

Annual Meeting: Schlect steps down as long-time chairman

MCFA's founding Chairman Christian "Chris" Schlect presided over his last Annual Meeting on Feb. 3. Schlect has chaired MCFA since it was established in 1991 to ensure the specialty crop community can access safe, effective crop protection chemicals. During that time, the U.S. Environmental Protection Agency has had seven [administrators](#) and U.S. Department of Agriculture has had eight [secretaries](#). Schlect will continue to serve as president of the Northwest Horticultural Council until he retires in June 2017.

Attending members elected Phil Korson of the Cherry Marketing Institute to succeed Schlect as MCFA's Chairman; Korson previously served as Vice Chair. Terry Humfeld of The Cranberry Institute was elected Vice Chairman. Treasurer Robert Guenther of the United Fresh Produce Association, and Secretary Jim Cranney of the California Citrus Quality Council were re-elected to their positions. Ed Ruckert of McDermott, Will & Emery continues as MCFA legal counsel, and Julia Stewart of Clarity Communications LLC continues her communications role.

Members also approved a work plan and budget for 2016, which is expected to be a pivotal year for MCFA's work in light of a significant shift underway in Environmental Protection Agency (EPA) pesticide policy (see [related story](#)).

Anticipating an immediate need for MCFA to begin work to urge EPA to return to science-based decision-making, attendees discussed raising additional membership funds. Current MCFA members are asked to consider increasing their contribution to the group, and/or recruiting new members. Contact Chairman [Phil Korson](#) or Vice Chairman [Terry Humfeld](#) for information. ■

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Chlorpyrifos proposal signals significant EPA policy shift for FQPA safety finding

An EPA proposal to revoke food residue tolerances for the organophosphate chlorpyrifos is raising widespread concern within MCFA that EPA is making a fundamental policy shift away from science-based, risk-based pesticide safety decisions toward a hazard-based, precautionary principle approach.

EPA [proposed](#) to revoke all tolerances for chlorpyrifos in November 2015, citing a judicial order causing the agency to forego completion of its ongoing risk assessment for the chemical. In making the case for imposing an additional 10x FQPA uncertainty factor to protect vulnerable populations, the agency cited essentially three epidemiological articles that suggest human health risk from drinking water exposure. The data upon which the articles are based is not available for the agency's or the public's review. In the process,

EPA ignored the substantial number of existing, guideline animal toxicity studies that do not support the findings of the three epidemiological articles. The agency also ignored other epidemiological reports that reached conclusions contrary to the three articles.

MCFA's comments to the agency cited the weakness of those epidemiological sources, writing, "the agency is replacing scientific results with guesswork." MCFA also took issue with the agency's use of unrefined models to estimate drinking water exposure when substantial real-world water monitoring data are available which do not support the conclusions of the models. MCFA also expressed its disappointment with the agency's refusal to extend the comment period to allow meaningful public review. The Canadian government also challenged EPA's science, and warned that a major trade issue

would result if EPA proceeded as planned. In addition, the EPA proposal received comments from everyday growers concerned about the proposals potential impacts.

Rising concern that EPA is setting precedent with chlorpyrifos that it will use to review other crop protection tools was evident at the MCFA Technical

Committee's Feb. 2 meeting, and the group's Annual Meeting on Feb. 3. "If left unaddressed, a train wreck is coming involving not only chlorpyrifos, but also other products that require a tolerance," MCFA Legal Counsel Ed Ruckert warned Technical Committee members.

View MCFA's comments to EPA on MCFA's [web page](#). ■

Technical Committee discusses urgent need to impact EPA direction

Pointing to increasing indications that EPA is moving away from transparency, predictability and sound science, at their Feb. 2 meeting Technical Committee members agreed there is an immediate need to encourage the agency to return to its roots. A subcommittee was established under direction of the Technical Committee Chairman to develop an action plan to address this issue.

"There is an ongoing, systemic misapplication of the approach the agency is supposed to be taking, that needs to be fixed," MCFA Legal Counsel Ed Ruckert told Technical Committee meeting attendees.

CALL TO ACTION: To volunteer to assist with developing and executing this work plan, contact MCFA Technical Committee Chairman [Dan Botts](#). ■

Endangered Species Act stakeholder meeting postponed to allow feedback on biological evaluations

A federal Endangered Species Act (ESA) workshop planned for January to solicit stakeholder input on pesticide issues has been postponed until spring, to allow development of a robust and meaningful agenda.

MCFA has been working with EPA to help develop that agenda. From MCFA's perspective, a fundamental outcome of such a workshop is increased transparency concerning how pesticide ESA evaluations are conducted – including the assumptions made, the information to be inputted into the evaluation, and the standards to be used in reaching ESA conclusions about whether a pesticide presents a risk to adversely affect a protected species.

The one-day stakeholder meeting was postponed only a few days before it was scheduled to begin on Jan. 25. EPA, Fish and Wildlife Service and National Marine

Fisheries Service are jointly sponsoring the meeting. Agency representatives reported it will be replaced with a two-day meeting later this spring, to be held after the agencies have released draft biological evaluations for several pesticides that are being used as test cases for developing new pesticide consultation procedures.

CALL TO ACTION: Technical Committee Chair Dan Botts noted it will be critical for MCFA to review and comment on the biological evaluations; to volunteer, members are asked to [contact him](#), Botts also encouraged MCFA members to participate in the workshop.

In the interim, the Technical Committee will continue to provide input to the federal agencies regarding how the workshops should be structured. ■

MCFA members urged to comment on neonicotinoid pollinator risk assessment by April 14

MCFA members are urged to review and comment on EPA's [preliminary pollinator risk assessment](#) for imidacloprid, the first of four neonicotinoid insecticides being reviewed for potential effects on bees. Comments on the [preliminary risk assessment](#) must be submitted by April 14. The revised pollinator risk assessment was generated as part of EPA's routine registration review of all ecological effects of imidacloprid.

Neonicotinoids have become lightning rods in the increasingly political debate about pollinator health.

Future MCFA Meeting Dates

- **MCFA Technical Committee:** The committee tentatively will meet in conjunction with the California Specialty Crops Council's [MRL Workshop](#), which is scheduled for June 3-4 in San Francisco. Details to follow at a later date.
- **Informal MCFA membership meeting:** October 13 at 2 pm, Orlando Convention Center, Orlando, Florida (in conjunction with PMA's Fresh Summit)

MCFA is now [online](#)

Interest groups have filed litigation over the past few years challenging registration of various neonicotinoids, including challenging EPA's approval of their use in seeds. In addition, in September 2015, environmental groups celebrated a [federal appeals court decision](#) blocking use of another new insecticide sulfoxaflor. The court found EPA's analysis did not adequately reflect that it understood the potential effects of sulfoxaflor on bees prior to the agency's registration of the product, and the reasonableness of the conditions protecting

pollinators that EPA had established as a condition of sulfoxaflor's registration.

The potential effects of pesticides on pollinators are expected to dominate the regulatory landscape for some time. This may well impact the products that may be available to growers to assist them with pest problems, and the conditions for those products' use.

For more information, contact Technical Committee Chairman [Dan Botts](#). ■

Pollinator labeling working group efforts progress

MCFA continues to work with the American Beekeeping Federation, American Honeybee Association, applicators and the registrant community to identify common ground to safeguard pollinator health while also ensuring the specialty crop community has continued access to effective crop protection tools. Coalition members plan to identify 1-2 research projects on which USDA should focus its study of pollinator impacts.

For more information, contact MCFA Technical Committee Chairman [Dan Botts](#). ■

Members asked to advise MCFA on EPA's Worker Protection Standard final rule

MCFA members are asked to review EPA's Worker Protection Standard (WPS) final rule and advise the Technical Committee if complying with the rule will pose undue impacts.

In February 2014, EPA proposed to update the 1992 standard, which is designed to protect agricultural workers and their families from pesticide exposure. MCFA submitted extensive comments on the proposed rule. The agency issued its final rule on Nov. 2, 2015. The rule went into effect Jan. 3 of this year, with a two-year phase-in of its requirements.

"It is apparent that the agency bent over backwards to address our heartburn points," MCFA Technical Committee Chairman Dan Botts told committee members at that group's Nov. 18, 2015 meeting.

CALL TO ACTION: MCFA Legal Counsel Ed Ruckert recommended that members read the summary of the [final rule](#), and advise MCFA on potential undue burdens that the rule may create for them.

For more information, contact MCFA Technical Committee Chairman [Dan Botts](#). ■