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## **EPA Announcements of Interest to ESA Members**

Sources: Regulations.gov, epa.gov, and EPA Weekly Digest Bulletin

### **Registration and registration review of insecticides**

#### **EPA proposes to cancel the use of acephate, with the exception of tree injection**

-This decision is based on the EPA's human health draft risk assessment and drinking water assessment that were conducted last year and showed dietary and ecological risks. The exception for tree injection use is because it does not contribute to drinking water exposure, with no risks for workers, and, considering label changes, would not pose risks to the environment. The exception use in tree injection is only on trees that do not produce food for human consumption.

- Public comments about this EPA restriction are open for 60 days and should consider proposing alternative mitigation of the use(s) of acephate. If EPA determines that alternative mitigation options that are voluntarily agreed to by the registrant can address the identified risks to satisfy the standard for continued registration of the pesticide, this could allow EPA to put protections in place faster than the statutorily required process for involuntary cancellation that can take up to five years. Comments are due by July 1. More information can be found at: <https://www.regulations.gov/document/EPA-HQ-OPP-2008-0915-0058>

#### **Mitigation measures for chlorpyrifos, diazinon, and malathion to protect endangered species have been implemented by EPA**

- The mitigation measures change pesticide labeling requirements and issuing of Endangered Species Protection Bulletins that set geographically specific limitations on pesticide use. Bulletins for all three pesticides include restrictions on when to apply and restrictions on tank mixing. The mitigations included in the Bulletins for diazinon only include use limitations related to runoff. Mitigations for chlorpyrifos include use limitations related to both runoff and drift. The chlorpyrifos and diazinon Bulletins also include wind speed restrictions. The malathion Bulletins include a requirement to maintain a buffer between application area and specific habitats, with the size of the required buffer depending on the application rate, application method, and wind direction.

- Important to say that at this time, labels have been approved for chlorpyrifos products with only non-food uses. EPA requested and NMFS granted an extension to August 2024 to implement the BiOp with updates for those labels with food uses. It is expected that this will allow EPA additional time to cancel all food uses except for the 11 food crops specified previously in EPA's 2020 chlorpyrifos Proposed Interim Decision.

### **The draft of the risk assessment for pesticide Malathion has been updated**

- In March, EPA released the draft of the updated malathion human health risk assessment which incorporates modernized scientific techniques and new data that provided a more refined assessment compared to traditional approaches and found no human health risks of concern.
- The review of the registration of malathion is an on-going process and this assessment covering the human health risks of malathion is separated from the ecological risks to non-target species, which is expected to be released this year.
- Malathion is one of 18 organophosphates currently in registration review, and more information can be found at: <https://www.regulations.gov/docket/EPA-HQ-OPP-2009-0317>