

US EPA ARCHIVE DOCUMENT

Update on the Spray Drift PR Notice and Spray Drift Petitions -- November 2012

I. Background

- In 2007, a FACA workgroup of the Pesticide Program Dialogue Committee (PPDC) issued a report recommending that EPA standardize pesticide drift labeling for products, using concise, clear, and enforceable statements.
- In February 2008, EPA formed a spray drift workgroup consisting of EPA headquarters and regional staff, as well as representatives of state lead pesticide regulatory agencies in Minnesota and Indiana, to draft a new Pesticide Registration (PR) Notice on drift labeling.
- The PR Notice was drafted to describe the Agency's position on spray drift, how the Agency intends to mitigate drift through labeling and other measures, the Agency's rationale for the approach, the implementation plan, and the Agency's interpretation of the recommended drift labeling statements. The draft PR Notice provided users with consistent, understandable, and enforceable directions about how to protect human health and the environment from potential adverse effects from pesticide drift.
- In December 2009, EPA published for public comment a petition submitted by several public interest groups requesting the Agency to systematically evaluate children's exposures to pesticide drift and require interim prohibitions on the use of certain pesticides near homes, schools, and other places where children congregate. The public comment period on this petition ended on March 5, 2010. About 80 comments were received, with some comments representing a number of individuals via a write-in campaign. EPA is in the process of reviewing and responding to this petition.
- In January 2010, a citizens group from Oregon petitioned the Agency to establish spray drift buffers in the Lane County area of the state. Approximately 200 comments were received in response.

II. Current Status

- In December 2009, EPA released a draft PR Notice for a comment period of approximately four months.
- Based on stakeholder comment, EPA tentatively settled on changes to the proposed drift statement similar to those in current State drift regulations. These statements are intended to work in conjunction with related language already in place for products and uses covered by the Worker Protection Standard (for commercial use products). Labeling for non-commercial products will have slightly modified language.
- EPA has solicited feedback from stakeholders including the Association of American Pesticide Control Officials (including representatives from North and South Carolina), State FIFRA Issues Research and Evaluation Group, CropLife America, and non-governmental organizations.
- EPA continues to review this feedback as part of an internal review. Currently, there is no projected timeframe for moving the Notice forward.
- A timeline for EPA's response to the two spray drift petitions will be determined once the Agency identifies the timeframe for completing the spray drift PR notice.
- EPA published (Nov 21, 2012) for public review and comment its proposed voluntary Drift Reduction Technology Program, including a test protocol, for identifying spray technologies capable of significantly reducing spray drift. EPA will encourage technology companies and registrants to participate, leading to widespread use of verified low drift technologies.