



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

MAY 22 2012

Mr. Hank Althaus
Ohio Pest Management Association
136 South Keowee Street
Dayton, Ohio 45402

Dear Mr. Althaus:

Thank you for your letter of April 9, 2012, regarding EPA's 2009 labeling initiative for pyrethroid non-agricultural outdoor products. EPA appreciates your feedback on this initiative and welcomes the opportunity to address the concerns raised by the Ohio Pest Management Association (OPMA). The goal of the 2009 labeling initiative was to limit offsite runoff of pyrethroid non-agricultural outdoor products while ensuring the application of these products in an efficient and efficacious manner to treat the target pests. The new good stewardship, best management practices, and environmental hazards label statements are meant to clarify how outdoor pyrethroid products are intended to be used by both professional pesticide control operators (PCOs) and residential consumers in residential, commercial, institutional, and industrial areas.

In general, the Agency believes that the label language in the 2009 initiative for pyrethroids is broad enough to cover a wide range of scenarios which may be encountered by PCOs in the field. When developing language such as that in the 2009 initiative, EPA gathers input from a various sources to consider a variety of perspectives and user needs, while allowing for enough flexibility and professional judgment to address unique and individual situations when they arise. When drafting the label statements for the 2009 initiative, EPA did seek and receive input from the states through SFIREG (the State FIFRA Issues Research and Evaluation Group) and the California Department of Pesticide Regulation, and from organizations such as the Pyrethroid Working Group and other pyrethroid registrants, the Consumer Specialty Products Association, Responsible Industry for a Sound Environment, and various other stakeholder groups.

In your April 9 letter, OPMA commented on the following label statement:

"All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

- (1) Treatment to soil or vegetation around structures;
- (2) Applications to lawns, turf, and other vegetation;
- (3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.”

OPMA Comment: *Our biggest concern is the substantial limitations of the allowable uses of pyrethroids for outdoor surface applications to structures. The concerns we have are with the effect that these limitations will have on our ability to provide effective control of occasional invaders, particularly spiders, box-elder bugs, Asian multi-colored lady beetles, cluster flies, and the recently increasing brown marmorated stink bugs. We feel that broader coverage is necessary to effectively control these target pests by directly contacting those pests that are resting on the structure at the time of the application and to provide an effective residual barrier against those target pests that will migrate to these areas following application... These applications are designed to prevent entry to the indoor environment of the property thereby limiting or eliminating the need for interior applications of pesticides.*

EPA feels that the label statement as-written provides a great deal of flexibility for PCOs in addressing the pest pressure to a given structure. The statement allows a 3-foot band on the structure starting from the ground up. Additionally, treatment is allowed around various points-of-entry for insects, such as windows, eaves, and doors. Lastly, by allowing spot and crack-and-crevice treatments to a building surface, the applicator can treat as needed and as appropriate in a specific situation. The intent of the labeling is to encourage a PCO to do an investigation, evaluation, and make a determination of the most appropriate treatment plan, pesticide product, and active ingredient to address unique and individual situations. The Agency feels that there are very few scenarios where it would be necessary to treat the entire side of a structure or other impervious surface in order to limit insects' points-of-entry. Targeting applications to where insects enter a home (cracks and crevices) and spot treatments for resting insects will result in less product applied, less offsite movement, and a cost savings to PCOs. If a PCO feels it is absolutely necessary to treat an entire impervious surface, other options such as non-pesticidal integrated pest management techniques and/or non-pyrethroid pesticide options may need to be investigated.

OPMA Comment: *Another aspect of these label changes / limitations is the concept that the treatment to the exterior surface of a home will contribute to runoff away from the structure. Our thinking is that what might run off a vertical exterior surface, will run off to the foundation area and/or the soil perimeter of the structure where an application is allowable.*

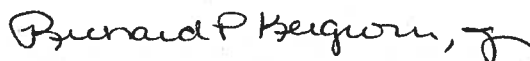
While it is true that in many “typical” suburban or rural residential areas, houses are surrounded by soil or grass that would catch runoff from an impervious vertical surface (like the side of a structure), there are many alternative scenarios where this is not the case (e.g., houses that are surrounded by sidewalks, driveways, and/or patios). When developing the 2009 initiative label language, EPA considered many scenarios, including houses in urban areas that are surrounded by concrete or paved areas. Additionally, the label statements apply to pyrethroid products used around institutional, industrial, or commercial areas that again would not typically be surrounded by soil or grass. Many individual outdoor pyrethroid products can be used in residential, institutional, industrial, and commercial areas, and therefore, the label must be protective of all types of application sites. As previously mentioned, perhaps one of the most important objectives of the 2009 labeling was to limit offsite runoff of pyrethroids and to encourage

applications that are well thought through and targeted to insects' points-of-entry. Those types of well evaluated and planned applications will result in less pesticide use overall.

EPA appreciates the opportunity to address OPMA's concerns and those of your PCO members. EPA recognizes that any time there are labeling changes, despite our best attempts at label clarity, there will be questions, clarifications, and unique situations that arise in the field. We are happy to receive and provide input, where appropriate, and believe that the flexibility inherent in the 2009 pyrethroid non-agricultural outdoor labeling initiative covers the scenarios OPMA has raised. Because the clarifications and interpretive guidance provided in this letter could apply to other stakeholders, the Agency plans to make this letter publicly available on our website for the 2009 pyrethroid non-agricultural outdoor product labeling initiative¹. In addition, considering that many of the pyrethroid labels containing the 2009 changes are currently making their way into the consumer market, the Agency is investigating ways to continue to reach out on a broader scale to states, PCOs, and other stakeholders to clarify these changes.

Please contact me again if you would like to discuss this matter further.

Sincerely,



Richard P. Keigwin, Jr., Director
Pesticide Re-evaluation Division
Office of Pesticide Programs

cc: Steven P. Bradbury, Director, Office of Pesticide Programs
Lois Rossi, Director, Registration Division
Monica Wait, Pesticide Re-evaluation Division
Richard Gebken, Registration Division
Marion Johnson, Registration Division

¹ <http://www.epa.gov/oppsrrd1/reevaluation/environmental-hazard-statment.html>