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Pesticide Update

EPA's Office of Chemical Safety and Pollution Prevention

EPA Approves New Labels for Cyantraniliprole to Better Protect Endangered Species

The U.S. Environmental Protection Agency (EPA) has approved [new labels](#) for the insecticide cyantraniliprole that include new mitigations to protect federally threatened or endangered (listed) species. This action reflects EPA's efforts to meet its obligations under the Endangered Species Act (ESA) by identifying potential effects to listed species, implementing necessary mitigations, and initiating the ESA consultation process with the U.S. Fish and Wildlife Service and National Marine Fisheries Service (referred to as "the Services").

Background

EPA first registered products containing cyantraniliprole in 2014. Cyantraniliprole is an insecticide that can be used on a variety of fruit, vegetable, and nut crops and as a seed treatment on some crops to control the Asian citrus psyllid as well as lepidopteran insects, dipteran leafminers, fruit flies, beetles, whiteflies, thrips, aphids, leafhoppers, psyllids, and weevils. It is also registered for non-agricultural uses on turf and ornamental plants.

In some instances, cyantraniliprole is the only non-neonicotinoid active ingredient available for growers. Growers and applicators can use cyantraniliprole in rotation with neonicotinoids (or other insecticides) to reduce the potential spread of insecticide resistance. Cyantraniliprole is also a useful addition to Integrated Pest Management (IPM) programs because it is less disruptive to some non-target insects than some insecticide alternatives. These non-target insects are beneficial because they can eat target pests—providing a natural control mechanism.

Following registration, the Center for Biological Diversity and the Center for Food Safety filed a petition for review in the D.C. Circuit, alleging that EPA had not met its ESA consultation obligations before registering products containing cyantraniliprole. In 2017, the D.C. Circuit agreed and remanded the registrations without vacating them for EPA to complete its ESA effects determinations and any necessary consultation with the Services. In November 2022, the court ordered, among other things, that EPA complete cyantraniliprole's ESA effects determination by September 2023.

EPA's Biological Evaluation

EPA published cyantraniliprole's draft biological evaluation (BE) and supporting documents for public comment in January 2023. The draft BE included a draft effects determination that evaluated the effects of the registration on listed species and designated critical habitats. The draft BE also predicted whether the registered uses of cyantraniliprole presented a potential likelihood of jeopardy to listed species or adverse modification to critical habitats.

Now, EPA is publishing its final BE. Accounting for new mitigation measures registrants agreed to, EPA revised some of its effects determinations and predictions of the likelihood of jeopardy and adverse modification for cyantraniliprole's final BE. EPA evaluated the effects of cyantraniliprole on over 1,700 listed species and over 800 critical habitats in the United States and its territories and determined that cyantraniliprole, with the revised mitigation measures:

- Will have no effect on 33 percent of species and 47 percent of critical habitats (as compared to 25 percent and 33 percent, respectively, from the draft BE);
- May affect but is not likely to adversely affect 31 percent of species and 38 percent of critical habitats (as compared to 34 percent and 54 percent, respectively, from the draft BE); and
- Is likely to adversely affect (LAA) 36 percent of listed species and 16 percent of critical habitats (as compared to 41 percent and 13 percent, respectively, from the draft BE).

An LAA determination means that EPA reasonably expects that at least one individual animal or plant, among a variety of listed species, may be exposed to cyantraniliprole at a sufficient level to have an adverse effect. This is the case even if a listed species is almost recovered to a point where it may no longer need to be listed. Adverse effects to even one individual of a listed species is enough to trigger such a determination. As a result, there are often a high number of LAA determinations. An LAA determination, however, does not necessarily mean that a pesticide is putting a species in jeopardy.

EPA further refined its analysis for the species and critical habitats where it made LAA determinations to predict the potential likelihood that cyantraniliprole use could result in

jeopardy or adverse modification. These predictions examine effects of cyantraniliprole at the species scale (as opposed to one individual of a species). Of those species and habitats with an LAA determination, EPA's final BE predicted the uses of cyantraniliprole will not present a potential likelihood of jeopardy to any listed species or adverse modification for their critical habitats with the additional mitigation measures, as compared to 4 percent and 1 percent, respectively, from the draft BE.

For more information, see the [final biological evaluation](#).

Additional Label Requirements to Protect Listed Species

To mitigate effects to listed species and critical habitats, the cyantraniliprole registrants agreed to amend their registrations to add additional mitigation measures. Among other requirements, the revised labels require pesticide applicators to take several measures when using cyantraniliprole, including:

- requiring the use of spray nozzles that result in medium to coarser droplets (these droplets have more mass and are less likely to drift with the wind);
- requiring that applicators maintain a 25- to 50-foot distance from waterbodies during ground and aerial applications, respectively, to protect aquatic species and habitats;
- requiring that applicators maintain a 25-foot buffer around a crop when using an “airblast” sprayer (a sprayer that uses high-speed air to deliver pesticides) to dormant and non-bearing vegetation, or to bearing vegetation that are not at full canopy (such as a pear tree that is not fully leafed);
- requiring the use of swath displacement (a method that accounts for the wind and proactively applies less pesticide to certain areas of a field where spray drift is likely to occur) to reduce off-target spray drift caused by wind during aerial applications; and
- requiring the implementation of additional aerial buffers to protect 18 listed species and two critical habitats listed on EPA's [Bulletins Live Two! Website](#).

For a complete list of the required mitigations, see the [revised product labels](#).

Next Steps

Since EPA determined that cyantraniliprole is likely to adversely affect listed species and critical habitats, the Agency has initiated formal consultation with the Services.

During formal consultation, the Services use EPA's final BE to inform their biological opinions, which will include their final determinations of whether the use of cyantraniliprole jeopardizes any listed species or adversely modifies any critical habitat. EPA will continue to work with the Services during the consultation process.

The final BE, revised labels, and other supporting documents are available in docket [EPA-HQ-OPP-2011-0668](#) on www.regulations.gov.

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