

**PESTICIDE REVIEW COUNCIL MEETING  
MINUTES**

**September 30, 2008**

**North Florida Research and Education Center**

**Institute of Food & Agricultural Sciences**

**University of Florida (UF/IFAS)**

**Quincy, Florida**

**MEMBERS PRESENT:**

Dr. Mark McLellan (Chair), IFAS/UF  
Dr. Mel Kyle, (Vice Chair) Agrichemical Industry Representative  
Dr. Dennis Howard, FL Department of Agriculture and Consumer Services (FDACS)  
Mr. Richard Pfeuffer, South FL Water Management District (SFWMD)  
Mr. Gary Reeder, Grower Representative  
Dr. Brian Katz, Hydrologist  
Dr. Keith Tolson, Toxicologist

**MEMBERS ABSENT**

Mr. Rick Hicks, FDEP (Represented by Mr. James Dodson)  
Mr. Dave Eggeman, FFWCC  
Vacant, Environmental Groups  
Vacant, FL Department of Health (FDoH)

**OTHERS PRESENT**

Ms. Brenda Reeder  
Mr. Charlie L. Clark, FDACS  
Dr. Davis Daiker, FDACS  
Ms. Mary Hartney, Florida Fertilizer and Agrichemical Association  
Ms. Jessica Fernandez, FDACS  
Ms. Jeannie Economos, Farmworker Association of Florida (FAF)  
Mr. Tony Di Bartolo, FDACS  
Ms. Patty Lucas, FDACS  
Mr. Scott Freiwald, FDACS  
Mr. Jake Adams, FDACS  
Mr. Max Feken, FDACS  
Dr. Ashok Shahane, FDACS  
Mr. James Dodson, FDEP  
Mr. Craig Bryant, FDACS  
Ms. Kelly Friend, FDACS  
Dr. Fred Fishel, UF/IFAS

Mr. Danny Moore, Levine Fricke Recon  
Dr. Michael McCaskill, FDoH  
Mr. Bert Perry, National Farmworker Ministry  
Ms. Lariza Garzon, National Farmworker Ministry  
Ms. Rosanna Barrett, FDoH  
Mr. Bruce Nicely, FDACS

### **Introduction**

Dr. Mark McLellan, Chairman, opened the meeting and asked the Council and the audience to introduce themselves. The minutes from the April 23, 2008 meeting were accepted without comment. The Council agreed with a suggestion by Dr. Dennis Howard that future minutes could be less detailed and focus on Council actions. The agenda for the current meeting was accepted. Dr. Howard noted that Mr. Andy Rackley sent his apologies for not being able to attend and his thanks on behalf of FDACS to Dr. McLellan for hosting Pesticide Review Council (PRC) meetings at various IFAS centers across Florida. Dr. Howard thanked Dr. Mark McLellan for his service as chair of the Council. Dr. McLellan acknowledged that an evolution is occurring at IFAS in the face of the current budget shortfalls. Although IFAS is becoming a leaner organization, staff are doing their best to hold to their mission. Dr. McLellan invited the Council to hold future meeting at IFAS facilities.

### **PRC Officer Elections**

The Nominating Committee presented the following slate of candidates to lead the Council for the term October 1, 2008 through September 30, 2009: Dr. Mel Kyle, Chair; Dr. Keith Tolson, Vice Chair; and Dr. Brian Katz, Secretary. The Council voted to accept the slate of new officers as presented.

### **FDACS Pesticide Stewardship Awards**

Dr. Howard described a new FDACS awards program to recognize individuals and organizations that demonstrate outstanding leadership in pesticide stewardship. The first award was given this year to Bayer Crop Science for their work in Temik product stewardship. Dr. Howard noted that the Council seemed well-suited to judging future nominations, since the members represented a cross section of expertise and interests. Council members indicated willingness to review applications as individuals rather than as a group, provided clear selection criteria were provided. Dr. McLellan indicated that IFAS may be able to establish a system for electronically ranking and transferring applications.

### **IFAS Presentation\***

Dr. McLellan introduced Dr. Nicholas Comerford who is the new director of the North Florida Research and Education Center (NFREC) which encompasses three separate campuses in North Florida – Quincy, Marianna, and Suwannee Valley. Dr. Comerford

\* Details provided in PowerPoint presentation/handout at the FDACS Bureau of Pesticides website:  
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provided a variety of examples to explain how NFREC covers the most diverse research and outreach functions in the IFAS REC system. Discussion followed.

### **Soil Fumigant Reviews\***

FDACS staff provided updates on soil fumigant registration reviews at both the state and federal level. Mr. Charlie Clark (Pesticide Registration Section, FDACS) informed the Council that the Pesticide Registration Evaluation Committee completed its review of the new soil fumigant, iodomethane and recommended conditional registration. After the registrant agreed to several conditions (e.g., a Florida specific label, air and groundwater monitoring studies, etc.), FDACS conditionally registered iodomethane for sale and distribution in the State of Florida. The details of the conditional registration are provided in the memo to the registrant, Arysta LifeScience North America, dated July 7, 2008.

Dr. Davis Daiker, (Scientific Evaluation Section, FDACS) briefly described the U.S. Environmental Protection Agency's (USEPA) ongoing Reregistration Eligibility Decision (RED) process for the soil fumigants chloropicrin, dazomet, metam sodium/potassium and methyl bromide. The Agency is reviewing these fumigants together to ensure consistency and to compare risks among alternatives. The RED process solicits public comment and ultimately results in the development of mitigation measures to address any identified unacceptable risks. The Agency anticipates new labels reflecting the recommended mitigation measures by 2010. Dr. Daiker closed by briefly explaining the Agency's justification for reducing the uncertainty factor for chloropicrin from 30 to 1.

Dr. Howard presented on the new overview of RED requirements for the soil fumigants, which he characterized as sweeping in scope, complexity, and potential burdens for regulators and other stakeholders in Florida. An outline of FDACS concerns regarding the proposed soil fumigant mitigations are provided in the handout "EPA Fumigant Risk Mitigation Measures: Key FDACS Issues (slide presentation and handout available on the web).

Mr. Bruce Nicely and Ms. Jessica Fernandez from the FDACS Bureau of Compliance Monitoring highlighted three examples of proposed RED mitigation measures that present compliance and enforcement challenges, as follows: (1) requirements for buffer zones that extend onto land over which the applicator has no control in which the fumigation is conducted; (2) requirements to monitor fumigant air concentrations every two hours in the application site and every hour between the perimeter of the buffer zone and nearby residences; and (3) the proposed requirement for applicators to notify the state lead agency of scheduled soil fumigations. These mitigation measures require revision/clarification and use of resources that are not available in the Department. Mr. Nicely and Ms. Fernandez identified potential solutions for the difficulties posed by these requirements. Discussion followed, with Council members indicating heightened

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interest in the potential impacts of the soil fumigant REDs. The PRC will be kept informed as the process continues.

### **Worker Protection Compliance Activities\***

Mr. Nicely provided members of the Pesticide Review Council (PRC) an annual review of the Worker Protection Standard (WPS) inspection activities conducted by the Bureau of Compliance Monitoring that occurred from July 1, 2007, to June 30, 2008. The Bureau conducted 1241 WPS inspections, exceeding the annual legislative goal of 1200 inspections. Of the 1241 inspections, approximately 20% (254) identified one or more violations. Mr. Nicely characterized the types of violations (482 were identified) and their frequency for different types of facilities and different types of inspections (Tier 1 and Tier 2). He also described 2006 amendments to the Department's Enforcement Response Guidelines, noting that \$27,700 in WPS fines was collected in FY 2007-2008. Discussion followed.

### **Ground Water Advisory Label Statements\***

Mr. Richard Pfeuffer reported on the findings of the Subcommittee on Ground Water Advisory Statements. FDACS, in consultation with FDEP, has prepared a summary of problems relating to ground water advisory statements on Federal pesticide labels. The summary also proposes solutions for consideration by the USEPA. On behalf of the Subcommittee, Mr. Pfeuffer motioned the Council to recommend that FDACS submit the summary to USEPA with the Council's endorsement and that all appropriate stakeholders work together to properly resolve this issue. The Council unanimously approved the motion.

### **Endosulfan-Everglades National Park Issues\***

Mr. Max Feken (Scientific Evaluation Section, FDACS) briefed the Council on concerns of the Everglades National Park (ENP) regarding detections by researchers from Florida International University (FIU) and by the SFWMD of the insecticide, endosulfan (and its degradate, endosulfan sulfate) in water, sediment and fish tissue along the border of the Park. FDACS has participated in meetings on this issue with the ENP, SFWMD, FIU, and IFAS/UF on June 10 and July 25, 2008. The meeting on July 25<sup>th</sup> included representatives from the USEPA, area growers and the registrant for endosulfan. The question of possible endosulfan impacts on aquatic life is also of interest to the USEPA, which is refining its RED risk assessment based in part on new consideration of the toxicity of endosulfan sulfate and on long-range (i.e., global) transport of endosulfan and endosulfan sulfate. The USEPA is requiring that the registrant perform environmental monitoring in South Florida, and the ENP is interested in having the study designed to more fully consider transport mechanisms of endosulfan into sensitive areas like the Park.

### **Wrap up and Adjournment**

Dr. McLellan opened the meeting to public comments. Ms. Jeannie Economos from Farmworker Association of Florida (FAF) stated that although the mitigations imposed by EPA are stringent and the FAF does not want to see the agricultural industry hurt by

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restrictions, it is important to protect farmworkers from pesticides. FAF is grateful for FDACS inspection efforts; perhaps implementing an open dialogue between FAF and growers would make sure that workers are protected and trained properly while keeping agriculture in place.

Dr. McLellan formally adjourned the meeting.

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