

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

MEMORANDUM

JUN 24 1988

SUBJECT: Amended Endangered Species Labeling for Rovral, Bolero, Buctril, and Tilt

FROM: *James W. Akerman*
James W. Akerman, Chief
Ecological Effects Branch
Hazard Evaluation Division TS-769C

TO: Joann Miller, PM 25
Herbicide/fungicide Branch
Registration Division TS-767C

The Ecological Effects Branch has formally consulted with the USFWS under section 7 of the Endangered Species Act on several pesticides registered for use on rice in Arkansas. See attachment 1. These pesticides currently have labeling restricting their use to protect the endangered fat pocketbook pearly mussel (mussel). The purpose of this consultation was to establish consistency between the different labels and to eliminate unnecessary restriction. Attachment 2 is the response from the USFWS. The endangered species labeling for Rovral, Bolero, Buctril and Tilt should be modified to read as follows:

"The use of (name pesticide) on rice is restricted to protect the endangered fat pocketbook pearly mussel (Potamilus capax) and its habitat. Use is prohibited in the following areas of Arkansas.

Mississippi County - Within the basin that drains directly into the Right Hand Chute of Little River, south of Big Lake National Wildlife Refuge.

Poinsett County - Between Crowley's Ridge and the levee east of the Right Hand Chute of Little River and the St. Francis Floodway. Use is also prohibited west of Rt. 140 and north of Rt. 63 at the siphon near Marked Tree. Except that the prohibited area does not include the area bounded by Arkansas highway 373 on the west, highway 63 on the east and highway 14 on the south.

Cross, St. Francis and Lee Counties - Between Crowley's Ridge and the levee east of the Right Hand Chute of Little River and the St. Francis Floodway as far south as the confluence of L'Anguille River (Lee County)."

This labeling should be transmitted to the registrants sponsoring these pesticides for immediate inclusion on the appropriate registered labels. If you have questions, please contact Daniel Rieder, 557-1451.

Attachments

108401

Bolero



Attachment 1

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 28 1988

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

Regional Director
U. S. Fish and Wildlife Service
The Richard B. Russell Federal Building
75 Spring Street, SW
Atlanta, Georgia 30303

Attn: Agustin Valido

Re: Formal Consultation to develop consistent labeling to protect the Fat pocketbook pearly mussel from pesticides registered on rice.

Dear Mr. Valido,

The EPA has been informally communicating with Mr. James Stewart, Acting Field Supervisor, Jackson Field Station in an effort to standardize labeling for all pesticides that are registered on rice and may jeopardize the Fat pocketbook pearly mussel (Potamilus capax). In the past, wording on some labels has been inconsistent with that on other labels. The goal is to restrict pesticides only from areas where use could impact the endangered P. capax. The purpose of this letter is to formally request concurrence on the restrictive wording for the rice labels of the following pesticides:

Rovral (Iprodione)
Bolero (Thiobencarb or Benthocarb)
Buctril (Brominal or Bromoxynil)
Tilt

The labeling may also be used in the future for pesticides proposed for registration on rice and that may be hazardous to P. capax or its habitat.

The following would appear on the rice labels for each pesticide:

"The use of _____ on rice is restricted to protect the endangered Fat pocketbook pearly mussel (Potamilus capax) and its habitat. Use is prohibited in the following areas of Arkansas.

Mississippi County - Within the basin that drains directly into the Right Hand Chute of Little River, south of Big Lake National Wildlife Refuge.

Poinsett, Cross, St. Francis and Lee Counties - Between Crowley's Ridge and the levee east of the Right Hand Chute of Little River and the St. Francis Floodway as far south as the confluence of L'Anguille River (Lee County). Except at the siphon near Marked Tree, (Poinsett County) where use is prohibited west of Rt. 140 and north of Rt. 63.

If you have any questions concerning this request for consultation, please contact Dan Rieder, FTS 557-1451.

Sincerely,



Henry T. Craven, Acting Chief
Ecological Effects Branch
Hazard Evaluation Division TS-769C

cc: Headquarters, OES

COPY



United States Department of the Interior
FISH AND WILDLIFE SERVICE
75 SPRING STREET, S.W.
ATLANTA, GEORGIA 30303



May 13, 1988

RECEIVED
MAY 19 1988

Mr. Henry T. Craven
Ecological Effects Branch
Environmental Protection Agency
Washington, D.C. 20460

Dear Mr. Craven:

This responds to your letter of March 28, 1988, relative to consistent labeling on pesticides registered on rice that may impact the fat pocketbook pearly mussel in Arkansas. Your letter suggested a statement of restriction to be included on pesticide labels that had been developed during informal communication with Mr. James Stewart of our Jackson, Mississippi, Field Office.

We concur with the suggested language with one exception. There is a large area in Poinsett County between Crowley's Ridge and the levee west of the St. Francis Floodway in which pesticides can be used on rice without impacting the fat pocketbook. That area is bounded by Arkansas Highway 373 on the west, Highway 63 on the east, and Arkansas Highway 14 on the south. The north boundary is the county line. By adding this exception to the suggested label in your letter of March 28, 1988, you will allow the pesticide user the greatest flexibility and provide the necessary protection for the fat pocketbook pearly mussel.

If you have any questions, please contact Mr. Stewart of our Jackson Field Office at telephone FTS 490-4900. Your concern for endangered species is appreciated.

Sincerely yours,

James B. Kirkwood

Acting Assistant Regional Director
Fish and Wildlife Enhancement