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**Subject:** Labeling

Attached are comments on the draft PR notice on Labeling for Mosquito Adulticides. Carl, I tried to incorporate your concerns as best as I could. I do not believe having a public agency declare an emergency is a real problem. In our area which has floods, hurricanes, etc it is not an unusual occurrence.

Joanne: you may send it out to the AAPSE listserv and ask for comments. Our comments have to be in to EPA by July 17th. If there are no comments within a few days we can send it on the EPA.

Mary

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## **ATTACHMENT: COMMENTS FROM AAPSE TO EPA PR NOTICE ON LABELING FOR MOSQUITO ADULTICIDES – 7/17/04**

The American Association of Pesticide Educators (AAPSE) has reviewed the Draft Pesticide Registration Notice 2004-XX “labeling Statements on Products Used for Adult Mosquito Control and offers the following comments for your consideration.

**Recommendation 1.** *“For use by federal, state, tribal or local government officials responsible for public health pest or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide agency to perform adult mosquito control applications, or persons under their direct supervision.”*

Does this mean that federal, state, tribal or local government officials do not need to be trained and/or certified? Would classifying all adulticides as Restricted Use Pesticides solve a problem with unqualified persons applying these products? AAPSE recommends making all mosquito adulticides as Restricted Use Pesticides.

**Recommendation 2.** *Products labeled for wide-area adult mosquito control should not include container labeling for uses unrelated to mosquitoes. The standard terrestrial use water hazard statement should not appear on product containers labeled solely for mosquito control. If a container label includes non-mosquito use directions, those directions and associated precautions should be clearly distinguished from those applicable to mosquito. The terrestrial use statements on a mixed-use label should be followed by the statement “See separate directions and precautions for mosquito control applications.”*

AAPSE fully supports the recommendation for separate mosquito-use labels. If this is untenable then the separate directions and precautions should be clearly delineated so that there can be no confusion.

**Recommendation 3.** *This pesticide is [toxic/extremely toxic] to aquatic organisms, including [insert types of organisms]. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to [insert types of organisms]. [If appropriate, insert any additional wildlife statements]. ] Bee precaution can be inserted here or as a third paragraph of this section of the label]. [Insert consultation with state/tribal agency statement].*

*Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except to target areas where adult mosquitoes are present. Do not contaminate bodies of water when disposing of equipment washwaters.*

Once the statement is made in reference to the product being toxic or extremely toxic organisms and in order not to become too wordy, a statement could be added along the line

of: “When used according to all labeling instructions this product presents no unreasonable adverse effects on human or environmental health.”

If the mosquito control officials are following an Integrated Mosquito management Plan, they will never spray without surveillance data showing the present of adult mosquitoes, therefore the second statement is superfluous.

**Recommendation 4.** *Before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if permits or other regulatory requirements exist.”*

Wouldn't making all mosquito adulticides RUPs solve this problem? The State Lead Agency would be able to stay in touch with all mosquito control applicators.

If this statement remains, please do not use the word “permits”, it has many negative connotations.

**Recommendation 5.** *Equipment should be calibrated so that no more than [percentage to be provided by the registrant] % of the spray volume is contained in droplets larger than 50 microns( $\mu\text{m}$ ) in diameter and nor more than [percentage to be provided by the registrant]% is contained in droplets larger than 100 microns in diameter. For aerial applications, directions from equipment manufacturers provide the best guidance and should be used for droplet size calibration. Droplet size measurements made by applicators using slides, paper, or other surfaces should not be used in lieu of the manufacturer's instructions for calibrating equipment to the required droplet size, but should be used regularly to ensure that equipment is performing consistently from application to application.*

This statement appears to be far too general and too specific at the same time; therefore, it becomes unenforceable from a regulatory perspective and makes an educational program more difficult.

Droplet size is variable depending the type of application and should be determined by the product manufacturer and the mosquito control professional.

**Recommendation 6.** *[when bees are visiting the treatment area], except when applications are made to prevent or control an imminent threat to public and/or animal health declared by state, tribal, or local health or vector control agency, or if specifically approved by the state or tribe during a natural disaster recovery effort.*

Label should clearly state that this refers to apiculture not wild bees.

**Recommendation 7.** *Do not retreat a site more than once [X hours/days; no more than [Y] applications should be made to a site in any [Z weeks/months]. More frequent treatments may be made to prevent or control an imminent threat to public and/or animal health*

*declared by state, tribal or local health or vector control agency, or if specifically approved by the state or tribe during a natural disaster recovery effort.*

While understanding the Agency's need for data to conduct risk assessments, statements like this do not take into consideration the principles of Integrated Mosquito Management programs. Neither does it take into account the differences in biology and ecology among the various species of mosquitoes. The purpose might be best served by a statement informing the user to apply the product based on the principles of Integrated Mosquito Management and include a maximum amount not to be exceeded in a certain frame of time.

Thank you for allowing the membership of AAPSE to comment on the Draft Pesticide Registration (PR) Notice 2004-XX "Labeling Statements on Products Used for Adult Mosquito Control. AAPSE is dedicated to the safe and effective use of pesticides and to that end is very concerned about label language being clear, not ambiguous and enforceable.