

**Notice of Proposed and Final Decisions  
and Public Reports**

**Volume 2023-10  
March 10, 2023**

**Department of Pesticide Regulation  
Pesticide Registration Branch**

## NOTICE OF FINAL DECISIONS TO REGISTER PESTICIDE PRODUCTS AND WRITTEN EVALUATION

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Pursuant to Title 3, California Code of Regulations section 6255, the Director of the Department of Pesticide Regulation (DPR), files this Notice of Final Decisions to Register Pesticide Products with the Secretary of the Resources Agency for posting. This notice must remain posted for a period of 30 days for public inspection. Between the time DPR posts a proposed registration decision for public comment and DPR makes a final decision regarding the product, non-significant changes may be made to the product label (e.g., revising the product name, changing a master label to an end-use marketing label, correcting typographical errors). If the changes are not significant, DPR will not re-notice the product for public review and comment. However, if significant changes are made to the product label that substantially affect DPR's analysis on direct or indirect significant adverse environmental or human health impacts that can reasonably be expected to occur from the proposed decision, DPR will re-notice the product label for public review and comment.

In addition, for any product that is posted proposed to register as a conditional registration, the registrant may address the conditions of registration by providing the appropriate data or modifying the product label (e.g., remove use site, add "not for use in California" to a use site) during the posting period. If the registrant adequately addresses the conditions of registration during the posting period and the resulting change to the product label is not significant such that DPR must re-post the product label for review and public comment, DPR will post the product below, but will no longer have a "conditional" designation by the registration type.

For information about submitting a request for any documents related to this notice, please visit [https://www.cdpr.ca.gov/public\\_r.htm](https://www.cdpr.ca.gov/public_r.htm).

To view the public report that was issued when the product was proposed for registration, click on the hyperlinked Tracking Number for the product.

*Tracking Number with hyperlink to public report – (EPA Registration Number)  
Applicant / Brand Name*

[301959](#) - (62719 - 442)

CORTEVA AGRISCIENCE LLC

INTREPID 2F

USE: INSECTICIDE - FOR THE CONTROL OF INSECTS SUCH AS ARMYWORMS, CUTWORMS, AND WEBWORMS ON CROPS SUCH AS COTTON, DATES, APPLES, BLACKEYED PEAS, NAVY BEANS, AND PEANUTS

TYPE: SECTION 3 LABEL AMENDMENT - TO ADD USE ON RICE

ACTIVE INGREDIENT(S):

METHOXYFENOZIDE

CAS NUMBER(S): 161050-58-4

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[304207](#) - (264 - 1078)

BAYER CROPSCIENCE LP

VELUM ONE

USE: FUNGICIDE, NEMATOCIDE - FOR THE SUPPRESSION OF PESTS AND DISEASES SUCH AS POWDERY MILDEW, WHITE ROT, AND NEMATODES ON CROPS SUCH AS BRASSICA LEAFY VEGETABLES, MELONS, TREE NUTS, TOMATO, STRAWBERRY, AND PUMMELO

TYPE: SECTION 3 LABEL AMENDMENT - TO REVISE THE FIRST AID SECTION, TO REVISE THE DIRECTIONS FOR USE, AND TO BOLD PRINT AND CAPITALIZE "DO NOT" THROUGHOUT THE LABEL, TO ADD DISEASES SUCH AS PINK ROOT, WHITE ROT, FUSARIUM WILT AND TO ADD CROPS SUCH AS COTTON, SMALL BERRIES, STRAWBERRY, AND OTHER LOW-GROWING BERRIES

ACTIVE INGREDIENT(S):

FLUOPYRAM

CAS NUMBER(S): 658066-35-4

### **Written Evaluation**

Pursuant to Title 3, California Code of Regulations section 6254, this notice includes a written evaluation of significant environmental points raised in comments submitted during the review and comment period required by Title 3, California Code of Regulations section 6253. DPR received comments raising human health and/or environmental concerns from Karen M. Newton, P.E. of the Sacramento River Source Water Protection Program in response to DPR's September 2, 2022, Notice of Proposed and Final Decisions and Public Reports, Vol. 2022-35; Track ID 301959. A summary of the points raised and DPR's response are provided below.

### **Summary and Response to Comments Received**

**Comment:** The Sacramento River Source Water Protection Program expressed concern whether additional applications of methoxyfenozide on rice would result in higher concentrations in surface waters upstream of drinking water intakes creating the potential to harm human health via the drinking water exposure route. The commenter raised concerns over the frequency of methoxyfenozide detections as well as increasing use of the product, citing detections of methoxyfenozide reported in DPR's 2020 Surface Water Monitoring for Pesticides in Agricultural Areas of Northern CA study as well as in samples analyzed from several Sacramento-San Joaquin Delta surface water monitoring sites in 2021 (at concentrations ranging from 2-111 ng/L [ppt]). However, the commenter referenced the U.S. Environmental Protection Agency's (U.S. EPA's) updated 2016 human health risk assessment for the proposed use of methoxyfenozide on rice in California and acknowledged U.S. EPA did not identify any risks to human health via dietary exposure to methoxyfenozide from the use on rice. The commenter also acknowledged methoxyfenozide is currently registered for use in California as an insecticide on a number of other crops and has been permitted for use on rice in California through recurring Section 18 emergency use exemptions since 2015. In addition, the letter requests DPR to amend its human health evaluation and consider the potential human health impacts related to drinking water consumption of methoxyfenozide in the product-specific public report.

**DPR Response:** Intrepid 2F is an insecticide containing the active ingredient methoxyfenozide. This product has been registered with DPR since 2003 and is currently registered for use on a variety of crops and crop groups such as caneberries (crop subgroup 13-07A), citrus fruits (crop group 10-10), cucurbit vegetables (crop group 9), and fruiting vegetables (crop group 8-10). This product has been permitted for use on rice in California through recurring Section 18 emergency use exemptions from registration since 2015. The registrant is requesting to amend the registered label for Intrepid 2F to add the use on rice to control armyworms, a use that has been permitted under the Section 18 emergency exemption from registration from 2015-2022, and also make other minor labeling updates and formatting changes.

DPR issued a [public report](https://cdpr.ca.gov/docs/registration/nod/public_reports/301959.pdf) in support of its proposed decision on September 2, 2022, <cdpr.ca.gov/docs/registration/nod/public\_reports/301959.pdf>. As stated in the public report, "Overall, the existing environmental hazards statements, spray drift management requirements, buffer zones, and use restrictions are appropriate to support the addition of rice at application rates consistent with crops on the currently accepted label." As shown through required interim

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use reports of the product under the Section 18 emergency exemption, the applicant has not reported any adverse effects from the use of this product on rice during the period the Section 18 was authorized. Based on DPR's assessment, DPR concluded it does not expect the proposed addition of rice to the label will have a significant adverse effect on water quality.

As the commenter acknowledged, detections of methoxyfenozide in surface water were at low levels, despite the use of methoxyfenozide on rice being permitted since 2015. The commenter also acknowledged that due in large measure to "diligent implementation of mitigation in the form of management practices by California rice growers," the frequency and detected levels of rice pesticides in surface water have significantly reduced in recent years.

Due to the specific irrigation practices associated with rice cultivation and the potential for these practices to create pathways for pesticides to enter surface water, DPR thoroughly evaluates rice pesticides for potential adverse impacts to surface water quality. Prior to approving the Section 18 emergency exemption use of methoxyfenozide on rice, DPR conducted modeling and determined there were no unacceptable risks to surface water quality and aquatic organisms.

As stated by the commenter, U.S. EPA's updated 2016 human health risk assessment for the proposed use of methoxyfenozide on rice in California did not identify any risks to human health via dietary exposure to methoxyfenozide from use on rice. With some limited exceptions, DPR typically conducts a comprehensive human health risk assessment, which includes a drinking water exposure assessment, for approved uses of an active ingredient after registration as part of the required continuous evaluation process. Therefore, in general, DPR does not reference drinking water exposure assessments in a product-specific public report. In light of the commenter's specific concerns about the potential for rice pesticides to impact drinking water sources, DPR scientists analyzed surface water detections of methoxyfenozide over an eight-year period (2012-2020). The highest level of methoxyfenozide residues detected in surface water during the 2012-2020 period occurred in 2012, notably three years prior to the issuance of the Section 18 use on rice. In addition, DPR evaluated concentrations of methoxyfenozide that could potentially result from applications of this product to rice based on the maximum application rate on the proposed label. After analyzing the highest concentrations of methoxyfenozide residues detected in surface water over an eight-year period, the concentrations of methoxyfenozide that could potentially result from the use of the product on rice at the maximum application rate, and the maximum detected concentration from monitoring sites in 2021 provided by the commenter, DPR does not expect the use of this product on rice to pose a risk to human health from the drinking water exposure route.

DPR will continue to evaluate pesticides registered for use in California and will take necessary action if it receives information identifying significant adverse effects to human health or the environment from the use of this product. If the commenter has any data indicating a significant adverse effect to human health associated with drinking water exposure to methoxyfenozide, DPR requests the commenter to submit this information for evaluation.

DPR reviewed the submitted comments and determined the proposed label amendment meets current regulatory requirements for registration in California. DPR scientists reviewed the proposed project, data submitted, and the proposed label amendment for this project's potential

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to cause a significant adverse impact on the following: human health, flora (plants), fauna (fish and wildlife), water, and air. Based on its review, DPR does not expect use of this product in accordance with the label and all applicable use restrictions in regulation will result in a significant adverse impact to human health or the environment. Therefore, DPR is proceeding with the decision to accept the label amendment submitted by Corteva Agriscience LLC for its product, Intrepid 2F, EPA Reg. No. 62719-442.

*Original signed by* \_\_\_\_\_  
Tulio Macedo, Chief  
Pesticide Registration Branch

*03/09/2023* \_\_\_\_\_  
Dated

## **NOTICE OF FINAL DECISIONS TO DENY PESTICIDE PRODUCTS**

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Pursuant to Title 3, California Code of Regulations section 6255, the Director of the Department of Pesticide Regulation (DPR) files this Notice of Final Decisions to Deny Pesticide Products with the Secretary of the Resources Agency for posting. Unless specified, the reason for denial is that the required data was not submitted, was determined to be inadequate, or there was a likelihood of a significant adverse environmental effect anticipated from the use of these products in a manner consistent with its label. This action will not have a significant adverse impact on the environment. This notice must remain posted for a period of 30 days for public inspection. For information about submitting a request for any documents related to this notice, please visit [https://www.cdpr.ca.gov/public\\_r.htm](https://www.cdpr.ca.gov/public_r.htm).

*Tracking Number – (EPA Registration Number)*

*Applicant*

*Brand Name*

**None to report.**

*Original signed by*

\_\_\_\_\_  
Tulio Macedo, Chief  
Pesticide Registration Branch

*03/09/2023*

\_\_\_\_\_  
Dated