

US EPA ARCHIVE DOCUMENT

Next Steps for EPA's Pesticide Drift Labeling

PPDC

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Outline

- Background on Pesticide Drift
- Summary of Comments
- Changes to PRN 2009-X
- Next Steps
- Questions



Background on Drift

- **1984** – FPA requires data on exposure
- **1990** – The Spray Drift Task Force forms to provide generic data for all chemicals
- **2001** – EPA published DRAFT PR Notice 2001-X to provide consistent drift language on product labels; never finalized



Background on Drift - PPDC

- Pesticide Program Dialogue Committee (PPDC) drift workgroup formed in 2006
 - Goal: to provide recommendations to EPA about how to address pesticide drift to water
- Broad representation with members from academia, industry, public interest groups, federal & state agencies and grower groups
- April 2007 final report contained few consensus
- The PPDC did reach consensus on recommending that EPA standardize drift labeling using a PR Notice or similar mechanism
- Drift labeling should be concise , clear, and enforceable



Background on Drift – Current Pesticide Labels

- Existing product labels contain widely varying
 - “Do not allow spray to drift from the application site.”
 - Vague, unenforceable statements such as “Avoiding spray drift is the responsibility of the applicator.”
 - No drift language
- Inconsistencies between and among active ingredients
- **Label changes necessary**



Background on Drift – Risk Protective Standard

- Applicators and growers have stated that they can apply pesticides in a manner that controls drift and does not result in harm
- Prefer flexibility in controlling drift over required specific parameters (e.g., release height must be less than X ft.)
- *Highly prescriptive drift language is not preferred*



Background on Drift - EPA Workgroup

- Formed in February 2008
- Includes:
 - Office of Pesticide Programs, Office of Enforcement and Compliance Assurance, Office of Water, Office of General Counsel, Office of the Science Advisor, and Office of Policy
 - EPA Regional Offices (5, 9)
 - State Lead Agencies (MN, IN)
- Goal: to develop a Pesticide Registration Notice (PRN) on pesticide drift labeling



PRN - Proposed General Statements



Agricultural and Commercial Products

- “Do not apply this product in a manner that will contact workers or other persons, either directly or through drift. [WPS text]
- In addition, do not apply this product in a manner that results in spray [or dust] drift that could cause an adverse effect to people or any other non-target organisms or sites.”



Non-Commercial (Residential) Products

- “Do not apply this product in a way that could contact people, or that results in spray [or dust] drift that could cause harm to people, pets, property, aquatic life, wildlife, or wildlife habitat.”

PRN – Examples of “Harm”

- Any negative physical impact to humans
- Any negative effects on the viability of beneficial insects, fish, birds, or other wildlife
- Damage to agricultural commodities
- Residues that exceed a tolerance, found on commodities for which there is no tolerance, or found on organic commodities
- Exceedence of an established state water quality standard, or any other regulatory limitation
- Damage to aquatic or wildlife habitat, or the contamination of water or soils at levels that would cause harm to wildlife



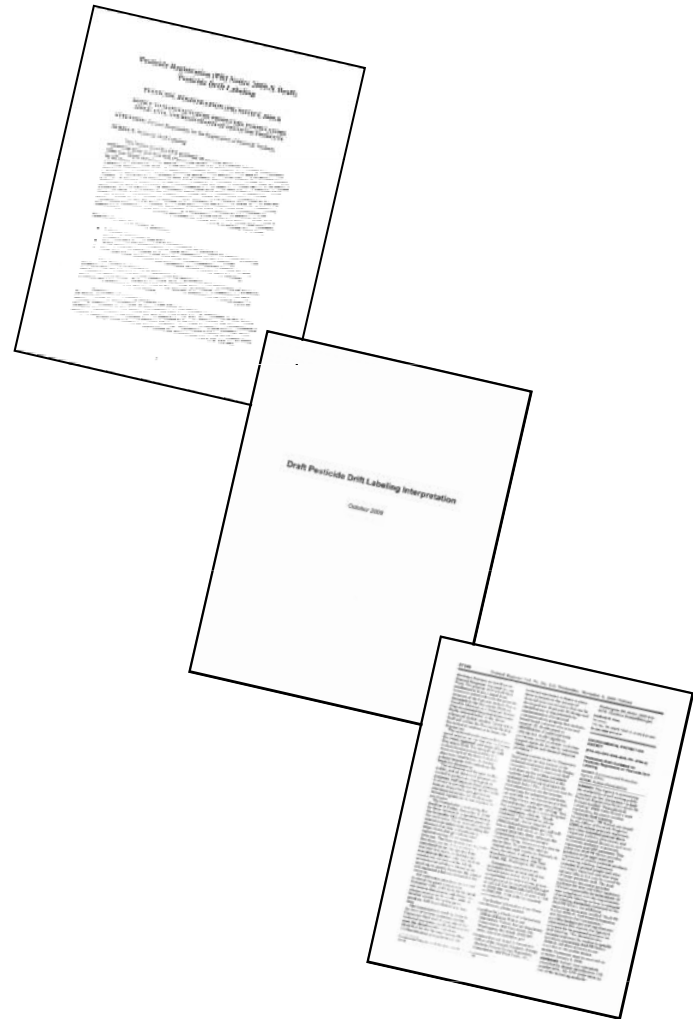
PRN - Proposed Product-Specific Statements

- Product-specific application case study, through EPA's registration assessment processes
- Proposed format for illustrating product-specific restrictions such as wind speed, release height, droplet size, and buffer zones



Documents Issued for Comment

- Pesticide Registration
- Pesticide Drift Labeling
- Draft Pesticide Drift Labeling Interpretation
- Additional Information and Questions for Commenters



Summary of Comments

- Comment period from November 4 2009
– March 5, 2010
- About 600 unique comments have been received on the draft PRN
- Letter writing campaigns from 33,300 individuals
- Total of over 34,000 comments were received



Summary of Comments - Major Comments Received

- "Could cause" wording is ambiguous, unenforceable, confusing [[received most unique comments](#)]
- Language doesn't use FIFRA's "unreasonable adverse effects" text
- Zero drift standard that EPA is proposing is unattainable
- Enact a zero drift standard
- Current regulations/practices/technology are sufficient to prevent spray drift
- General drift statements are not adequate
- Do not require buffers
- Immediately adopt protective buffer zones
- Proposed wording will adversely affect agriculture; frivolous lawsuits will be inevitable
- Suggestion to review current state laws and regulations



Changes for Agricultural and Commercial Products

Proposed in PRN 2009-X

- “In addition, do not apply this product in a manner that results in spray [or dust] drift that **could cause an adverse effect** to people or any other non-target organisms or sites.”

Revision

- “In addition, do not apply this product in a manner that results in spray [or dust] drift that **harms** people or any other non-target organisms or sites.”



Changes for Non-Commercial (Residential) Products

Proposed in PRN 2009-X

“Do not apply this product in a way that **could** contact people, or that results in spray [or dust] drift that **could cause harm** to people, pets, property, aquatic life, wildlife, or wildlife habitat.”

Revision

“Do not apply this product in a way that **will** contact people, or that results in spray [or dust] drift that **harms** to people, pets, property, aquatic life, wildlife, or wildlife habitat.”



Other Changes

- Possibly integrate “application rate” as a
- Extend the timeframe for changes to product labels



Next Steps

- EPA is working to respond to comments

documents

- Final PRN is anticipated mid-2011
- Industry would have about 2 years for product labels to bear the new language

