

# FEDERAL AND STATE PESTICIDE MATTERS – FEBRUARY 2021

## PISTACHIOS

Please review the following summary of current federal and state pesticide matters. Should you have any questions or concerns about anything, [contact us](#).

### CURRENT TOPICS:

#### MAXIMUM RESIDUE LEVEL UPDATE

- **MAXIMUM RESIDUE LEVEL UPDATE – EU**
  - The European Commission launched a public consultation on its upcoming revision of the Sustainable Use of Pesticides Directive (SUD). The rules encourage reducing pesticides through integrated pest management and alternatives to chemical pesticides. The SUD is also seen as a crucial tool to achieving the targets outlined in the European Green Deal and the Farm to Fork Strategy. The public consultation is open until April 12, 2021. More information and links to the consultation may be found [HERE](#).

### FEDERAL

- **EPA Draft Human Health and Ecological Risk Assessments for Several Pesticides**
  - In a March 8, 2021, *Federal Register* notice, EPA announced the availability of EPA's draft human health and ecological risk assessments for the registration review of diuron, famoxadone, fluometuron, indaziflam, inorganic chlorates, mancozeb, napropamide, nicarbazin, peroxy compounds, propiconazole, tetraconazole, and zinc pyriithione.
  - Comments must be received on or before **May 7, 2021**.
  - As part of the registration review process, EPA has completed comprehensive draft human health and ecological risk assessments for the listed pesticides. After reviewing comments received during the public comment period, EPA may issue a revised risk assessment, explain any changes to the draft risk assessment, and respond to comments and may request public input on risk mitigation before completing a proposed registration review decision for the listed pesticides.
  - Additional information is available by entering the Docket # EPA-HQ-OPP-2017-0720 / FRL-10019-47 in the "Search" box at [www.regulations.gov](http://www.regulations.gov).
  - To view the *Federal Register* notice, please click [here](#).
- **EPA Establishes Tolerances for Residues of Fluindapyr**
  - In a March 9, 2021, *Federal Register* notice, EPA announced establishment of tolerances for residues of fluindapyr in or on various commodities, including **tree nuts** crop group 14-12 at 0.04 ppm, as requested by FMC Corporation.
  - Comments must be received on or before **May 10, 2021**.
  - Additional information is available at <http://www.regulations.gov> by entering Docket # EPA-HQ-OPP-2018-0551 / FRL-10019-19 in the "Search" box.
  - To view the Federal Register notice, please click [here](#).
- **EPA Establishes Tolerances for Residues of Tetraniliprole**
  - In a February 24, 2021, *Federal Register* notice, EPA announced it was establishing tolerances for residues of tetraniliprole in or on various crops, including **tree nut** group 14-12 at 0.03 ppm, as requested by Bayer CropScience.

- Comments must be received on or before **April 26, 2021**.
  - Additional information is available at <http://www.regulations.gov> by entering Docket # EPA-HQ-OPP-2017-0233 / FRL-10005-77 in the “Search” box.
  - To view the Federal Register notice, please click [here](#).
- **EPA Establishes Tolerances for Residues of Orthosulfamuron**
    - In a February 17, 2021, *Federal Register* notice, EPA announced it was establishing tolerances for residues of orthosulfamuron (1-(4,6-dimethoxypyrimidin-2-yl)-3-{{2 (dimethylcarbamoyl)phenyl}csulfamoyl}urea) in or on various crops, including **tree nut** group 14-12 at 0.01 ppm, as requested by Nichino America, Inc.
    - Comments must be received on or before **April 19, 2021**.
    - Additional information is available at <http://www.regulations.gov> by entering Docket # EPA-HQ-OPP-2019-0580 / FRL-10018-53 in the “Search” box.
    - To view the Federal Register notice, please click [here](#).
- **EPA Revision to San Joaquin Valley SIP for Experimental Research Operations**
    - In a February 22, 2021, *Federal Register* notice, EPA announced it was approving a revision to the San Joaquin Valley Air Pollution Control District (SJVAPCD or “the District”) portion of the California State Implementation Plan (SIP). This revision concerns the District's New Source Review (NSR) permitting program for new and modified sources of air pollution under section 110(a)(2)(C) of the Clean Air Act (CAA); specifically, a proposal to approve Rule 2021: Experimental Research Operations.
    - Rule 2021 exempts experimental research operations from Authority to Construct and Permit to Operate requirements if the facility meets all other rule requirements. The District determined that emissions from Experimental Research Operations exempted from permitting requirements pursuant to Rule 2021 will not adversely affect progress toward attainment or maintenance of any NAAQS.
    - Comments must be received on or before **March 24, 2021**.
    - Additional information is available at <http://www.regulations.gov> by entering Docket # EPA-R09-OAR-2020-0238 / FRL-10015-85-Region 9 in the “Search” box.
    - To view the Federal Register notice, please click [here](#).

## STATE

- **Section 3 Label Amendment for Dormex (Hydrogen Cyanamide)**
  - On February 26, 2021, DPR announced a proposed Section 3 Label Amendment for Dormex, active ingredient hydrogen cyanamide, a growth regulator for use as a plant growth regulator to promote uniform bud break. The supplemental label adds use of the product on **pistachios** at the request of Alzchem Trostberg GMBH.
- **Section 3 Label Amendment for Sefina Inscalis Insecticide (Afidopyropen)**
  - On February 24, 2021, DPR announced a proposed Section 3 Label Amendment for Sefina Inscalis Insecticide, active ingredient afidopyropen, an insecticide for the control of insects such as aphids, Asian citrus psyllid, and silverleaf whiteflies. The supplemental label adds use of the product on **tree nuts** at the request of BASF Corporation.
- **Conditional Section 3 Registration for Cyclanilprole 100SL Insecticide (Cyclanilprole)**
  - On February 19, 2021, DPR announced a proposed Conditional Section 3 Registration for Cyclanilprole 100SL Insecticide, active ingredient cyclanilprole, an insecticide for the control of various insects such as codling moths, Japanese beetle, and cutworms on various crops including **tree nuts**, as requested by ISK Biosciences Corporation.

- **Section 3 Registration for Miravis Duo (Difenoconazole)**
  - On February 19, 2021, DPR announced a proposed Section 3 Registration for Miravis Duo, active ingredient difenoconazole, a fungicide used for the control of diseases such as powdery mildew, alternaria leaf and fruit spot, and eastern filbert blight on various crops including **tree nuts**, as requested by Syngenta Crop Protection, LLC.
  
- **DPR Releases Semiannual Report Summarizing the Reevaluation Status of Pesticides**
  - On February 22, 2021, DPR released its Semiannual Report Summarizing the Reevaluation Status of Pesticide Products for the period of July 1, 2020 through December 31, 2020.
  - California regulations require the Department of Pesticide Regulation (DPR) to investigate reports of possible adverse effects to people or the environment resulting from the use of pesticides. Reevaluation of a registered pesticide is required if a significant adverse impact occurred, or is likely to occur, from its use.
  - Between July 1, 2020 and December 31, 2020, DPR reevaluated 35 chloropicrin products, 24 cyfluthrin products, and 215 neonicotinoids.
  - Detailed information on the status of reevaluation for each pesticide and the complete report is available at: <https://www.cdpr.ca.gov/docs/registration/canot/camenu.htm>.
  
- **Basin Plan Amendments to San Joaquin Basin Plan for Salt and Nitrate Control Program**
  - On March 5, 2021, the State Water Resources Control Board (State Water Board) announced it would accept comments on the proposed approval of the Central Valley Regional Water Quality Control Board's revisions to the Salt and Nitrate Control Program Basin Plan Amendments for the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin.
  - Comments must be received on or before **April 5, 2021**, at noon.
  - The Basin Plan amendments were adopted by the Central Valley Water Board on December 10, 2020 (Resolution No. R5-2020-0057), and are available for review at: [https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/resolutions/r5-2020-0057\\_res.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf).
  
- **California Air Resources Board Webinar Trainings**
  - Over the next couple of months, CARB will be holding a number of regulatory trainings regarding reducing diesel emissions and other regulations in CARB's jurisdiction such as zero emission vehicles. The full schedule with registration information may be found [HERE](#).
  
- **Public Workshop to Discuss the Proposed Advanced Clean Fleets Regulation**
  - On March 2 and 3, 2021, CARB hosted public workshops to discuss proposed advanced clean fleets regulations. The workshop consisted of the current thinking and direction of the policy makers within CARB and public comment of industry and stakeholders.
  - The recorded workshops may be found [HERE](#), along with other background information of the proposed regulation.
  - Informal comments to the proposal and the presentation may be submitted [HERE](#).
  
- **DPR Hosting Webinar on Pesticide Registration Fees**
  - On March 17, 2021, the Department of Pesticide Regulation (DPR) is holding a webinar to share information, answer questions, and receive feedback from registrants and other stakeholders on a proposal to increase registration fees to a level that supports the current and future business functions of the pesticide registration program.
  - Information and registration for the webinar may be found [HERE](#).