

PESTICIDE REPORTS

Division of Agricultural Sciences and Natural Resources • Oklahoma State University
<http://pested.okstate.edu>



September, 2024

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RECERTIFICATION TESTING

Applicators needing to re-test for recertification in categories 3A, 3B, 3C, 6, and 7A can now start testing at PSI test centers. Applicators should have received notice from ODAFF about the recertification process.

If study manuals are needed call University Mailing at 405-744-9037 to order any applicator manual.

To schedule a test at PSI links can be found at our website <http://pested.okstate.edu>. Click on the link that says [Applicator Testing Procedure & FAQ](#).

(OSU PSEP)

UNWANTED PESTICIDE DISPOSAL Program

Dates are not finalized at publication but ODAFF is anticipating holding two Unwanted Pesticide Disposals in October. More information will be in the October newsletter and published on the Oklahoma Unwanted Pesticide Disposal Program webpage at <https://extension.okstate.edu/programs/pesticide-safety-education/unwanted-pesticide-disposal-program/> once dates and locations are chosen. (OSU PSEP)

ISSUES EMERGENCY ORDER TO STOP USE OF PESTICIDE DACTHAL TO ADDRESS SERIOUS HEALTH RISK

Today, Aug. 6, the U.S. Environmental Protection Agency is announcing the emergency suspension of all registrations of the pesticide dimethyl tetrachloroterephthalate (DCPA or Dacthal) under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). This is the first time in almost 40 years EPA has taken this type of emergency action, following several years of unprecedented efforts by the Biden-Harris Administration to require the submission of long-overdue data and then assess and address the risk this pesticide poses.

EPA has taken this action because unborn babies whose pregnant mothers are exposed to DCPA, sometimes without even knowing the exposure has occurred, could experience changes to fetal thyroid hormone levels, and these changes are generally linked to low birth weight, impaired brain development, decreased IQ, and impaired motor skills later in life, some of which may be irreversible.

“DCPA is so dangerous that it needs to be removed from the market immediately,” said **Assistant Administrator for the Office of Chemical Safety and Pollution Prevention Michal Freedhoff**. “It’s EPA’s job to protect people from exposure to dangerous chemicals. In this case, pregnant women who may never even know they were exposed could give birth to babies that experience irreversible lifelong health problems. That’s why for the first time in almost 40 years, EPA is using its emergency suspension authority to stop the use of a pesticide.”

“Farmworkers face burdensome conditions in the fields and often face exposure to harmful pesticides while working to feed our nation. I applaud the emergency action by the EPA which prioritizes farmworker health and safety, especially for pregnant women, by suspending this harmful chemical from our agricultural systems. We must continue to build on this progress and ensure all farmworkers are given the protection,

worker’s rights, and overtime pay they deserve,” said **Congressman Raúl Grijalva (AZ-07)**.

“Alianza is pleased to see the EPA make this historic decision. As an organization led by farmworker women, we know intimately the harm that pesticides, including dimethyl tetrachloroterephthalate (DCPA or Dacthal), can inflict on our bodies and communities. This emergency decision is a great first step that we hope will be in a series of others that are based on listening to farmworkers, protecting our reproductive health, and safeguarding our families,” said **Mily Treviño Saucedo, Executive Director of Alianza Nacional de Campesinas**.

Background on DCPA and Biden-Harris Administration Efforts to Assess and Address Risks

DCPA is a pesticide registered to control weeds in both agricultural and non-agricultural settings, but is primarily used on crops such as broccoli, Brussels sprouts, cabbage and onions. DCPA is currently undergoing registration review, a process that requires reevaluating registered pesticides every 15 years to ensure they cause no unreasonable adverse effects on human health or the environment.

In deciding whether to issue today’s Emergency Order, EPA consulted with the U.S. Department of Agriculture to understand how growers use DCPA and alternatives to this pesticide. In 2013, the agency issued a Data Call-In (DCI) to AMVAC Chemical Corporation, the sole manufacturer of DCPA, requiring it to submit more than 20 studies to support the existing registrations of DCPA. The required data included a comprehensive study of the effects of DCPA on thyroid development and function in adults and in developing young before and after birth, that was due by January 2016. Several of the studies that AMVAC submitted from 2013-2021 were considered insufficient to address the DCI, while the thyroid study and other studies were not submitted at all.

In [April 2022](#), EPA issued a very rarely used Notice of Intent to Suspend the DCPA technical-grade product (used to manufacture end-use products) based on AMVAC’s failure to submit the complete set of required data for almost 10 years, including the thyroid study. While AMVAC submitted the required thyroid study in

August 2022, EPA suspended the registration based solely on AMVAC's continued failure to submit other outstanding data on Aug. 22, 2023, following an administrative hearing. In November 2023, the data submission suspension was lifted after AMVAC submitted sufficient data. Most DCPA use on [turf was voluntarily canceled](#) by AMVAC in December 2023, but unacceptable risks from other uses remained.

In May 2023, EPA released its assessment on the risks of occupational and residential exposure to products containing DCPA, following its analysis of the thyroid study submitted by AMVAC. The assessment found health risks associated with DCPA use and application, even when personal protective equipment and engineering controls are used. The most serious risks are to the unborn babies of pregnant individuals. EPA estimates that some pregnant individuals handling DCPA products could be subjected to exposures four to 20 times greater than what EPA has estimated is safe for unborn babies.

Also of concern are risks to unborn babies of pregnant individuals entering or working in areas where DCPA has already been applied (especially post-application workers involved in tasks such as transplanting, weeding and harvesting). Current product labels specify that entry into treated fields must be restricted for 12 hours after application. However, the evidence indicates that for many crops and tasks, levels of DCPA in a treated field remain at unsafe levels for 25 days or more. Spray drift (the movement of pesticide through the air at the time of application or soon after, to any site other than the area intended) from pesticide application could also put at risk the unborn babies of pregnant individuals living near areas where DCPA is used.

Since the release of EPA's 2023 assessment, [AMVAC has proposed several changes](#) to the DCPA registrations, including the cancellation of DCPA products registered for use on turf. Those cancellations practically eliminate exposures to DCPA from recreational activities on and around turf. But according to EPA's analysis, AMVAC's proposed changes to agricultural uses of DCPA do not adequately address the serious health risks for people who work with and around DCPA.

In April 2024, EPA issued a public warning regarding the significant health risks to unborn babies of pregnant individuals exposed to DCPA and its intent to pursue action to address the serious, and in some instances, permanent, and irreversible health risks associated with the pesticide as quickly as possible. In a [letter](#) to AMVAC dated March 27, 2024, EPA restated the risks the agency found and noted that the agency would be pursuing regulatory options as soon as possible which could include cancelling the pesticide or seeking an emergency suspension.

When serious risks are identified, EPA can take action under FIFRA to suspend or cancel a pesticide. Taking such action is resource and time intensive, partly due to the procedural requirements of FIFRA. A cancellation proceeding may take at least several months (if uncontested by the registrant) or potentially several years (if contested by the registrant, thus triggering an administrative hearing and any subsequent appeal of a cancellation order). FIFRA also allows EPA to seek a suspension of a pesticide product while cancellation proceedings are ongoing if the Administrator determines it is necessary to prevent an imminent hazard. EPA Administrator Regan has determined that, due to the serious and imminent harm posed by DCPA, an emergency exists such that this order of suspension effective immediately is necessary. EPA intends to issue a notice of intent to cancel the DCPA products within the next 90 days.

The Emergency Order is effective immediately. EPA determined that the continued sale and use of DCPA products during the time it would take to follow the normal cancellation process poses an imminent hazard to unborn babies. While AMVAC has attempted to address these concerns, EPA has determined there are no practical mitigation measures that can be put in place to allow DCPA's continued use.

Additional information is available in the DCPA registration review docket [EPA-HQ-OPP-2011-0374](#).

Read the [DCPA Emergency Order](#).

(EPA, August 6, 2024)
<https://www.epa.gov/newsreleases/epa-issues->

[emergency-order-stop-use-pesticide-dacthal-address-serious-health-risk-4](#)

EPA PUBLISHES NEW RESOURCES ON BILINGUAL PESTICIDE LABELING

The Pesticide Registration Improvement Act of 2022 (PRIA 5) requires the safety and health portions of pesticide product labels to be translated into Spanish. Spanish is the primary language for most American farmworkers. This effort advances environmental justice by making health and safety information on pesticide labels more accessible, fostering better understanding and compliance with label instructions.

Beginning on December 29, 2025, product labels on restricted use pesticide products and agricultural use products with the highest toxicity will be required to bear Spanish language translations for the health and safety sections. Following this first phase, pesticide labels must include these translations on a rolling schedule depending on the type of product and the toxicity category, with the most hazardous and toxic pesticide products requiring translation first. All pesticide labels must have translations by 2030. The translations must appear on the pesticide product container or must be provided through a hyperlink or other readily accessible electronic method.

The new and updated resources include guidance on implementation timelines of these bilingual labeling requirements for various types of pesticide products based on their toxicity, as well as frequently asked questions and answers related to this requirements.

EPA wants to ensure the transition to bilingual labeling increases accessibility for pesticide users, pesticide applicators and farmworkers to make pesticides safer for humans and the environment. The Agency intends to update these website resources as various PRIA 5 requirements and deadlines are met, and new information is available. The resources will be available in English and Spanish on the Agency's website.

[Visit EPA's Bilingual Pesticide Labeling Website](#)

(EPA, August 27, 2024)

<https://www.epa.gov/pesticides/epa-publishes-new-resources-bilingual-pesticide-labeling>

EPA ISSUES FINAL CANCELLATION AND TERMINATION OF USES ORDER FOR SEVERAL CHLORPYRIFOS PRODUCTS

The U.S. Environmental Protection Agency (EPA) is issuing a final order terminating food processing plant (food and non-food area) uses for Chemstarr's chlorpyrifos product "Chlorpyrifos 61.5% MUP" and food uses for Tide International's chlorpyrifos product "Chlorpyrifos 4 EC." EPA is also cancelling two Central Garden & Pet chlorpyrifos products "Equil Chlorpyrifos ULV 1" and "Equil Chlorpyrifos ULV 2." EPA published the Notice of Receipt of Requests from the registrants to voluntarily cancel or terminate uses for these product registrations on April 3, 2024, which was open for public comment until May 3, 2024. The Agency received two comments on this notice. After considering these comments, the Agency is finalizing its decision to accept the registrants' voluntary requests to cancel or terminate uses for these products. Any distribution, sale, or use of existing stocks of these products is permitted only in accordance with the terms of the final order and existing stocks provisions of the final order.

Chlorpyrifos is an organophosphate insecticide that has been used for many food crops, including soybeans, fruit and nut trees, broccoli, cauliflower, and other row crops, as well as non-food uses. In a final rule issued in August 2021, EPA revoked all tolerances for chlorpyrifos, which establish an amount of chlorpyrifos that is allowed on food. This action essentially stopped the use of chlorpyrifos on all food and animal feed. EPA took this action in response to an April 2021 order from the U.S. Court of Appeals for the Ninth Circuit for the

Agency to issue—within 60 days—a final rule addressing chlorpyrifos tolerances, without taking public comment or engaging in “further fact-finding.”

On November 2, 2023, the U.S. Court of Appeals for the Eighth Circuit vacated EPA’s August 2021 rule revoking all tolerances. On February 5, 2024, EPA issued a Federal Register notice to amend the Code of Federal Regulations to reflect the court’s reinstatement of those tolerances. At this time, all pre-August 2021 final rule chlorpyrifos tolerances have been reinstated and are currently in effect.

EPA expects to issue a proposed rule later this year to revoke the tolerances associated with all but the 11 food and feed crop uses identified in the Agency’s 2020 Proposed Interim Decision. Based on the available data, retaining only these 11 food uses could decrease average annual pounds of chlorpyrifos applied in the U.S. by 70% as compared to historical usage.

Termination of Uses for One Chemstarr and One Tide Product

EPA’s order amends the registration for Chemstarr’s “Chlorpyrifos 61.5% MUP” (Reg. No. 81964-21) to terminate uses in food processing plants (food and non-food areas) and the registration of Tide International’s “Chlorpyrifos 4 EC” (Reg. No. 84229-20) to terminate all food uses.

Sale and distribution of existing stocks of Chlorpyrifos 61.5% MUP (i.e., those products that have food processing plants on the label) will not be permitted after the final cancellation order is issued. Sale and distribution of existing stocks of Chlorpyrifos 4 EC (i.e., those products with uses being terminated) is permitted until April 30, 2025. Use of existing stocks of Chlorpyrifos 4 EC on food, food processing sites, and food manufacturing sites must be consistent with the product labeling and is permitted until June 30, 2025. Use of existing stocks of Chlorpyrifos 61.5% MUP and Chlorpyrifos 4 EC for non-food purposes is permitted until existing stocks are exhausted, as long as such use is in accordance with the labeling. After these dates, sale and distribution of existing stocks is prohibited, except for export consistent with the Federal Insecticide,

Fungicide, and Rodenticide Act (FIFRA), or for proper disposal in accordance with state regulations.

Product Cancellation for Two Central Garden & Pet Products

EPA’s final order also cancels the products Equil Chlorpyrifos ULV 1 (Reg. No. 89459-72) and Equil Chlorpyrifos ULV 2 (Reg. No. 89459-73). Since these products are only for non-food use, sale and distribution of existing stocks of these products is now permitted until August 7, 2025 (one year from publication of the cancellation order), and use of existing stocks is permitted until such stocks are exhausted, provided that use is consistent with the terms of the previously approved labeling on, or that accompanied, the cancelled products. Thereafter, sale and distribution of existing stocks of the product will be prohibited, except for export consistent with FIFRA, or for proper disposal in accordance with state regulations.

The final order is available at docket ID [EPA-HQ-OPP-2022-0223](#) at www.regulations.gov. For more information, view the Federal Register Notice. The Agency has also updated the [frequently asked questions](#) about chlorpyrifos on its website.

(EPA, August 7, 2024)

<https://www.epa.gov/pesticides/epa-issues-final-cancellation-and-termination-uses-order-several-chlorpyrifos-products>

EPA RELEASES FINAL HERBICIDE STRATEGY

On Tuesday, the Environmental Protection Agency released its final Herbicide Strategy, the first step in the agency’s plan to meet its obligations under the Endangered Species Act (ESA). The release comes 10 days ahead of a Aug. 30 deadline mandated by a court settlement, which had been previously extended by three months.

The strategy outlines how the agency intends to protect threatened and endangered species and their critical habitats from herbicide exposure through spray drift and/or runoff or soil erosion.

"Finalizing our first major strategy for endangered species is a historic step in EPA meeting its Endangered Species Act obligations," said Jake Li, deputy assistant administrator for Pesticide Programs for the Office of Chemical Safety and Pollution Prevention, in an agency news release. "By identifying protections earlier in the pesticide review process, we are far more efficiently protecting listed species from the millions of pounds of herbicides applied each year and reducing burdensome uncertainty for the farmers that use them."

EPA released its first draft of the herbicide strategy in July 2023, receiving more than 18,000 comments during the public comment period. In response to comments, the agency said it made many improvements to the draft, with the primary changes falling into three categories:

- Making the strategy easier to understand and incorporating up-to-date data and refined analyses.
- Increasing flexibility for pesticide users to implement mitigation measures in the strategy.
- Reducing the amount of additional mitigation that may be needed when users either have already adopted accepted practices to reduce pesticide runoff or apply herbicides in an area where runoff potential is lower.

According to EPA, the final strategy includes more options for mitigation measures compared to the July 2023 draft, while still protecting listed species. The strategy also reduces the level of mitigation needed for applicators who have already implemented measures identified in the strategy to reduce pesticide movement from treated fields into habitats through pesticide spray drift and runoff from a field. The measures include cover crops, conservation tillage, windbreaks and adjuvants.

Further, some measures, such as berms, are enough to fully address runoff concerns. Growers who already use those measures will not need any other runoff measures.

EPA stated that it identified these options for growers through its collaborations with USDA under its February 2024 interagency Memorandum of Understanding (MOU) and through more than two dozen meetings and workshops with agricultural groups in 2024.

The agency said the final Herbicide Strategy also recognizes that applicators who work with a runoff/erosion specialist or participate in a conservation program are more likely to effectively implement mitigation measures. These conservation programs include the USDA's Natural Resources Conservation Service practices and state or private stewardship measures that are effective at reducing pesticide runoff.

"The strategy reduces the level of mitigation needed for applicators who employ a specialist or participate in a program," EPA wrote. "Geographic characteristics may also reduce the level of mitigation needed, such as farming in an area with flat lands, or with minimal rain such as western U.S. counties that are in the driest climates. As a result, in many of those counties, a grower may need to undertake few or no additional runoff mitigations for herbicides that are not very toxic to listed species."

According to EPA, refinements in the final strategy will allow the agency to focus herbicide restrictions only in situations where they are needed.

"The final strategy itself does not impose any requirements or restrictions on pesticide use," the agency wrote. "Rather, EPA will use the strategy to inform mitigations for new active ingredient registrations and registration review of conventional herbicides."

INDUSTRY REACTION

News of the strategy's release left the nation's soybean growers worried about the feasibility of the plan and its overall effects on farming.

"While there are clear improvements to the final Herbicide Strategy over what was first proposed, we are disappointed EPA chose to leave so many opportunities on the table to make this strategy workable for U.S. agriculture," said Josh Gackle, president of the American Soybean Association (ASA) and a soybean farmer from

North Dakota, in a statement released by the commodity organization. "We remain concerned with the complexity of this framework and whether growers and applicators will be able to clearly understand how to implement it.

"Likewise, we continue to have concerns as to the type and affordability of runoff mitigations EPA has provided, the potential distance of spray drift buffers, the number of mitigations farmers will need to adopt, and whether these requirements are supported by the best available science, as the law requires," the statement continued. "As finalized, the Herbicide Strategy is likely to cost U.S. farmers billions of dollars to implement and could result in significant new hurdles to farmers accessing and using herbicides in the future."

ASA said EPA has largely not addressed how the agency evaluates whether pesticides pose a genuine risk to endangered species, noting that the current process is "unduly conservative, greatly overestimates risks and demands farmers adopt far more restrictions than are truly necessary to protect species. Disappointingly, the final Herbicide Strategy does little to address these concerns."

In a separate statement, the Agricultural Retailers Association (ARA) said the organization plans to review the final Herbicide Strategy to "gain a better understanding of the full impact it will have on America's agricultural industry."

"We appreciate the EPA's efforts to make continuous improvements to earlier drafts that would have been unworkable for agricultural retailers, pesticide applicators and farmers," said Richard Gupton, ARA senior vice president of public policy and counsel, in the statement. "ARA members support efforts to protect endangered species; an improved registration system that ensures the availability of essential pesticide products; and mitigation measures that are easy to understand, economical and achievable. The real test will be when new 2025 pesticide label registrations are implemented by EPA."

The primary 79-page strategy and its supporting documents can be found here: <https://www.regulations.gov/...>

(Progressive Farmer, August 20, 2024)

<https://www.dtnpf.com/agriculture/web/ag/crops/article/2024/08/20/federal-plan-outlines-mitigation-use>

EPA ANNOUNCES NEW SAFETY MEASURES FOR SULFURYL FLUORIDE USES ON RESIDENTIAL STRUCTURES

On July 30, the [U.S. Environmental Protection Agency \(EPA\)](https://www.epa.gov/) announced it approved new product labels containing additional protective measures. This is a result of the June 2023 final early mitigation decision for sulfuryl fluoride, which instructed companies to submit amended product labels that contained additional protective measures within 12 months.

The following protective measures were required as a result of EPA's June 2023 early mitigation decision:

- Clearly posted no-entry warning signs to prevent admittance to fumigation tents throughout the fumigation process;
- Site-specific fumigation logs for residential fumigations;
- Additional registrant sponsored application stewardship training;
- Remove references to "approved" clearance devices from product labels and refer users to the EPA website, which will list the portable clearance devices determined to be effective, according to the EPA's performance criteria; and
- Longer active and passive aeration times for residential structural fumigations.

For all sulfuryl fluoride products registered for residential use, amended labels were submitted with the revised label language, which the agency approved on July 11, 2024. The revised product labels now contain the protective measures listed above. This means that users of these products must follow the protective measures on the revised labels. Existing stocks of sulfuryl fluoride products bearing previously approved labels can be sold or distributed for 12 months from that date.

The [National Pest Management Association](#) and other industry stakeholders have been engaged in discussions with EPA and were able to obtain many changes to EPA's initial proposals concerning warning signs and fumigation logs. These should minimize impacts to industry and consumers, according to NPMA.

One measure NPMA and industry stakeholders were unsuccessful in getting EPA to remove was the increased aeration period for residential structures from one hour to two hours.

“The residential two-hour active aeration time will require businesses to invest more resources in the labor required to maintain a longer active aeration period. From a training perspective, fumigators will need to be trained on the new product label,” said JD Darr, senior director of public policy, NPMA.

Heather Kern, vice president of global marketing, [Douglas Products](#), manufacturer of Vikane gas fumigant (sulfuryl fluoride) agreed, noting the two-hour active aeration for residential structures may restrict the number of fumigations that fumigators in production fumigation areas, such as Florida and Hawaii, can complete in a day. “This in turn will increase costs for consumers,” she said. “Douglas Products will continue to try to reverse or mitigate the impacts of this change during the ongoing registration review for sulfuryl fluoride, which could include the development of new processes and procedures.”

At one point, it appeared EPA would prohibit the use of any clearance device that had not passed EPA's internal tests. “Although NPMA disagrees with EPA's assessment of ‘Not Effective Devices,’ we were pleased to see updated label language that does not require fumigators to utilize clearance devices that have been determined to be effective by EPA,” said NPMA's Darr.

Kern said that this decision would have affected one of the most widely used clearance devices, the SF-ExplorIR. “Fortunately, Douglas Products was able to convince EPA not to prohibit the use of this device, which Douglas Products believes is reliable and accurate based on extensive testing,” she said.

The stewardship training now required by EPA is similar to what Douglas Products has been providing to

fumigators who use Vikane gas fumigant, said Kern, but an important change is that there is now required stewardship training for new fumigation employees who have not previously attended stewardship training for Vikane.

Ken Kendall, vice president of technical services and governmental affairs, for [Ensystex](#), manufacturer of sulfuryl fluoride product Zythor gas fumigant, said Ensystex's stewardship team will be working with states to help them become more knowledgeable about what is required. “Some states are just label states — the label is the law — but in states like Florida, California and Texas, they have regulations in place and it's going to take a little bit of extra effort. Luckily, EPA modeled the new label after Florida and, in some regards, after California; EPA recognized that those are the two states that do the most fumigations. But in some states certainly it will be a bigger issue getting ready for this new label.”

Kendall added that although Ensystex was not “completely excited” about some of EPA's new sulfuryl fluoride measures, “it gives us a roadmap to be able to make sure that we're properly preparing operators and making sure they understand what's going to be required.”

EPA is expected to begin seeking stakeholder feedback on the traditional registration review of sulfuryl fluoride in 2026. Between now and then, NPMA will be working with manufacturers to monitor implementation of new label requirements and prepare for the upcoming registration review. Darr said NPMA is encouraging EPA to work with industry stakeholders during the upcoming registration review to develop regulation that accommodates current safe and effective business practices.

(PCT, August 22, 2024)

<https://www.pctonline.com/news/epa-new-sulfuryl-flouride-safety-measures/>

STATES SEEK EPA ACTION ON GLYPHOSATE

State warning labels on products containing glyphosate that include information contrary to scientific findings from the U.S. Environmental Protection Agency would constitute misbranding, if the agency grants a new petition filed Wednesday by state attorneys general from 11 states.

Glyphosate is the active ingredient in Roundup that has been the subject of numerous product-liability lawsuits across the country alleging cancer links to the herbicide's use.

Juries have awarded billions of dollars in damages to alleged victims, although EPA and other governmental bodies around the world have maintained available science establishes no cancer connection.

On Wednesday, attorneys general from Iowa and Nebraska led the filing of the petition, joined by those from Alabama, Arkansas, Georgia, Indiana, Louisiana, Montana, North Dakota, South Dakota and South Carolina.

"Petitioners respectfully request EPA to declare that any state labeling requirements inconsistent with EPA's findings and conclusions from its human health risk assessment on human health effects, such as a pesticide's likelihood to cause cancer, birth defects, or reproductive harm, constitute misbranding under FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act)," the states said in the petition.

"The proposed rule merely seeks to clarify ambiguity concerning misbranding under FIFRA."

FIFRA already prohibits states from enacting more stringent or even different labeling requirements than those imposed by EPA, the states said in the petition.

Although states have the authority to restrict the sale or use of pesticides within their borders, the petition said they "cannot impose or continue in effect any requirements for labeling or packaging in addition to or different from those required under FIFRA."

The states said the agency has "never formally codified the preemptive effect of its scientific findings developed during the registration process" as it relates to state statutes mandated health warnings or "under common-law failure-to-warn claims."

In a statement to DTN, Bayer said it was "encouraged to see continued broad recognition and discussion on the importance of this topic for farmers and consumers alike -- and the need for a solution to this issue created by the litigation industry."

Bayer said as a company focused on research and development having a "stable environment able to support new and existing technologies" is "crucial for farmers and innovation."

When it comes to glyphosate, the states said the advantages to farmers using the chemical are "well documented." The attorneys general said the "uniformity" sought in the petition goes "far beyond" glyphosate.

"Glyphosate is merely the regulated pesticide that courts have considered in finding an ambiguity in FIFRA that the plain language of the statute does not support," the petition said.

"The court-made gap in FIFRA's regulatory framework affects countless other pesticides and fungicides currently regulated under FIFRA, including some still being developed. The flawed analysis could have downstream effects for other federally regulated labeling requirements."

NEEDED CLARITY

The 11 states that filed the petition point to state speech mandates such as in California that are "fundamentally at odds" with petitioners' consumer protection policies as reason for needed clarity from EPA.

"Most states have adopted legal provisions prohibiting businesses from branding their products with false or misleading statements," the states said.

"Yet California is seeking to compel companies to display labels on their products that are inconsistent

with, and contrary to, the long-held position of EPA, not to mention a broad list of international organizations and regulatory bodies."

In 2023, U.S. Court of Appeals for the Ninth Circuit declared California's Proposition 65 warning for glyphosate to be unconstitutional because it wasn't based in science.

However, the states' petition said the "threat of labeling rules that differ by state" continues.

The European Commission announced in 2023 it would renew glyphosate's approval for 10 more years, after European Union states were unable to reach a majority opinion on an extension.

In 2015, the World Health Organization cancer research agency concluded glyphosate was "probably carcinogenic" to humans. That conclusion stands in contrast to many agencies around the world, including EPA that classifies the chemical as non-carcinogenic.

(Progressive Farmer, August 7, 2024)
<https://www.dtnpf.com/agriculture/web/ag/crops/article/2024/08/07/states-epa-declare-state-glyphosate>

CEU Meetings

Please note that some of these meetings are virtual using Zoom or Microsoft Teams. Please contact the meeting host directly if you have any questions.

Date: September 12-13, 2024

Title: ENSYSTEX 2024 Workshop

Location: Osage Casino Tulsa OK

Contact: OPMA (405) 726-8773

<https://www.ok-pca.com/conferences>

CEU's:	Category(s)
TBA	3A
TBA	7A
TBA	7B

Date: September 18, 2024

Title: OSU Turf and Landscape Field Day

Location: OSU Turfgrass Research Center (3425 W. Virginia) Stillwater OK

Contact: Chris Richards (405) 744-9998

https://secure.touchnet.com/C20271_ustores/web/product_detail.jsp?PRODUCTID=4932

CEU's:	Category(s)
2	3A
1	3C
2	10

Date: October 1, 2024

Title: ENSYSTEX 2024 Workshop

Location: TBA Tulsa OK

Contact: Don Stetler (281) 217-2965

<https://ceuworkshop.com/>

CEU's:	Category(s):
1	7A

Date: October 2-3, 2024

Title: OKVMA FALL CONFERENCE
Location: Hard Rock Hotel Catoosa, OK
Contact: Kiersten Riggs (918) 314-9032
<https://okvma.com/>

CEU's:	Category(s):
3	1A
2	2
3A	3
3B	2
3C	2
4	2
5	3
6	3
2	7A
2	7B
2	8
3	10
2	11A
2	11B

Date: October 21-23, 2024

Title: Kansas Ag Aviation Association Convention
Location: Wichita KS
Contact: Rhonda McCurry (316) 650-6857
<https://www.ksagaviation.org/kaaa-annual-meeting-and-convention/>

CEU's:	Category(s):
2	A
3	1A

ODAFF Approved Online CEU Course Links

Online Pest Control Courses
<https://www.onlinepestcontrolcourses.com/>

PestED.com
<https://www.pested.com/>

Certified Training Institute
<https://www.certifiedtraininginstitute.com/>

WSU URBAN IPM AND PESTICIDE SAFETY EDUCATION PROGRAM
<https://pep.wsu.edu/rct/recertonline/>

CEU University
<http://www.ceuschool.org/>

Technical Learning College
<http://www.abctlc.com/>

All Star Pro Training
www.allstarce.com

Wood Destroying Organism Inspection Course
www.nachi.org/wdocourse.htm

CTN Educational Services Inc
http://ctnedu.com/oklahoma_applicator_enroll.html

Pest Network
<http://www.pestnetwork.com/>

Veseris
<http://www.pestweb.com/>

AG CEU Online
<https://agceuonline.com/courses/state/37>

Target Specialty Products Online Training
<https://www.target-specialty.com/training/online-training>

MarKey Training <https://www.markeytraining.com/>

For more information and an updated list of CEU meetings, click on this link:
<http://www.kellysolutions.com/OK/applicators/courses/searchCourseTitle.asp>

ODAFF Test Information

Testing will be done at testing centers in multiple locations around the state by PSI Services LLC.

For more information and instructions, please go to <https://bit.ly/3sF4y0x>.

Reservation must be made in advance at www.psiexams.com/ or call **855-579-4643**

PSI locations.

Oklahoma City 3800 N Classen Blvd, Ste C-20,
Oklahoma City, OK 73118

Tulsa 2816 East 51st Street, Suite 101, Tulsa, OK
74105

McAlester 21 East Carl Albert Parkway (US Hwy 270),
McAlester, Oklahoma 74501

Woodward 1915 Oklahoma Ave, Suite 3, Woodward,
OK 73801

Lawton Great Plains Technology Center, 4500 West
Lee Blvd Building 300- RM 308, Lawton, OK 73505

Enid Autry Technology Center, 1201 W. Willow Rd,
Enid, OK 73703

Ponca City Pioneer Technology Center, 2101 N Ash,
Ponca City, OK 74601

If you have questions on pesticide certification. Please
email or call:

Kevin Shelton
405-744-1060 kevin.shelton@okstate.edu or

Charles Luper
405-744-5808 charles.luper@okstate.edu

**Pesticide Safety
Education Program**