaluation. DFW expressed concern that California's wildlife are exposed and may be adversely affected by currently registered uses of brodifacoum. Second-generation rodenticides deliver a delayed lethal dose to the target rodent with the first feeding-that does not kill the rodent immediately. After multiple feedings a rodent may have a significant "body burden" of this persistent pesticide at death, and lead to non-target wildlife exposures. Given the increased public interest in wildlife issues associated with brodifacoum, DPR began taking steps to address the problems associated with the use of brodifacoum, and two other second-generation anticoagulants, bromadiolone and difethialone. As a result of a lack of information and challenges obtaining data that would allow for meaningful determination of the impact of second-generation rodenticides to non-targets, DPR had to rely on the incomplete data submitted by DFW.

Despite the lack of data, in the fall of 2005, DPR completed and presented an issue paper recommending a number of mitigation measures and proposed that rodenticide baits containing brodifacoum, bromadiolone, and difethialone be restricted to indoor structural use only. However, based on comments from representatives of the pest control industry expressing concern over the restriction, DPR reconsidered its proposal. DPR instead decided to work with U.S. EPA on its rodenticide risk mitigation decision. In May 2008, U.S. EPA announced its final *Risk Mitigation Decision (RMD) for Ten Rodenticides* and enacted mitigation measures. In the final RMD, the ten rodenticides are grouped into first and second-generation anticoagulants and non-anticoagulants. First-generation anticoagulants include chlorophacinone, diphacinone, and warfarin, and second-generation anticoagulants include brodifacoum, bromadiolone, difethialone, and difenacoum. Non-anticoagulants include zinc phosphide, bromethalin, and cholecalciferol. To minimize children's exposure to rodenticide products used in homes, U.S. EPA asked that all first-generation and non-anticoagulant rodenticide products marketed to

residential consumers be sold as solid formulations preloaded in bait stations. To reduce wildlife exposures and ecological risks, U.S. EPA restricted sale and distribution of second-generation anticoagulant products with the intention of minimizing availability to residential consumers. U.S. EPA also restricted all outdoor, above-ground use of second-generation anticoagulants to use in bait stations. U.S. EPA allowed continued sale of larger size quantities of second-generation rodenticides at farm type stores.

While most companies that produced rodenticide products agreed to adopt the new federal safety measures, three companies did not. As a result, U.S. EPA issued a *Draft Notice of Intent to Cancel and Notice of Denial of Registrations of Certain Rodenticide Bait Products* on November 2, 2011. In the draft notice, U.S. EPA identified 20 federally registered products as subject to federal cancellation. Eight of the products are currently registered with DPR.

In the summer of 2011, DFW requested that DPR designate second-generation anticoagulant rodenticides as California restricted materials. To support their request, DFW provided wildlife incident data in December 2011. DPR also sought out and received incident data from researchers and wildlife rehabilitation organizations. In September 2012, DPR completed a final draft of its assessment, based on available data, of the potential and actual risk to non-target wildlife from second generation rodenticides. The document concluded that the use of second generation rodenticides presents a hazard related to persistent residues in target animals resulting in impacts to non-target wildlife. Pursuant to California Health and Safety Code section 57004(b) requirement that prior to using any scientific document as the scientific basis for regulatory action (rulemaking), the scientific document must receive an external scientific peer review. DPR initiated the scientific peer review process in October 2012 and anticipates completion by February 2013. Upon completion of the external peer review, DPR will hold meetings with various stakeholders to discuss possible mitigation measures. Also, DPR is developing a rulemaking proposal that is anticipated by early fourth quarter of 2013.

CHLOROPICRIN – 36 Products

On October 16, 2001, DPR initiated the reevaluation of the active ingredient chloropicrin based on data submitted under the Birth Defect Prevention Act (BDPA) that found that it has the potential to cause adverse health effects at low doses. The National Institute for Occupational Safety & Health (NIOSH) set an 8-hour time weighted average of 0.1 parts per million (ppm) as the reference exposure limit for workers exposed to chloropicrin, primarily for the prevention of eye irritation in humans.

Under this reevaluation, DPR required chloropicrin registrants to conduct and submit the results of various worker exposure and air quality monitoring studies from field and greenhouse applications. DPR completed its review of the required monitoring data in August 2005 and began work on a chloropicrin risk characterization document (RCD) as part of the reevaluation process to mitigate potential adverse effects at low concentrations. In February 2010, DPR

completed its RCD for chloropicrin as a toxic air contaminant (TAC) and an assessment of risks associated with potential exposures to residents and bystanders from ambient and off-site air concentrations of agricultural use chloropicrin pesticides products. DPR found that the use of chloropicrin products for agricultural soil fumigation applications results in unacceptable acute, seasonal, and chronic exposures to residents and bystanders. A risk management directive was issued in December 2010 setting a regulatory target of 73 ppb averaged over an eight-hour time period to restrict acute exposure. Based on the RCD and the recommendation of the Scientific Review Panel (SRP), DPR designated chloropicrin as a TAC effective January 8, 2011. DPR is currently developing mitigation measures in consultation with the Air Resources Board, the air pollution districts, and the County Agricultural Commissioners, as required by Food and Agricultural Code section 14024(a) to protect public health concerns for residents and bystanders.

DPR has also completed a comprehensive chloropicrin RCD, which includes dietary and occupational exposure scenarios. The next step is the development of a risk management directive (RMD). At this time, DPR will defer concluding the reevaluation until the RMD is completed and mitigation measures are implemented.

CHLORPYRIFOS – 34 Products

On March 11, 2004, DPR placed all agricultural use (including turf use) products containing chlorpyrifos into reevaluation based on monitoring data collected by the Central Valley Regional Water Quality Control Board (CVRWQCB). The data revealed that chlorpyrifos levels exceeded water quality criteria (WQC) for aquatic invertebrates in the rivers and tributaries of the San Joaquin (SJ) Valley, the Sacramento/ SJ Delta, and Monterey County. These detections of chlorpyrifos have resulted in the development of an organophosphate pesticide total maximum daily load (TMDL) in identified segments of the SJ River and Sacramento/ SJ Delta.

Under this reevaluation, chlorpyrifos registrants are required to do the following: (1) identify the process by which chlorpyrifos pesticides are contributing to detections in surface water at levels that exceed WQC; and (2) identify mitigation strategies that have been shown to reduce or eliminate chlorpyrifos residues in surface water. In December 2004, DPR reviewed and agreed with the basic manufacturer's assessment of the modes of transport for chlorpyrifos residues to surface water, and required them to submit specific mitigation strategies. The basic manufacturer responded with the submission of data and information, including mitigation measures intended to reduce chlorpyrifos residues in surface water when the products are used under California conditions. In January 2006, DPR determined that a protocol and final study report for chlorpyrifos monitoring data were required of the basic manufacturer, in order to assess the impact of the submitted mitigation measures. In July 2006, DPR accepted the basic manufacturer's study proposal to collect and evaluate monitoring data over a sufficient number of years providing for better analysis on the effectiveness of the mitigation efforts.

In the spring of 2008 and 2009, the basic manufacturer submitted two separate final reports. In August 2010 DPR scientists' determined that the submitted data and field investigations show the following: (1) chlorpyrifos continues to be detected in surface water at levels that exceed water quality thresholds; (2) exceedances occur at multiple sites in the SJ, Santa Maria, and Salinas River watersheds; (3) multiple crops and agricultural practices potentially contribute to the off-site movement of chlorpyrifos; and (4) both applications made in accordance with, and in violation of, label requirements potentially contribute to off-site movement of chlorpyrifos. As a result, DPR requested additional monitoring data through 2010. In August 2011, the basic manufacturer submitted a report titled, *Surface Water Monitoring Results and Historical Trend Analysis of Chlorpyrifos in Surface Water 2004-2010*, of which DPR completed its review in March 2012. In April 2012, DPR completed an analysis memo titled, *Analysis of Chlorpyrifos Agricultural Use in Regions of Frequent Surface Water Detections in California, USA*.

During the course of this reevaluation various mitigation measures have been implemented. On July 31, 2006, U.S. EPA finalized its Reregistration Eligibility Decision (RED) on Chlorpyrifos requiring certain mitigation measures to reduce ecological and human health risk such as non-agricultural uses of chlorpyrifos (phased out during 2002-2004), buffer zones to protect water quality, and application rate reductions. In July 2006, DPR imposed dormant spray regulations to restrict pesticide application during the dormant season, which coincides with the rainy season in winter. This regulation implemented dormant season insecticide application restrictions such as property operator dependent specific requirements, written recommendation from a pest control adviser before application, and prohibition for certain described scenarios. At the same time, DPR began its Dormant Spray Water Quality Initiative focused on the prevention of aquatic toxicity from residues of chlorpyrifos and other dormant pesticides in the Sacramento and San Joaquin Rivers. In July 2012, U.S. EPA announced additional spray drift mitigation measures to reduce application rates and mandated buffer zones that will be more protective. DPR continues to monitor U.S. EPA's efforts and is evaluating other possible mitigation strategies, including regionally specific measures.

CYFLUTHRIN – 38 Products

On May 5, 1998, DPR placed the active ingredient cyfluthrin into reevaluation based on its investigations of a May 1997 outbreak of respiratory irritation reported among orange harvesters exposed to residues of cyfluthrin in Tulare County and other pesticide illness reports related to cyfluthrin. As a part of the investigation, DPR's Worker Health & Safety Branch conducted two separate inhalation-monitoring studies in orange groves during orange harvest. DPR determined that as dust and pollen are a part of normal working environment, something different in the work environment led to the workers' respiratory irritation symptoms experienced. DPR compiled the results in its monitoring study titled, *Health and Safety Report HS – 1765*, which found that it appears probable that cyfluthrin applied close to harvest led to the symptoms experienced.

Under this reevaluation, registrants of pesticide products containing the active ingredient cyfluthrin were required to provide the following: (1) respiratory irritation study, (2) worker exposure study, and (3) monitoring data for structural application. In October 2001, the basic manufacturer submitted the following: two worker exposure studies regarding hand harvesting of oranges and sweet corn; four indoor exposures studies; and a study titled, *Study on the RD₅₀ Determination in Rats*. Based on this data, DPR determined that no further structural monitoring data were required. However, during the course of this reevaluation, DPR determined it had insufficient data regarding worker exposure during the hand harvesting of sweet corn. As a result in February 2002, DPR required a sweet corn worker exposure study. The results of the study were submitted to DPR in October 2004. In 2006, DPR determined that a comprehensive exposure assessment is necessary for cyfluthrin as part of the reevaluation process. In September 2008, DPR completed an exposure scoping document for cyfluthrin intended to lay the groundwork for the risk assessment process. At this time, the reevaluation of cyfluthrin is on hold pending completion of a final risk assessment on cyfluthrin. Additionally, DPR is working with U.S. EPA on the risk assessment. If DPR's risk assessment concludes that use of cyfluthrin poses a risk to workers, DPR will proceed with mitigation.

DIAZINON – 4 Products

On February 19, 2003, DPR initiated the reevaluation of diazinon products labeled for use as dormant sprays based on monitoring studies conducted between 1991 and 2001 by the U.S. Geological Survey, Dow AgroSciences, CVRWQCB, State Water Resources Control Board (SWRCB), and DPR. These studies reported the presence of diazinon in surface waters of the Sacramento and San Joaquin Valleys at levels that exceed water quality criteria (WQC), especially during the dormant spray season.

Under this reevaluation, diazinon registrants are required to do the following: (1) identify the processes by which diazinon dormant spray products are contributing to detections of diazinon in surface water at levels that exceed WQC; and (2) identify mitigation strategies that will reduce or eliminate diazinon residues in surface water. The registrants responded by developing supplemental labeling for dormant spray products to mitigate off-site movement of diazinon residues and agreed to conduct monitoring studies to confirm the effectiveness of the strategies during the dormant spray season. Meanwhile, DPR began working on mitigation options at the beginning of the reevaluation and in July 2006 approved dormant spray regulations that placed further restrictions on the use of diazinon products such as those described in the chlorpyrifos reevaluation. By December 2006, all dormant spray diazinon product labels were amended to add supplemental labeling requiring restrictions or prohibitions such as, dormant applications on orchards to be restricted to ground application equipment only, and to prohibit application when soil moisture is at field capacity and/or when a storm event is likely.

In July 2005, DPR approved the submitted protocols intended to evaluate the effectiveness of the proposed mitigation strategies. In September 2006, the registrant submitted the final studies which were found to be conducted acceptably, but that did not provide information as to whether registrants intended to use the information to develop additional mitigation measures. While working with the registrant on the proposed mitigation strategies, in February 2007, DPR received a report prepared by University of California, Davis (UCD) titled, *Residues of the 2006 TMDL Monitoring of Pesticides in California's Central Valley Waterways, January – March 2006*. This study reported diazinon concentrations measured during the 2006 dormant spray season were still exceeding WQC. DPR forwarded the UCD study to the registrants and requested the development and implementation of further mitigation measures to reduce or eliminate diazinon residues in surface water. In February 2008, the basic manufacturer submitted two reports titled, *Analysis of Diazinon Environmental Monitoring Data from the Sacramento/ Feather River Watersheds: 2001-2007*, and *Project Report: Landguard OP-A as a Best Management Practice in Dormant Season Use, December 2007*. In October 2008, the basic manufacturer submitted another report titled, *Analysis of Diazinon Environmental Monitoring Data from the San Joaquin River Watershed: 2001 – 2007*.

An analysis of DPR monitoring data from 2003-2008 revealed 637 diazinon detections out of 2,635 samples from water bodies located in the Central Valley, Central Coast, and Southeastern California. As a result, on June 22, 2010, the Director expanded the reevaluation to include in-season uses as well as dormant season applications and required the registrants to do the following: (1) collect and evaluate all relevant (2005-2009) surface water monitoring data to determine if application of diazinon to specific irrigated fields is resulting in exceedances of WQC; and (2) establish crop-specific mitigation measures based upon results of submitted monitoring data. In March 2011, the basic manufacturer submitted a combined monitoring report for both the required dormant season and in-season monitoring titled, *Summary of Diazinon Water Column Monitoring Data for Nine California Regions: 2005-2010*, which DPR found to be acceptable. In September 2011, DPR completed an analysis memo titled, *Analysis of Diazinon Agricultural Use in Regions of Frequent Surface Water Detections*.

During the course of this reevaluation various mitigation measures have been implemented. In 2004, U.S. EPA eliminated all sales of outdoor residential use diazinon products. On July 31, 2006, U.S. EPA finalized its RED on diazinon requiring certain mitigation measures to reduce ecological and human health risk such as provisions to cancel certain agricultural crop uses and aerial applications; reduce the amount and frequency of use; and employ engineering controls and other protective measures. On July 18, 2006, DPR adopted dormant spray regulations that placed further restrictions on the use of diazinon products such as those described in the chlorpyrifos reevaluation. Additionally, through the Dormant Spray Water Quality Initiative, DPR continues to work to prevent aquatic toxicity from residues of diazinon in the Sacramento and San Joaquin Rivers. DPR continues to monitor U.S. EPA's efforts and is discussing possible mitigation strategies and the next steps of this reevaluation.

FIELD SOIL FUMIGANTS – 62 Products

On January 18, 2008, DPR initiated a reevaluation of certain pesticide products intended for use as field soil fumigants and containing one or more of the following active ingredients: methyl bromide, 1,3-dichloropropene, chloropicrin, metam-sodium, metam-potassium, dazomet, and sodium tetrathiocarbonate. Fumigants are among the highest pesticide volatile organic carbon (VOC) contributors due to both their high levels of use and high emission potentials. The basis for this reevaluation is to reduce VOCs from pesticide products.

The U.S. Clean Air Act (CAA) requires states to submit state implementation plans (SIPs) for implementing, maintaining, and enforcing national ambient air quality standards (NAAQS) for air pollutants, such as ozone, in each air quality control region of California. Any region that does not meet the NAAQS for a given pollutant is designated as a federal non-attainment area (NAA). In 1994, to address several California air quality control regions that do not meet NAAQS for ozone, the California Air Resources Board (ARB) submitted a SIP to the U.S. EPA that included a pesticide element (Pesticide SIP). In the Pesticide SIP, DPR committed to reducing VOC emissions from agricultural and commercial structural-use pesticides by specified amounts within specified time periods for five NAAs.

Under this reevaluation, DPR required registrants to conduct and submit ambient or direct flux monitoring studies under a variety of prescribed field fumigation application methods. DPR met with registrants and task force members such as Alliance of Methyl Bromide Industry (AMBI) and Chloropicrin Manufacturers Task Force (CMTF) to discuss several aspects of the reevaluation. DPR presented three objectives of the reevaluation to registrants and task force members: (1) review single-active ingredient monitoring data for each fumigant and application method; (2) investigate the difference among emissions and climates in specified NAAs; and (3) investigate VOC emissions for combination products such as methyl bromide + chloropicrin and 1,3-dichloropropene + chloropicrin.

In January 2008, DPR put into place regulations designed to keep VOC emissions below a target level and reduce emissions from certain field fumigants containing one or more of the active ingredients identified in this reevaluation. The regulations focus on field applications, made between May 1 and October 31 in the five NAAs, using specific “standardized” and low-emission fumigation methods. DPR received and completed review of several monitoring studies under a variety of prescribed field fumigant application methods submitted by registrants and task force members. Also, DPR is working to modify and verify the computer model HYDRUS for use in determining any needed flux data for current and new fumigant application methods. On April 2, 2012 the only sodium tetrathiocarbonate product registered in California was voluntarily cancelled.

DPR determined that it has adequate flux monitoring data for most field soil fumigant application methods used in California. In addition, the fumigant regulations are sufficient to meet VOC non-attainment goals and comply with the SIP. DPR has determined that no additional mitigation measures are necessary at this point and concluded this reevaluation on July 20, 2012 (see California Notice 2012-07).

NEONICOTINOIDS (NITROGUANIDINE INSECTICIDES) – 299 Products

On February 27, 2009, DPR placed certain pesticide products within the nitroguanidine insecticide class of neonicotinoids containing the active ingredients imidacloprid, clothianidin, dinotefuran, and thiamethoxam into reevaluation. This reevaluation is based on an adverse effects disclosure regarding the active ingredient imidacloprid. The disclosure included twelve ornamental plant residue studies, and two combination, residue, honey, and bumble bee studies of imidacloprid use on a number of ornamental plants. DPR's evaluation of the data noted two critical findings: (1) high levels of imidacloprid in leaves and in blossoms of treated plants, and (2) increases in residue levels over time. Data indicate that use of imidacloprid on an annual basis may be additive, in that significant residues from the previous use season appear to be available to the treated plant. Thiamethoxam, dinotefuran and clothianidin are in the same chemical family (nitroguanidine nicotinoids) as imidacloprid, and have similar characteristics, soil mobility and half-lives, and toxicity to honeybees.

In September 2009, DPR notified registrants of neonicotinoid pesticides containing imidacloprid, thiamethoxam, dinotefuran, and clothianidin of the following data requirements: (1) field-based residue analysis in pollen and nectar from specific agricultural orchard and row crops for each of the four active ingredients, and (2) an LC₅₀ study on honey bees starting at the larval stage through emergence. To determine the crops of focus for the data requirements, DPR utilized its Pesticide Use Reporting (PUR) database.

Imidacloprid: In 2009, the registrant submitted information and existing data to address DPR's reevaluation data requirements for field data on almonds, citrus, cotton, cucurbits (melons), fruiting vegetables (tomatoes), pome fruit, and strawberries. Rather than conducting a monitoring study in almonds, imidacloprid registrants chose instead to remove use on almonds from their labels. In April 2010, the registrant submitted draft study protocols for monitoring studies in cotton, melons, tomatoes, pome fruit, and strawberries. The draft protocols were reviewed by DPR, U.S. EPA, and Pest Management Regulatory Agency (PMRA) Health Canada. In May of 2011, DPR received final reports from monitoring studies conducted in citrus (light and medium soil), cotton and tomato. In March 2012, DPR provided a review of the submitted reports and found both the cotton and tomato studies to be unacceptable because they did not represent a worst-case scenario. As a result, DPR required new two-year prescriptive residue monitoring studies, representing a worst-case scenario, for fruiting vegetables, cotton and newly added crop group stone fruit. On March 21, 2012, DPR received a final study for acute toxicity effects in honeybee larva that is under review. In April 2012, the registrant submitted a final

report on citrus titled, *Summary of key findings and conclusions of investigations to evaluate bee exposure levels at Southern California citrus groves previously treated with imidacloprid*. In May 2012, DPR reviewed and accepted four two-year prescriptive residue study protocols for cotton, tomato, cherry, and apple. On December 28, 2012, DPR received strawberry and cucurbit final reports that are under review.

Thiamethoxam: DPR requested field data on cucurbits, fruiting vegetables, pome fruit and strawberries of thiamethoxam registrants. Draft protocols for residue monitoring studies in cucurbits (melons), fruiting vegetables (tomatoes), and pome fruit were received and reviewed by DPR, U.S. EPA, and PMRA. In March 2011, the registrant requested a waiver from the requirement to monitor pome and strawberries due to the limited field applications of thiamethoxam in 2009 and 2010. In January 2012, the basic manufacturer submitted final reports for tomatoes and acute toxicity to larval honey bees that are under review. On October 8, 2012, DPR notified the basic manufacturer that two-year prescriptive residue studies are required on almond, citrus, cotton, stone fruit, and strawberry, and granted a waiver for residue monitoring study on pome. A final report on cucurbits is anticipated by January 2013.

Dinotefuran: In November 2009, the dinotefuran registrant submitted information about the environmental fate and behavior of their products as well as existing data they felt satisfied the reevaluation data requirements in lieu of the requested study protocols. In March 2011, the registrant submitted a final report investigating foraging honeybees and hives after exposure to dinotefuran applied to cotton that DPR anticipates completing its evaluation of by the first quarter of 2013. In March 2012, the basic manufacturer submitted additional cotton field data and acute toxicity to larval honey bee data that are pending review.

Clothianidin: In 2009, the clothianidin registrant documented limited use in California and its inability to perform the monitoring field studies requested under the reevaluation. Instead, the registrant proposed to conduct small-scale studies, analogues to magnitude-of-residues studies, on cucurbit. In January and April 2011, the registrant submitted an acute larval toxicity study protocol, and a draft protocol for conducting pollen and nectar residue sampling in cucurbits. In February 2012, the registrant submitted an acute toxicity to larval honey bees that is under review. In May 2012, the registrant submitted a more robust protocol on cucurbits (pumpkins) that is underway. DPR anticipates receiving summary data in the second quarter of 2013.

In September 2012, DPR notified registrants of neonicotinoid pesticides containing imidacloprid, thiamethoxam, dinotefuran, and clothianidin registered after the last product roll-in done November 2010, that they are subject to the reevaluation. DPR is in the process of evaluating possible honeybee chronic effects studies that would be scientifically meaningful to the reevaluation and will provide an update on its status in the next semiannual report describing the period ending June 30, 2013.

During the course of this reevaluation, in April 2010 imidacloprid registrants agreed to remove use on almonds from all product labels in California. DPR considers this to be an important mitigation measure. In December 2012, the thiamethoxam registrant notified DPR that they will remove use on almonds from all product labels in California. DPR continues to work with U.S. EPA and PMRA on possible new data requirements and possible mitigation strategies.

PYRETHROIDS – 604 Products

On August 31, 2006, DPR placed certain pesticide products containing pyrethroids into reevaluation. The reevaluation is based on monitoring surveys and toxicity studies revealing the widespread presence of synthetic pyrethroid residues in the sediment of California waterways dominated by both agricultural and urban runoff, at levels toxic to *Hyaella azteca* (*H. azteca*). Scientists commonly use *H. azteca*, an aquatic crustacean found in some Central Valley water bodies, as an indicator of environmental health and water quality in streams, lakes, and other water bodies. Significant toxicity was observed at numerous sites and there was a high correlation between concentrations of pyrethroids and observed toxicity. Findings further indicate that the unique physical, chemical, and toxicological properties of the pyrethroid class of chemicals contribute to their propensity to accumulate in sediment at toxic levels.

Pyrethroids are a synthetic class of insecticides. DPR did not include pesticide products containing pyrethrins, a naturally occurring insecticide found in *Chrysanthemum cinerariaefolium*, in this reevaluation because pyrethrins are known to breakdown rapidly in the environment. Additionally, DPR excluded certain product types from this reevaluation, such as pressurized liquids and impregnated materials, because it is unlikely that the pyrethroids in these types of products will move into surface waters or sediments.

For purposes of data requirements, DPR divided pyrethroid chemicals into three groups. The first group (Group I) consists of the first generation or “Type I” photosensitive pyrethroids. Typically, these pyrethroids are used indoors and around residential areas. The second (Group II) and third groups (Group III) consist of the newer second-generation pyrethroids, most of which are “Type II” pyrethroids. The more toxic Group II and Group III pyrethroids are less photosensitive and persist longer in the environment. The two active ingredients identified as belonging in Group II have not been detected (or monitored for) in California aquatic sediments. Group III pyrethroids have been detected in aquatic sediments, and both Group II and III pyrethroids are widely used in both agricultural and urban settings.

Pursuant to this reevaluation, registrants with products containing active ingredients in Group I were required to submit certain environmental fate data. Registrants with products in Group II were required to submit sediment persistence and ecotoxicology data, and monitoring in areas appropriate to use patterns. Registrants with products in Group III were required to submit the

following: (1) certain environmental fate data; (2) sediment persistence and ecotoxicology data; and (3) transport mechanisms and mitigation data. In addition, registrants with products containing Group III pyrethroids are required to conduct monitoring in Publicly Owned Treatment Work (POTW) facilities.

Group I Active Ingredients

The active ingredients that fall into this group are bioallethrin, d-allethrin, imiprothrin, phenothrin, prallethrin, resmethrin, and tetramethrin. Typically these pyrethroids are used indoors and around residential areas. DPR has completed its review of the environmental fate data requested for Group I pyrethroids. DPR determined that no further data are necessary for these active ingredients at this time.

Group II Active Ingredients

The active ingredients that fall into this group are tau-fluvalinate and tralomethrin. Based on a commitment by registrants of Group II products to implement the same mitigation measures developed for Group III products with similar use, DPR determined that nothing further is required of this group at this time.

Group III Active Ingredients

The active ingredients that fall into this group are beta-cyfluthrin, bifenthrin, cyfluthrin, cypermethrin, deltamethrin, esfenvalerate, fenpropathrin, gamma-cyhalothrin, lambda-cyhalothrin, permethrin, and (S)-cypermethrin.

Part 1 – Environmental Fate Data

DPR has completed its review of the environmental fate data requested for Group III pyrethroids and will use these data in its characterization of pyrethroids for this reevaluation.

Part 2 – Sediment Persistence and Ecotoxicology Data

In June 2007, DPR found that the sediment analytical method studies submitted by the Pyrethroid Working Group (PWG) to be adequate to satisfy the DPR's analytical method data requirement for all Group III pyrethroids in sediment. In the second quarter of 2010, PWG submitted a revised 10-day acute sediment toxicity tests with *H. azteca* and *Chironomus dilutus* (*C. spp*), and cold temperature studies were reviewed and found to be acceptable. DPR deferred the 42-day *H. azteca* chronic studies until U.S. EPA's Office of Chemical Safety and Pollution Prevention finalizes the 850 series test guidelines addressing whole sediment life cycle toxicity tests for *H. azteca* and *C. spp*. In June 2012, PWG submitted a final aerobic/anaerobic aquatic sediment half-lives study that has been reviewed and found to be acceptable.

Part 3 – Transport Mechanisms and Mitigation

Development of Monitoring Plans in Areas Appropriate to Use Pattern – In July 2007, PWG submitted an overall plan to address transport mechanisms and mitigation in agricultural and urban settings, and explained how the study proposals address off-site movement of pyrethroid residues.

In January and April 2009, PWG submitted final reports from their investigation of building materials and turf. The objectives of these studies were to (1) identify the most important above-ground building material scenarios for potential future best management practices (BMP) studies; and (2) compare runoff losses from grass irrigated under BMP to reduce runoff losses from excessive lawn irrigation. On June 4, 2009, U.S. EPA notified registrants of required label changes to address environmental hazards and general labeling for pyrethroid non-agricultural outdoor products.

Identification of Off-site Movement – In November 2009, DPR required Group III pyrethroid registrants to develop an urban pathway conceptual model and conduct a survey of pest control businesses. In December 2010, PWG submitted a final report titled, *California 2009 Urban Pesticide Use Pattern Study*. DPR's review of the submitted study found several conclusions of interest that could contribute to mitigation measures targeting outdoor perimeter treatment. In September 2010, PWG submitted a protocol titled, *Pathway ID Study Protocol*, which received feedback from DPR and stakeholders. On June 15, 2011, PWG submitted a revised protocol titled, *Pathway ID Study Protocol* that was approved by DPR. In late May of 2012, DPR received an interim report on the *Pathway ID Study*. DPR anticipates receiving a final report in the second quarter of 2013.

Part 4 – Monitoring in Publicly Owned Treatment Works (POTWs)

In March 2007, PWG submitted a proposal to address the fate of permethrin in POTWs. DPR sent the proposal to key stakeholders for comment. In April 2007, DPR received comments on the proposal from Tri-TAC, a technical advisory committee for California POTWs. PWG established a small working group with DPR staff and members of Tri-TAC to exchange information and to jointly develop study protocols. In November 2008, PWG provided DPR with a preliminary study design for POTW monitoring. In July 2009, DPR coordinated review of PWG's preliminary study design with Tri-TAC. In October 2009, Tri-TAC provided comments supporting DPR in requesting a final POTW monitoring study protocol from PWG. In January 2011, PWG submitted a draft protocol and analytical methods for monitoring eight Group III pyrethroids. On July 15, 2011 DPR notified registrants of products containing the active ingredients beta-cyfluthrin, bifenthrin, cyfluthrin, cypermethrin, deltamethrin, esfenvalerate, fenpropathrin, gamma-cyhalothrin, lambda-cyhalothrin, permethrin, and (S)-cypermethrin of the POTW monitoring data requirements. In December 2012, PWG provided an updated project timeline. A final protocol is expected in January 2013 and a final report on the POTW monitoring study is anticipated in the fourth quarter of 2013.

During the course of this reevaluation, in July 2012, DPR implemented regulations identifying 17 pyrethroids as having a high potential to contaminate surface water in outdoor nonagricultural settings, and requiring pest control businesses, including maintenance gardeners that apply these pesticides, to take actions to minimize off-site movement from hard non-porous surfaces. This is considered to be an important mitigation measure to urban-outdoor residential use of pyrethroids. DPR is evaluating the progress of this reevaluation and other relevant pyrethroid use-site specific issues.

REFORMULATION VOC REEVALUATION – 386 Products

On May 31, 2005, DPR placed certain liquid formulation agricultural and commercial structural use pesticide products into reevaluation. The basis for this reevaluation is the same as the basis for the field soil fumigant reevaluation, to reduce VOCs from pesticide products. However, the purpose of this reevaluation is different as it examines VOC contribution due to a pesticide product's formulation. Fumigants and liquid pesticide products make up most of the San Joaquin Valley (SJV) pesticide VOC emission inventory. Pesticide reformulation is a mitigating strategy to reduce pesticide VOC emissions. Although fumigant products comprise a substantial portion of the SJV VOC emission inventory, fumigants are not amenable to reformulation because the active ingredient itself is the main source of VOCs and comprises a high percentage of the product. Liquid products, particularly those formulated as emulsifiable concentrates, are significant contributors to the pesticide VOC emission inventory.

In February 2010, DPR notified all registrants in the reformulation reevaluation that DPR's review of their response is complete. DPR determined that the best way to reduce VOC emissions from non-fumigants is to concentrate on those products that contribute the most VOCs during the ozone season in the SJV NAA. Therefore, DPR narrowed the reformulation reevaluation to focus on the following seven active ingredients: abamectin, chlorpyrifos, dimethoate, gibberellins, oxyfluorfen, permethrin, and trifluralin. DPR required registrants to submit thermogravimetric (TGA) data on each product containing one of these active ingredients or appropriate information for exclusion from the requirement.

In April 2012, DPR proposed regulations that would restrict the sale and use of some products containing the active ingredients abamectin, chlorpyrifos, gibberellins, and oxyfluorfen. The proposed regulations would designate certain products containing these active ingredients as "high-VOC" based on the product VOC content, as determined by TGA data. If the annual pesticide VOC emission inventory shows emissions exceeding a specified trigger level, use of high-VOC products would be prohibited on certain crops in the SJV NAA during May 1 through October 31. Also, when purchasing or using high-VOC products containing these four active ingredients, the proposed action would require a written recommendation from a licensed pest control adviser, and require pest control dealers to provide VOC information to the purchaser. The non-fumigant regulation is anticipated to be finalized by the second quarter of 2013.

SULFURYL FLUORIDE (SF STRUCTURAL FUMIGANTS) – 3 Products

On June 27, 2008, DPR placed all sulfuryl fluoride (SF) products intended for structural fumigation into reevaluation, based on its July 2006 risk assessment. In the risk assessment, DPR scientists identified several scenarios where exposures to SF are of concern. DPR based the exposure assessment for these scenarios on limited data, using health-protective factors to compensate for the lack of data. Based on the exposure assessment, it appeared that worker exposure was not adequately mitigated using mitigation strategies available at the time. DPR was concerned that workers using the Tarpaulin Removal Aeration Plan (TRAP) would be exposed to SF levels above the permissible reentry level of 1 ppm, thereby triggering the requirement to wear self-contained breathing apparatus (SCBA). Worker-exposure monitoring data was needed to assess whether the TRAP plan was adequate to reduce fumigation worker SF exposures to 1 ppm (the current label standard). DPR also needed monitoring data to develop mitigation methods to reduce the risks to workers.

Under this reevaluation, SF registrants were required to submit fumigation worker-exposure data (area air monitoring and personal air monitoring) and residential post-application monitoring (instantaneous and continuous air measurements). In October 2009, DPR announced that in addition to monitoring data from the fumigation of a single-story single family residence, monitoring data are also needed involving multiple-story multiple dwelling units (i.e., condominiums, town houses, apartment complexes). In February 2010, DPR received a revised study protocol for both the single and multiple story structures that was accepted. In 2010, DPR required registrants to also monitor for chloropicrin, which is used as a warning agent when fumigating homes. In June 2010, one registrant submitted an existing residential and multi-unit structure SF and chloropicrin monitoring study that was found to be acceptable. In April 2011, a revised study protocol was submitted by the other two registrants, DPR approved the protocol in January 2012, requiring that a final report be submitted in January 2013. In December 2012, DPR learned that the monitoring study by the other two registrants had not yet been started. The registrants were advised at initiation and protocol acceptance that failure to comply with the requirements of the reevaluation, may subject that registrant's products to cancellation pursuant to Food and Agricultural Code section 12825(h). In January 2013, as a consequence for failure to meet the reevaluation requirements, DPR will meet with the two other registrants to notify them of the steps required to come into compliance or outline the process for cancellation of their products.

During the course of this reevaluation, the structural pest control industry developed the California Aeration Plan (CAP) to replace the TRAP fumigation safety program, for employers and employees to follow in lieu of SCBA requirement to meet the 1ppm permissible reentry level of exposure. DPR accepted CAP as meeting the requirements of Title 3 California Code of Regulations section 6780(c). For further information see Enforcement Letter 2010-20. The final steps of the SF reevaluation will be determined in the first quarter of 2013.

II. PRELIMINARY INVESTIGATIONS (EVALUATIONS)

DPR conducts preliminary investigations of products for which DPR or other State or county agencies have identified possible hazards. As a result of evaluation, the investigations may lead to formal reevaluation. No preliminary investigations have been initiated at this time.

Reevaluation of a pesticide is driven by mandate to investigate all real or potential significant adverse effects to public health or the environment and is triggered by scientifically based data or information that warrants formal reevaluation. DPR is aware that there are questions regarding the reevaluation process and as a result will develop a reevaluation process document intended to clarify for stakeholders the steps and stages of reevaluation. More information on this will be provided in the next semiannual report.

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Original signed by Liz Pelham for

May 20, 2013

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