OKLAHOMA COOPERATIVE EXTENSION SERVICE

PESTICIDE REPORTS

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

October, 2024 CHEM

UNWANTED PESTICIDE DISPOSAL DATES SET FOR OCTOBER

ODAFF has scheduled the next Unwanted Pesticide Disposal Program collection dates for October 2024. They will occur October 22 in Fairview and October 24 in Atoka. The locations are the Major County Fairgrounds and the Atoka County Fairgrounds. The Disposals will run from 8 a.m. to 1 p.m. rain or shine at both locations.

There is no charge for this program. **Limit is 2,000 pounds per entity.** ONLY PESTICIDES will be taken at the sites (no fertilizer, paint, oil, etc)!
If you have any questions, contact Charles Luper (OSU) at 405-744-5808 or Ryan Williams (ODAFF) at 405-522-5993.

October 22 Major County Fairgrounds,
808 E Highland St., Fairview, OK

October 24 Atoka County Fairgrounds
2071 W Liberty Rd, Atoka, OK

For more information, please go to https://extension.okstate.edu/programs/pesticide-safety-education/unwanted-pesticide-disposal-program/index.html(OSU PSEP)

3A, 3B, 3C, 6, AND 7A RECERTIFICATION

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. This must be done before December 31, 2024 for these applicators to able to work in 2025.

If applicators have enough CEUs to recertify they still must pay ODAFF the $50 recertification fee before December 31, 2024 to complete recertification and be able to work in 2025.

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)

EPA FINALIZES PLAN TO PROTECT VULNERABLE SPECIES

The U.S. Environmental Protection Agency (EPA) is announcing its Vulnerable Species Action Plan (VSAP), finalizing its transition from its June 2023 Vulnerable Species Pilot (VSP) in order to help conserve federally threatened and endangered (listed) species from pesticides. As part of implementing EPA's Endangered Species Act Workplan, the VSAP is intended to provide a framework for EPA to adopt early, meaningful protections to address potential impacts for listed species that EPA identifies as particularly "vulnerable" to pesticides.

Similar to the final Herbicide Strategy and the draft Insecticide Strategy, the plan describes the framework that EPA will use for vulnerable species when considering Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) actions for conventional pesticides (such as new chemical registrations and registration review). EPA plans to incorporate mitigations from the VSAP into applicable pesticide actions, even if EPA has not yet determined effects under the Endangered Species Act (ESA) or consulted with the U.S. Fish and Wildlife Service (FWS). EPA will address species listed by the National Marine Fisheries Service (NMFS) through a separate process.

The VSAP describes how EPA finalized the initial list of vulnerable species to which the framework will apply, the approach EPA plans to use to evaluate potential impacts to these listed species and any associated mitigations, and how EPA plans to expand the approach to additional listed species in the future. This action fulfills one of EPA's commitments from the 2023 settlement agreement on pesticides and ESA. Stakeholder input received during the public comment period on the Draft VSP white paper and the herbicide and insecticide strategies helped EPA refine and identify the approaches in the November 2023 VSP update and the VSAP.

In the VSAP, EPA has identified 27 species listed by FWS in the lower 48 states as "vulnerable species" and within the scope of the VSAP. The species include various types of plants and animals, adding seven species that were not originally included in the VSP and removing another seven species after determining that they did not meet the definition of a vulnerable species. Over time, EPA expects to add species in the VSAP through formal consultations or coordination with FWS.

The VSAP applies a three-step framework which builds off the herbicide and insecticide strategies and is intended to provide similar mitigations for the vulnerable species for pesticides with similar characteristics (e.g., exposure, toxicity, application method). The VSAP identifies the potential for impacts (Step 1), the type and level of mitigation (Step 2), and where mitigation applies (Step 3). Any needed mitigations will only apply in geographically specific areas (referred to as Pesticide Use Limitation Areas or

PULAs). EPA is refining the species maps that it will use for PULAs and will not implement the VSAP in registration review until those maps are refined, which will likely be later in 2024.

The VSAP also explains that when EPA has developed a different strategy that applies to a pesticide, it will apply that strategy before applying the VSAP. The VSAP would thus supplement that strategy to the extent that the strategy does not cover pesticide uses and exposure routes to a vulnerable species. The VSAP includes mitigations for common exposure routes, including spray drift and runoff, but also addresses other routes of pesticide exposure to the vulnerable species. Examples include on-field exposure to a vulnerable species and pesticide volatilization (the movement of pesticide vapors through the air). This action plan, along with the Ecological Mitigation Support document, are available in the public docket EPA-HQ-OPP-2023-0327 at regulations.gov, and on EPA's website.

(EPA, September 26, 2024)
https://www.epa.gov/pesticides/epa-finalizes-plan-protect-vulnerable-species

EPA ANNOUNCES VOLUNTARY CANCELLATION FOR THE PESTICIDE DACTHAL

Today, Aug. 28, following the U.S. Environmental Protection Agency's emergency suspension of the pesticide dimethyl tetrachloroterephthalate (DCPA or Dacthal), the agency is initiating a process to cancel all products containing DCPA. On Aug. 19, 2024, EPA received a letter from AMVAC Chemical Corporation (AMVAC) stating its intent to voluntarily cancel the remaining pesticide products containing DCPA in the United States, and subsequently announced it intended to cancel all international registrations as well.

"Today's announcement is a critical step towards protecting unborn babies from the serious health risks of this dangerous pesticide," **said Assistant Administrator for the Office of Chemical Safety and Pollution Prevention Michal Freedhoff**. "AMVAC's decision to voluntarily and quickly cancel their DCPA registrations is a huge win for public health and will ensure pregnant women are no longer exposed to a chemical that could cause their babies to experience irreversible lifelong health problems."

The August 2024 emergency suspension was the first time in almost 40 years EPA has taken this type of emergency action, following several years of efforts by the agency to require the submission of data that was due in January 2016 and then assess and address the risk this pesticide poses. EPA took 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. For this decision, EPA relied on the best available science, which included robust studies that all demonstrate thyroid toxicity.

A registrant can cancel the registration of a pesticide product at any time under Section 6(f) of the Federal Insecticide, Fungicide, and Rodenticide Act. Tomorrow, Aug. 29, 2024, EPA will publish a notice in the Federal Register to take public comments on the voluntary cancellation. At the conclusion of the comment period, EPA plans to publish the final cancellation order. Currently, all products containing DCPA are suspended following EPA's temporary emergency suspension order announced on Aug. 6, 2024, and the action announced today will ensure that the registrations will be permanently cancelled.

The emergency suspension prohibits anyone from distributing, selling, shipping or carrying out other similar activities for any pesticide product containing DCPA. It also means that no person can continue using existing stocks of those products. EPA is working closely with AMVAC, the sole manufacturer of DCPA, on a return program for existing DCPA products. AMVAC is developing a comprehensive plan designed to identify existing stocks held by distributors, retailers, and end-users, track any remaining DCPA products, and coordinate an effective and efficient collection process. EPA and AMVAC are regularly communicating on the status of the return program. AMVAC has shared preliminary information on a return program with EPA,

including plans for regular communication with stakeholders and EPA. Distributors, retailers, and growers who hold existing product should contact AMVAC directly to determine the best options for managing existing stocks.

Read the public inspection version of the Federal Register notice on the voluntary cancellation of DCPA.

For answers to frequently asked questions about DCPA, please see the DCPA Questions and Answers webpage. For additional background on the DCPA and Biden-Harris Administration efforts to assess and address risks, see the Aug. 6, 2024 press release.

(EPA, August 28, 2024)
https://www.epa.gov/newsreleases/epa-announces-voluntary-cancellation-pesticide-dacthal

EPA ISSUES UPDATE TO EXISTING STOCKS PROVISIONS FOR ONE CHLORPYRIFOS PRODUCT

The U.S. Environmental Protection Agency (EPA) is issuing an amendment to the existing stocks provisions for the Kaizen Technologies LLC (Kaizen) chlorpyrifos end-use product "Bifenchlor" to allow for sale, distribution, and use for a limited time. The 2023 court decision vacating the 2021 chlorpyrifos tolerance revocation rule reinstated tolerances for products that registrants had previously voluntarily cancelled. Granting this amendment ensures greater consistency across chlorpyrifos products.

Chlorpyrifos is an organophosphate insecticide that has been used for many food crops, including growing 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 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 the use of chlorpyrifos in food or feed crops, 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 and reinstated the chlorpyrifos 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 the 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 2020 Proposed Interim Decision whose tolerances could be retained. Based on the available data, retaining only the 11 food uses could decrease average annual pounds of chlorpyrifos applied in the U.S. by 70% as compared to historical usage.

Amendment for Existing Stocks for Kaizen Product

EPA has amended the existing stocks provisions for the Kaizen chlorpyrifos end-use product Bifenchlor (Reg. No. 86363-11), which was voluntarily cancelled on August 31, 2022. The August 2022 order noted that all chlorpyrifos tolerances had been revoked, and thus all use on food, and all sale and distribution of existing stocks for the products identified in that order were inconsistent with the purposes of FIFRA, and existing stocks were permitted to be sold and distributed only for export or proper disposal. The sale and distribution of existing stocks of this product has been amended for consistency with the existing stock provisions for other registrants who requested this provision. Sale and distribution is now permitted until April 30, 2025, and use of existing stocks of this product is now permitted until June 30, 2025. Any distribution, sale, or use of existing stocks of this product is permitted only in accordance with the terms of the final cancellation order and existing stocks provisions of the final cancellation order, as amended.

The final cancellation orders and existing stocks amendment are available at docket ID EPA-HQ-OPP-

2022-0223 at www.regulations.gov. For more information, view the Federal Register Notice.

(EPA, September 16, 2024)
https://www.epa.gov/pesticides/epa-issues-update-existing-stocks-provisions-one-chlorpyrifos-product

OTT DICAMBA LABELS UNLIKELY FOR 2025

Like most farmers this time of year, Josh Gackle is field-focused as harvest gets underway. But that doesn't mean he isn't looking ahead.

"Whether it's seed traits or chemicals, we've already started making plans for 2025," said the farmer from Kulm, North Dakota, and current president of the American Soybean Association (ASA). "Dealers and others are calling, and so a lot of decisions are on the table. On our farm, we're planning for multiple scenarios, which include scenarios that won't involve over-the-top (OTT) dicamba."

The future of XtendiMax, Engenia and Tavium -- three dicamba herbicide products the EPA previously approved for spraying "over the top" of soybeans and cotton -- has been in question since February when a federal court in Arizona vacated the products' 2020 registrations. Following the court's decision, EPA issued an existing stocks order that guided the herbicides' use during the 2024 season. However, none of the OTT dicamba products are presently registered or labeled for use in 2025, and that status is unlikely to change any time soon.

"Barring some revelation, I think the chances for having a label are suspect," said David Flakne, head of U.S. state affairs for Syngenta, during an interview with DTN. "EPA has indicated that they're working under the PRIA timeline, so they're signaling to the industry that it's highly unlikely that there will be an over-the-top registration of dicamba for 2025."

TICKING TIMELINES

In response to a DTN inquiry, an EPA spokesperson acknowledged the Pesticide Registration Improvement Act (PRIA 5), reauthorized by Congress in December 2022, does specify a statutory review time of 17 months from the date that the action gets in-processed.

Bayer was the first registrant to reinitiate the registration process for its OTT dicamba product XtendiMax, referred to as KHNP0090 in its application. On May 3, EPA published a notice of receipt in the Federal Register and announced the start of a 30-day public comment period. The agency published similar notices and announced public comment periods for BASF's Engenia and Syngenta's Tavium on June 4 and July 23, respectively.

While these dates may signify the start of a 17-month timeline "clock," the EPA spokesperson noted that the agency's "clock" is running slow due to funding shortfalls.

"These timelines were predicated on funding the pesticide program at the minimum level of $166 million that Congress determined is needed for EPA to meet PRIA 5 deadlines," the agency spokesperson wrote to DTN. "Because Congress has not provided this minimum funding, most PRIA actions currently take longer than the specified timeline to complete."

According to figures supplied by EPA, the budget for the agency's pesticide program was approximately $132.5 million in fiscal year 2024, roughly $6 million less than the previous year and $33 million less than minimum funding level established under PRIA. In addition, the fees the agency collects for pesticide registration activities have been about $10 million less than anticipated," leaving EPA with even fewer resources than expected.

"The reduced funding levels will mean additional delays in processing pesticide registration applications and completing registration review cases and non-PRIA applications," the EPA spokesperson wrote.

Chip Shilling, BASF's senior manager of external affairs, told DTN that when the company submitted its application and proposed label for Engenia this past spring, it was understood that the process would take a

minimum of 17 months. He said that because courts have vacated OTT dicamba product registrations twice before, the agency will likely take its time throughout the current review process.

"They are going to make sure that if they approve something, they have a legally defensible label that would stand up to what we would expect in future litigation," he said.

STEPS TOWARD NEW LABELS

The 30-day public comment periods for XtendiMax, Engenia and Tavium that opened when EPA published its notices of receipt concluded on June 3, July 5 and Aug. 22, respectively. Now, each OTT dicamba product has entered the science and regulatory review stage of the registration process. The EPA spokesperson wrote that the agency is currently reviewing comments for each individual proposal and will review each application separately.

During this stage of the process, EPA will complete risk assessments, consider the risks and benefits and use its recently finalized Herbicide Strategy to determine if mitigations are necessary. This will lead to the agency drafting a proposed decision, which will be posted on the federal docket for another 30-day public comment period. After considering and responding to the comments received, EPA will draft a final decision.

In addition to these EPA internal processes, the agency must also fulfill its obligations under the Endangered Species Act (ESA). This may require consultation with the U.S. Fish and Wildlife Service (USFWS).

"Courts have struck down various pesticide registrations for failing to comply with the ESA, including vacating some registrations," the agency spokesperson wrote. "EPA needs to consider those court findings in handling new use submissions for dicamba. For example, if EPA's ESA analysis found that these new uses of dicamba were likely to affect listed species and their habitats, consultation with USFWS would likely take more than a year to complete."

While each registrant submitted a separate registration application and proposed label, the EPA spokesperson wrote that "for efficiency, EPA is planning to do the risk assessments for all three products together and, if applicable, issue combined draft and final decision documents."

All three product labels propose the same use patterns in dicamba-tolerant cotton. However, there are differences in soybean use patterns the agency will have to address during its review.

As proposed, the labels for Engenia and Tavium would allow applications to dicamba-tolerant soybeans before, during and immediately after planting as well as over the top until the crop reaches the V2 growth stage -- when the second trifoliate leaf is fully unfolded -- or until June 12, whichever comes first. However, the proposed label for XtendiMax did not include any OTT application in soybeans, though it included the same June 12 cutoff date.

Frank Rittemann, Bayer soybean launch lead, told DTN that when drafting its proposed label, the company's objective was to have XtendiMax available for the 2025 growing season. It was determined the use pattern with the best chance of achieving that objective was one that did not include a post-emergence application option, he said.

"But, if throughout the consultation process, through the dialogue, we come to realize there's opportunity to have a more open use pattern for soybeans, we will absolutely look at that option," Rittemann said.

The EPA spokesperson wrote the agency plans to encourage alignment of the use patterns between the labels to avoid confusion in the market.

OPTIONS WITHOUT OTT DICAMBA

Each product registrant expressed confidence that even with the likely absence of OTT dicamba, cotton and soybean farmers still will have post-emergence weed-control options in 2025. Both glyphosate and glufosinate still offer options for post-emergence application in soybeans and cotton with the XtendFlex trait, while glyphosate, glufosinate and 2,4-D choline are available

for those crops with the Enlist trait. The registrants stressed that growers visit with their crop consultants, seed dealers and other advisers now to put together a plan.

"For 2025, I would certainly suggest farmers look at what is approved and what they know they can get," Shilling said. "Think about all the different tools that they have in the toolbox, whether it be pre's and layering residuals and what they can do early post to be able to control those weeds, thinking past dicamba."

Flakne noted the importance of beginning the season with clean, weed-free fields.

"One thing that a grower can't do is allow those weeds that are devastating to yield go to seed and create years of issues," Flakne said. "You have to have a package of weed control that uses multiple modes of action to keep those weeds in check. We managed those weeds prior to the dicamba trait. We will do it again. It's just more complex and more complicated."

CROP INJURY CONCERNS RETURN

If XtendiMax, Engenia and Tavium don't receive new registrations in time for the 2025 growing season, it will be the first year since 2016 that an OTT dicamba formulation isn't available to farmers. This reality concerns agriculture officials in at least one state.

In letters sent to EPA during the public comment periods for the OTT dicamba products, Paul Bailey, director of the Missouri Department of Agriculture's Plant Industries Division, shared concern over the current registration status of older dicamba herbicides.

"I'm afraid that we may see a repeat of 2016," Bailey said during a phone interview with DTN, referring to widespread crop injury caused by off-target movement of dicamba formulations sprayed illegally. "The dicamba-tolerant seed is out there, and we won't have an over-the-top dicamba product to use. The old technology is there, and you can't tell the difference between one or the other when it's on a crop of soybeans showing injury damage."

Currently, older dicamba formulations are classified as general use pesticides by EPA. Bailey has asked the federal agency to either reclassify them as restricted use or suspend their registrations and require a recall until new OTT dicamba product registrations are approved.

Under Missouri law, those selling restricted use pesticides are licensed and required to keep records showing who purchased those products. Such records are not required for general use pesticides.

"If we have a repeat of 2016 and those products are restricted use, we'll be able to identify who's making these purchases and help our investigative process," Bailey said.

Missouri agriculture officials received 122 complaints of dicamba injury in 2016. That number grew to 315 in 2017, falling back to 220 complaints in 2018. Last year, the state received just 12 complaints, and thus far in 2024, only six dicamba-related complaints have been logged. The state supported the new registration of OTT dicamba products in its letters to EPA.

"I believe all of our users in Missouri, through the training and education process, have come to learn and understand how to use those OTT dicamba products effectively, and that's why our complaint numbers have decreased every year," Bailey said. "I hate to lose those products. They're awful good and they help produce good yields, so growers need them."

A similar sentiment exists in Gackle's home state of North Dakota.

"With the weed pressure we face, in particular from waterhemp and kochia, having access to over-the-top dicamba is critical to growers here and in many other parts of the country," he said. "We really need EPA to do something sooner rather than later so that farmers at least know what they're facing going into the 2025 season."

(Progressive Farmer, September 23, 2024)
https://www.dtnpf.com/agriculture/web/ag/crops/article/2024/09/23/regulatory-realities-likely-keep-top

NEW CLASSIFICATION SYSTEM FOR TERMITES DEVELOPED

The community of termite scientists have achieved a major milestone.

An international team of 46 researchers has unveiled a new, comprehensive classification system for termites, shedding light on this often-misunderstood group of insects.

All living species are classified through a process called taxonomy, which is the foundation of biology. Without it, science could not analyze the species, behaviors and social aspects that allow scientists to develop pest control strategies or appreciate their key roles in ecosystems.

“Termites represent more than 3,000 species, with most of them playing a critical role as ecosystem engineers, while only a handful of subterranean termite species are actually a big pest problem,” said Thomas Chouvenc, associate professor of urban entomology at the UF/IFAS Fort Lauderdale Research and Education Center and a collaborator on the team. “With this new classification, all three of the most important termite pest genera, or taxonomic groups covering more than one species, are now within their own families, differentiating them from all other ’subterranean termite’ species that are not pests.”

Just published in Nature Communications, the new family tree settles long-standing uncertainties in termite classification, providing a foundation that advances abilities to identify, study and control termite species.

“We have resolved the ambiguity of the previous system with a modular and very robust classification of the termite family,” said Simon Hellemans, a member of the Evolutionary Genomics Unit at Okinawa Institute of Science and Technology (OIST) and lead author of the publication. “With this new ‘dictionary,’ we have a solid platform from which we can study the diversification of termites and the roles they play in their ecosystems, as well as accommodate future discoveries.”

Termites have long been misunderstood. Only 3.5% of termite species are problematic for humans. The rest are essential for the environment. They help break down plant material, mix nutrients into the soil and make it easier for water to reach plants. Termites also build large mounds that stay cool, inspiring energy-saving cooling systems in modern architecture.

Rudolf Scheffrahn, a UF/IFAS professor of entomology and a taxonomist, contributed to the study by helping the researchers describe key morphological traits that would validate the molecular phylogeny, or the tree of life inferred from the DNA of species. He also provided key samples to this study to improve the resolution of this new termite family tree.

“Years of field expeditions yielded numerous termite species that contributed to the clarity of higher classification groups,” said Scheffrahn.

Traditionally, the classification of termites has been complicated by rapid diversification and morphological similarities, meaning those physical features or characteristics that look alike across different species. Together, as new species emerged, this led to a tangled family tree, characterized by confusion over evolutionary relationships.

The new system incorporates modern DNA testing and advanced analysis to the existing taxonomy. This new termite “tree of life” reveals a clearer picture of termite evolution. Every family and subfamily are now classified as monophyletic, meaning they share a common ancestor. This allows researchers to better understand evolutionary relationships and makes it easier to categorize new species, said Chouvenc.

The landmark work began at a symposium at OIST in 2022, where researchers proposed a new framework for the termite family tree. The team’s approach combined traditional morphological characters with cutting-edge data analyses powered by OIST’s supercomputer, Deigo. The result branched into a termite family tree that’s not only accurate but also flexible enough to incorporate new findings as they emerge. The team computed 51 models, each taking about two weeks to run. These extensive analyses, combined with expert hands-on

knowledge, resulted in the most accurate and detailed classification of termites to date.

This symposium followed the UF International Termite Course organized by Chouvenc at the FLREC, where most of the symposium participants were present and initiated some of the discussion. Later, discussions and plans were expanded and solidified at the OIST meeting. Chouvenc was present to provide a UF/IFAS voice to the discussion.

“This is the result of decades of progress and collaborations, and it is quite remarkable to see such major milestones within our lifetime,” Chouvenc says.

The new classification highlights the diversity of termites and allows for greater precision in research and pest control, which has great implications for managing these insects more effectively.

“The new family of subterranean termite pest species Heterotermitidae, for example, is biologically more relevant than its previous classification, Rhinotermitidae, which includes many other termite species that are not pests,” said UF/IFAS Distinguished Professor of Entomology, Nan Yao Su. “Most species in Heterotermitidae are pests and share many aspects of their biology that make then susceptible to termite bait control protocols. This has great implication for future research."

“Not only do we now have the right species in the right box, but we also no longer have any confusion when we talk about subterranean termite pest species,” said Chouvenc.

(PCT, September 11, 2024)
https://www.pctonline.com/news/termite-classification-system-developed/

LAWSUIT TARGETS MALATHION RESTRICTIONS

A final biological opinion that led to national restrictions on the pesticide malathion is the target of a new lawsuit filed this week that alleges the decision by the U.S. Fish and Wildlife Service violated the Endangered Species Act.

In February 2022, the USFWS issued a biological opinion that concluded malathion would not jeopardize listed endangered species or their habitats.

In the new lawsuit filed in the U.S. District Court for the District of Northern California, the environmental groups, led by the Center for Biological Diversity, said USFWS' biological opinion "contains numerous analytical shortcuts and arbitrary policy choices."

The final biological opinion was based on "agreed-upon measures including no-spray zones, reductions in application rates and number of applications," as well as other label changes that taken together "avoid jeopardy and adverse modification of critical habitat," according to the U.S. Environmental Protection Agency.

The groups said in the new lawsuit that the label restrictions may reduce harm to some listed species, but the most threatened and endangered species would not benefit.

They allege USFWS policy choices conflict with USFWS' regulations and policies, as well as with the Endangered Species Act itself and that it was arbitrary and capricious.

"FWS's errors include its decisions not to implement species-specific conservation measures to protect against malathion for many species and its failure to consider the consequences to each individual species' conservation or recovery," the lawsuit said.

The groups asked the court to vacate an incidental take statement and parts of the malathion biological opinion that fails to "protect the 1,534 species that do not have

any species-specific minimization measures to protect them."

When contacted by DTN, a USFWS spokesperson said the agency does not comment on pending litigation.

Malathion is used largely to control mosquitoes as well as aphids and other crop pests.

In August 2023, the EPA announced national restrictions on the use of malathion.

"While these minimal restrictions to malathion pesticide product labels might reduce some harm to some listed species at the margins, most threatened and endangered species will not benefit from them," the groups said in the lawsuit.

"The malathion (biological opinion) contains numerous analytical shortcuts and arbitrary policy choices, which conflict with FWS's regulations and policies and the requirements of the ESA itself."

The groups said that malathion's "widespread use and mobility" in the environment was "compounded by its high toxicity to every animal taxonomic group."

The EPA initiated an ESA consultation with the USFWS on the effects of malathion, chlorpyrifos and diazinon in January 2017.

At that time, the EPA determined malathion was "likely to adversely affect" 1,778 threatened and endangered species.

In October 2017, the USFWS concluded in a draft biological opinion that registered uses of malathion products were likely to jeopardize 1,284 threatened and endangered species.

(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: 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 3, 2024
Title: Schantz Family Farm Multi-Crop Field Day
Location: Hydro Area Call for exact location
Contact: David Nowlin (405) 933-0641
http://www.okpeanutcomm.org/

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

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

Date: November 1, 2024
Title: Pest Management in Pasture and Hayfields
Location: Pontotoc County OSU Extension
Contact: Erin Hubbard (405) 490-2578
https://extension.okstate.edu/county/pontotoc/

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

Date: November 7, 2024
Title: TARGET SPECIALTY PRODUCTS Oklahoma Fall Workshop 2024
Location: Grand Hotel & Casino Shawnee
Contact: Jennifer Gonzalez (800)-352-3870
https://www.target-specialty.com/current-events

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

Date: November 11, 2024
Title: Course #4 Pest Management in Pastures and Hayfields
Location: Seminole County OSU Extension
Contact: Coy McCorkle (405) 257-5433
https://extension.okstate.edu/county/seminole/

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

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

MarKev Training **https://www.markevtraining.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