PPDC Workgroup on Pollinator Protection
7-11-2013

LABELING SUBGROUP
BMP + COMMUNICATIONS SUBGROUP
ENFORCEMENT SUBGROUP

Pollinator Protection Work Group
Labeling

November 2012 PPDC Charge:

Address Problematic Pollinator Protection Label Terms (for existing labels)

"Foraging" vs. "Visiting"

- Currently, EPA labels interchange the terms "foraging" and "visiting"
- Workgroup recommends to the PPDC that the term "foraging" be used on all labels.
- Workgroup believes that the term "foraging" more accurately describes the activity of the bee in or around a food source or a treatment area.

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<u>"Foraging" vs. "Actively Foraging"</u>

- Workgroup believes that these terms need to be discussed in light of the residual toxicity (RT) of a compound. (RT25 is the extent of time at which the air dried residues of a compound (end use product) exert a toxic effect (mortality) to 25% of a test population of bees.
- The EPA white paper on *Pesticide Risk Assessment for Bees* defines extended residual toxicity (ERT) as an RT25 greater than 8 hours.
- Using "Actively" Indicates that there is No Extended Residual Toxicity
  - The EPA label used the term "actively foraging" when data indicates that the product does not have ERT to bees; and used the term "foraging" when data indicates that the product has ERT to bees.
- The Workgroup did not reach consensus on which term to use if there is no RT data (i.e., whether products without RT data should use the term "foraging" and therefore RT is assumed to be greater than 8 hours).
- The Subgroup debated terms such as "visiting," "present," and "actively visiting" which pose enforcement difficulties. Other terms such as "during bloom" were seen as an improvement. Using the terms such as "during bloom" can still be problematic and would need to be used in context of risk assessment, risk managment and cost benefit analysis.

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RT25 Data

- RT 25 data is based on an existing EPA guideline (GLN 850.3030) and is typically required when the acute toxicity of the active ingredient is less than 11 micrograms/bee.
- RT25 data is formulation specific, so a single active ingredient may have more than one RT25 value associated with it.
- RT25 data is being required through registration review and registration programs.

- The Workgroup does not support the presence/absence of the term "actively" to denote the availability of RT25 data.

Labeling Subgroup Discussed Making RT25 Data Available

- A RT25 data base would be valuable information for pesticide users.
- RT25 data should be considered advisory to inform users, and not mandatory.
- The website should include information that allows the user to understand the limitations of these data, and how to use them.
- An outreach and education effort should be considered to inform stakeholders (crop consultants, cooperative extension, IPM centers, growers, applicators, etc.) of the availability of these data.

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Chemical	Formulation / Product Name	Application Rate	Crop	RT Value (hours)	Test Species	Taxanomic Group
Active Ingredient	Product Name	0.5 lb./A	Alfalfa	16	Honey bee	Apis mellifera
Active Ingredient	Product Name	o.5 lb./A	Alfalfa	19	Alkali bee	Nomia melanderi

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- Going forward, risk assessment and risk management will be based on a more comprehensive risk assessment process. Reducing risk can include a range actions including clear enforceable language, use of BMPs, including risk communication.

- The workgroup acknowledges that not all labels can be fixed at once, providing guidance on the meaning of terms, or intent of terms on existing labels would help the stakeholder community.
  - Visiting = foraging
  - Use of the terms "foraging" vs. "actively foraging" are trigger terms that data is available to characterize the potential residual toxicity of a product
  - BMP's, including the availability of an RT25 data base should be part of an effort to clarify existing labels and reducing risk to pollinators.

- AAPCO and SFIREG and others should be included in any effort to draft guidance on terms for existing labels.

Pollinator Protection Work Group
BMP and Communication

- November 2012 PPDC Charge:
  - **Determine an appropriate website, and begin to collate available BMP information, including RT25 data, to populate a website.**
  - **Work with USDA to determine a point of contact for BMPs**

- Pollinator Protection Module of the Pesticide Stewardship.org website was created with the intent of capturing and disseminating information and education material for applicators and trainers. It can be considered as a work in progress, and can be suited to also serve as a source of BMP's for pollinators.
- EPA and USDA have begun to discuss centralizing pollinator BMPs on USDA websites, e.g., IPM Center websites.
- A USDA BMP Portal needs to be linked to State's Agricultural Extension Agents.

November 2012 PPDC Charge:

- OPP will work to incorporate Workgroup comments and suggestions in to enforcement guidance.
- Workgroup will identify issues associated with current incident mechanisms or processes for reporting incidents.

- On May 29, EPA made available its Guidance for Bee Kill Investigation. http://www.epa.gov/compliance/resources/policies/monitoring/fifra/bee-inspection-guide.pdf
- EPA is currently working on a short document that provides clear direction on what an individual should do if they discover a beekill event.
- Enforcement Subgroup will collate and provide OPP with comments on the *Investigation Guidance* and on the "*How to Report an Incident*" document.
- The Workgroup recommends that EPA keep it informed on EPA efforts to encourage SLA's to conduct incident investigations and use of the *Investigation Guidance* document.