



**ENTOMOLOGICAL  
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**Report: August/September/October 2023**  
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## **EPA Announcements of Interest to ESA Members**

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

#### **Mitigation Measures for Insecticide Malathion to Protect Endangered Species:**

- A final biological opinion (BiOp) from the Fish and Wildlife Service (FWS) has been issued for insecticide malathion. This insecticide is an organophosphate with important use in the control of mosquito-borne illnesses. Malathion is also listed for the management of aphids, leafhoppers, and Japanese beetles, as well as by home gardeners for outdoor residential uses including vegetable gardens, fruit trees, and a variety of ornamentals.
- The final FWS BiOp identified 78 listed species that could be jeopardized or cause adverse modification of critical habitat with the use of this insecticide. Registrants involved in the consultation agreed to implement these measures by modifying their product labels, which now contain directions on how to apply the pesticide.
- The mitigation measures proposed include no-spray zones, reductions in application rates and the number of applications, and other changes to the labels.
- The mitigation measures are in accordance with the FWS BiOp, and after consultations between the EPA, NMFS, FWS, and the malathion registrants and with input from USDA, the FWS, and NMFS issued “no jeopardy”.
- More information about the registration review process can be accessed at <https://www.epa.gov/endangered-species/biological-opinions-available-public-comment-links-final-opinions-and-links>
- The Endangered Species Protection Bulletins, are available on the Bulletins Live! Two.

#### **Updated Risk Assessments for Chemical Acephate**

- Acephate is one of the 18 organophosphates, currently in registration review, with expected interim decisions between 2024-2026. This insecticide is organophosphate registered for both agricultural and non-agricultural use.
- EPA has released a revised human health draft risk assessment and refined drinking water assessment (DWA) for acephate. Based on a weight of evidence (WOE) approach, there is little to no evidence that acephate or methamidophos (formed when acephate is metabolized) are developmental neurotoxicants (i.e., chemicals that impact the normal development of the nervous system during pregnancy or childhood). Therefore, there is no additional risk when exposures to acephate or methamidophos occur in pregnant women or children.

- The benefits and alternatives of acephate are still under evaluation by EPA and is expected that next year a public comment period will be open following the publication of the acephate proposed interim decision (PID).
- More information can be accessed at [EPA-HQ-OPP-2008-0915](https://www.epa.gov/pesticide-registration/acephate-pesticide-registration).

### **Final Guidance for New Pesticide Applications and Registration Review Activities that Require Endangered Species Act Reviews**

- These guidelines are for new pesticide active ingredient applications and active ingredients undergoing registration review. They fulfill the requirements outlined in the Pesticide Registration Improvement Act of 2022 (PRIA 5) and does not create new requirements. The main goal is to help applicants address the potential effects of listed species for new active ingredients and registration review actions.
- The guidelines apply to new conventional pesticides and biopesticides that are intended for outdoor use; and conventional pesticides and biopesticides already in use that are intended for outdoor use and are or will be reevaluated under registration review.
- The guidelines list recommendations that focus on activities that applicants can voluntarily pursue to inform potential mitigation measures that address impacts to listed endangered species. These actions include identifying where a pesticide will be used, how species may be exposed to the pesticide, and how to recommend potential mitigation measures to reduce the exposure(s). If followed, EPA expects that these recommendations will help expedite EPA's consideration of the FIFRA action and improve the efficiency of the overall ESA-FIFRA process.
- More information can be found at [EPA-HQ-OPP-2023-0281](https://www.epa.gov/pesticide-registration/pesticide-registration-review-guidance)

### **Draft Guidance for Pesticide Submissions for New Outdoor Uses that Require Endangered Species Act Reviews**

- EPA has received 28 public comments for draft guidance for the Endangered Species Act (ESA) analyses for existing conventional and biopesticide pesticide active ingredients. The guidelines, when finalized, will fulfill requirements outlined in the Pesticide Registration Improvement Act of 2022 (PRIA 5). The goal is to provide guidance to registrants for the analyses necessary to support the evaluation of potential adverse effects from new outdoor uses of pesticide products on listed species and designated critical habitat.
- The draft guidance applies to new uses of existing conventional pesticides and biopesticides that are intended for outdoor use and does not create new requirements for registration. The guidance provides recommendations with focus on actions that applicants can voluntarily pursue to inform their proposed mitigation measures for listed species, such as identifying where a pesticide will be used, how species may be exposed to the pesticide, and how to select mitigation to reduce the exposure.
- The period for comments was closed on October 16, 2023 and more information can be accessed at [EPA-HQ-OPP-2023-0281](https://www.epa.gov/pesticide-registration/pesticide-registration-review-guidance)

### **New Labels for Cyantraniliprole to Better Protect Endangered Species**

- EPA has approved new labels for the insecticide cyantraniliprole that include new mitigations to protect federally threatened or endangered (listed) species.
- Insecticides with this active ingredient were first registered in 2014, and are adopted in several fruits, vegetables, and nut crops. It is recommended for the control the Asian citrus psyllid, lepidopteran pests, dipteran leafminers, fruit flies, beetles, whiteflies, thrips, aphids, leafhoppers, psyllids, and weevils. The non-agricultural uses include turf and ornamental plants.
- This insecticide is considered less disruptive to some non-target insects than some insecticide alternatives. Also, it is used in rotation of mode of action of insecticides, in insect resistance

management programs, for being an alternative to neonicotinoids (or other insecticides) and consequently reduce the pressure for resistance selection in population of target pests.

- The EPA final BE has been completed and the registrants have agreed to add additional mitigation measures, including: use of spray nozzles that result in medium to coarser droplets, resulting in risk of drift with the wind; maintenance of a 25- to 50-foot distance from waterbodies during ground and aerial applications, respectively, to protect aquatic species and habitats; maintenance of a 25-foot buffer around a crop when using a sprayer that uses high-speed air to deliver pesticides, named “airblast” sprayer; use the method that accounts for the wind and proactively applies less pesticide to certain areas of a field where spray drift is likely to occur, named swath displacement; and requirement of additional aerial buffers to protect 18 listed species and two critical habitats listed on EPA’s [Bulletins Live Two! Website](#).
- The EPA Biological Evaluation (BE) determined that cyantraniliprole is likely to adversely affect listed species and critical habitats, and formal consultation with the U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) has been initiated. The services will provide their biological opinions, including their final determinations of whether the use of cyantraniliprole jeopardizes any listed species or adversely modifies any critical habitat.
- More information can be found at [EPA-HQ-OPP-2011-0668](#)

### **Upcoming/Future Activities:**

#### **EPA is hosting a webinar on understanding Bulletins Live! Two system**

- Bulletins Live! Two (BLT) is a tool to search for geographically specific pesticide use limitations to protect certain listed species. Under the Endangered Species Act (ESA), BLT website provides information regarding specified mitigations for the intended pesticide application area. The objective is to ensure that pesticide registrations do not jeopardize the continued existence of federally listed species or adversely modify their designated critical habitats.
- The public webinar will be on Thursday **November 9, 2023, from 2-3:00 p.m. EST**.
- The objective of the webinar is to provide an overview and access of the Bulletins Live! Two system.
- During the webinar, EPA staff will: describe how Bulletins relate to pesticide labeling; explain the use of Bulletins Live! Two to determine if there are geographically specific mitigations for intended pesticide application areas; demonstrate Bulletins Live! Two using malathion as an example; address frequently asked questions.
- Registration can be submitted in the link [Register here](#).