

Crop Protection Product Harmonization and Registration Board
Minutes of February 10, 2012 Meeting

The North Dakota Crop Protection Product Harmonization and Registration Board met at 1:00 pm on February 10, 2012, in the Greenhouses on the campus of NDSU in Fargo, ND.

Board Chairman Jeff Topp called the meeting to order at 1 p.m.. Board members in attendance included Chairman Jeff Topp, Agriculture Commissioner Doug Goehring, Terry Weckerly, Tracy Boe, Stan Buxa, Troy Bassingthwaite, and Dr. Kenneth Grafton. Senator Terry Wanzek, Representative Mike Brandenburg and Ivan Williams were absent. A quorum was declared. Note that while he was absent for the initial roll call, Rep. Mike Brandenburg was present for much of the meeting.

Others individuals present during all or part of the meeting included Jim Gray (NDDA), Amanda Hayen (NDDA), Dan Wogsland (ND Grain Growers Association), and persons filing final reports or submitting funding requests.

It was noted that the ND Department of Agriculture had filed a notice of meeting with the ND Secretary of State, and a copy of the agenda was posted next to the main entry to conference room in the hallway.

I. Approval of Minutes. Goehring moved to approve the minutes of the board meeting on July 28, 2011; seconded by Weckerly. All voted in favor. Motion carried.

II. Budget Report. Topp requested that Gray give a summary of the Minor Use Fund. Spreadsheets were distributed to those who did not have a copy with them. Gray reported that the Minor Use Fund ended the 2009-2011 biennium with a balance of \$27,859.81 which is carried over to the 2011-2013 biennium. The legislature appropriated \$200,000 of EARP funds into the Minor Use Fund to begin the 2011-2013 biennium with a total of \$227,859.81. Expenditures and obligations made during the current biennium total \$73,615, leaving \$154,244.81 available in the Minor Use Fund.

Gray then provided a summary of the harmonization grant program. These funds do not carry over from one biennium to the next. The board started the 2011-2013 biennium with a balance of \$75,000. Operating expenses (salary and travel) to date total \$889.95 and harmonization grant payments of \$13,216 have been made to the Grain Growers Association for E-Tour, leaving \$60,894.05 for the remainder of the 2011-2013 biennium.

III. Reports from Previously Funded Minor Use Fun Projects. The Board was provided written reports for the following previously-funded Minor Use Fund projects:

- A. Evaluation of Fungicides and Fungicide Timing for Management of Phomopsis in Sunflowers (MUF-01-10): Dr. Sam Markell, NDSU
- B. Evaluation of Fungicide Efficacy and Timing for Control of Sunflower Rust in Early Onset Epidemics (MUF-02-10): Dr. Sam Markell, NDSU

- C. Evaluation of Fungicides for Management of Pasma Disease in Flax (MUF-02-11): Scott Halley, NDSU
- D. Evaluation of Fungicide Efficacy for Management of Alternaria blight of safflower (MUF-04-11): Dr. Michael Wunsch, NDSU
- E. Evaluation of Application Rates of the Fungicide Boscalid for Management of Ascochyta Blight of Chickpea (MUF-05-11): Dr. Michael Wunsch, NDSU

Topp requested that presenters in the room who received grant funds during 2011 give a synopsis of their projects. Scott Halley offered to answer questions for Dr. Sam Markell's projects as he was very involved and knowledgeable of those projects. Scott Halley and Michael Wunsch gave final reports on their studies.

Gray stated that five Minor Use Fund requests were reviewed at the April meeting and funded at half of the requested amounts. An additional request from Dr. Richard Zollinger was tabled, but he was encouraged to resubmit request for next meeting when new biennium funds would be available. The five requests half funded in April were reviewed and partially approved at the July meeting in the amount of \$21,680: Halley (Fungicides for pasmo in flax; \$6,088), Hatterman-Valenti (Weed control in onion; \$10,414), Wunsch (Boscalid on chickpea; \$5,178). Dr. Zollinger's proposal was reviewed and funded in full.

Researcher & Project	Amt Requested: April 2011	Amt Approved April 2011	Amount Approved July 2011
Markell (Fungicides for common bean rust)	\$15,002	\$7,501	Dr. Markell was able to secure other funds and requested that his colleagues be given consideration for Harmonization funds for their projects. \$0
Halley (Fungicides for pasmo in flax)	\$12,175	\$6,088	\$6,088
Hatterman-Valenti (Weed control in onion)	\$20,828	\$10,414	\$10,414
Wunsch (Fungicides for Alternaria on safflower)	\$25,031	\$12,516	Dr. Wunsch was asked to contact Oilseed Council for funds which were secured.
Wunsch (Boscalid on chickpea)	\$10,355	\$5,178	\$5,178
Zollinger (Bean and Sunflower)	\$25,000	0	\$25,000

Goehring moved to approve the final reports and pay any remaining funding balances. Seconded by Boe. Motion carried by voice vote.

IV. Consideration of New Minor Use Fund Proposals. Topp asked Gray to go through the newly-developed scoring sheet that will be used when considering all new Minor Use Fund requests. Gray stated that the scoring is being implemented because the Office of Management and Budget's review of the Board's administrative rules.

The scoring is based on a scale of 0-100. Each voting board member will score each proposal request, the scores will be compiled and further discussion can be held prior to voting. The scoring is broken down into categories of Relevance to Areas of Emphasis (maximum 30 points), Overall Merit and Quality of Proposal (maximum 25 points), Feasibility of Completing Project Objectives Within Stated Timeframes (maximum 15 points), Appropriateness of Requested Budget (Maximum 15 points), Matching Funds (maximum 15 points). Topp asked the group whether they want to score and discuss proposals after each is given or if all proposals should be heard, then scored and discussed. Commissioner Goehring stated that other committees have similar scoring and it is helpful to write key points, opinions, and other notes as proposals are presented, then score all and discuss as a group. Topp noted that the time left in the biennium is appropriate for one to two more meetings and the proposals that may come up in the future may have more merit than those before the board today and funds are limited through the end of the biennium. Gray asked the group whether a total cumulative score or average should be used. Goehring stated cumulative score.

Gray referred board members to Tabs I through M in the meeting folders which included the following proposals:

- a. *Evaluation of Fungicides for Management of Blackleg Disease in Canola:* Scott Halley, NDSU (Tab I)
- b. *Pyroxasulfon Registration on Sunflower:* Dr. Rich Zollinger, NDSU
- c. *Evaluation of Fungicides and Fungicide Rotation Strategies for Management of Ascochyta Blight of Chickpea:* Dr. Michael Wunsch, NDSU
- d. *Evaluation of Fungicides for Management of Foliar Blights of Lentils:* Dr. Michael Wunsch, NDSU
- e. *Evaluation of Fungicide Efficacy for Management of Sclerotinia Head Rot on Sunflower:* Dr. Michael Wunsch, NDSU

Topp asked each person requesting funds to provide a brief oral presentation on the proposed research project.

A. Halley: Fungicides for Management of Blackleg in Canola

Scott Halley gave a background on canola growers in Langdon. Blackleg has new pathogen groups that have not been tested and are devastating to fields. Two fungicides available are Headline and Quadris, but they are expensive and Headline is not effective. The hope from the proposed study is that it will result in something new being registered or that something existing can add the canola crop as a use. Fungicide research for blackleg was fully funded by the Northern Canola Growers last year, but sufficient checkoff dollars were not available this year.

Halley stressed the need to be proactive in treatment. Canola growers have offered \$10,000 and the funds requested from the Minor Use Fund is for cost of inoculant and NDSU testing sites to be set up. The proposed project cost was \$24,000, with \$10,000 coming from the Northern Canola Growers and \$14,000 from the Minor Use Fund. Propalis is a product available for testing and Approach is close to production, but anything that can be found effective is an option. Bassingthwaite asked Halley to break down where funds are to be used. Halley stated that multiple locations will be necessary to prove efficacy and testing required over the course of two years. There are many compounds, combinations of products, and different rates. Topp stated that it looked like Halley was simply looking for a 1-year funding bridge until the canola checkoff dollars were available next year.

B. *Zollinger: Pyroxasulfone on Sunflower*

Richard Zollinger gave the background for research to get pyroxasulfon registered for use at an earlier date for use on sunflowers. The proposal was for a registration project with EPA and USDA-IR4. The chemical controls 36 weeds following preemergence application. The company that owns the product, Kumiai, has focused its efforts on registering the product on corn and soybean. Kumiai will support use on sunflowers, but requested the Department of Agriculture support funding so it can be registered for use on sunflowers by late spring or early summer. BASF has approval to market for sunflowers under the trade name Zidua, while two other companies have product marketing rights that do not include use on sunflowers. Zollinger has been in contact with BASF by email. Spartan and Pyrosulfon mix for weed control has been found safe on corn, soybeans and sunflowers. Zollinger requested \$125,900 to conduct residue studies in support of the sunflower registration.

Goehring said that it sounds like a wonderful product and asked why Kumiai has disregarded sunflower use. Zollinger stated they want corn and soybean use approval first. Goehring stated that approving this funding may set precedent as a new way of doing business. It was also stated that if BASF can market the product for \$12 an acre, it is hard to see why the Board should pay for the product registration when BASF has the ability to make millions of dollars. Weckerly stated that the chemical sounds like a fantastic tool for sunflower growers, but was similarly puzzled why BASF can't cover the costs. Weckerly also questioned why this would be considered to be a minor use. Topp reminded the board that the proposal and merits will be weighed in the scoring. Buxa stated that it ranks high on priority. Boe stated that the product will likely end up on acres legally or not. Goehring stated that the USDA recognizes sunflowers as minor crop, but North Dakota is the top producer in the United States.

C. *Wunsch: Evaluation of Fungicides for Management of Ascochyta on Chickpea*

Michael Wunsch gave the background for the research proposal to fight Ascochyta blight in chickpeas. Blight can cause total yield losses if left uncontrolled. No cultivars have complete resistance to Ascochyta blight. The genes are going toward pathogen resistance to Proline and all Group 3 fungicides. Strobilurin fungicides have lost efficacy against Asochyta. The only fungicides still working without resistance are carboxamide fungicides, which have been used minimally on chickpea. The project's goals are to design fungicide resistance management strategies and facilitate the registration of additional fungicides with alternate modes of action.

The projected cost of the research is \$28,000. The request for Minor Use funds is \$14,000, while the remaining \$14,000 will be requested of the Northern Pulse Growers Association. Funds requested are to conduct field trials at three locations, one of which has irrigation to ensure disease development in the event of dry weather.

Research is needed to identify the optimal rotation of fungicide chemistries. Goehring asked if anybody is doing chickpea breeding to convey resistance. Dr. Grafton stated they have been working with breeders for four to five years and they are starting to identify more resistant varieties. Weckerly asked about rotation. Wunsch stated that two to four years is recommended depending on climate. Boe asked what happens if Wunsch is granted the Minor Use Funds and denied the remaining portion from the Northern Pulse Growers. Wunsch stated that the proposal is designed so that partial funding would complete Omega tests, but not the other two tests proposed. Topp asked when the Pulse Growers would have an answer to the funding request through them. Wunsch stated that the submission deadline was the first week of March and decisions would be made in late March to early April.

D. Wunsch: Fungicides for Management of Foliar Blights of Lentils

Wunsch presented another Minor Use Fund request to research evaluate fungicides for management of foliar blights of lentils. Current rotational practices are not adequate. Stem rot is a severe issue in wet years, and because lentils are profitable, they are planted more and not rotated out often enough. The goal of the proposed study is to improve management and reduce reliance on Headline which is heavily relied upon for disease management. Five fungal foliar diseases are causing severe losses to lentil yield and quality. Management of the diseases is constrained by a limited range of registered fungicides and lack of information of the efficacy of fungicides against the disease on lentils. The requested funds are needed to generate efficacy data to support the registration of the fungicide Omega on lentils and to identify the efficacy of registered and soon-to-be-registered fungicides for control of each of the five foliar diseases of lentils that are economically important in North Dakota. The total project budget is \$32,000, of which \$16,000 is being requested from the Minor Use Fund and \$16,000 is being requested from the Northern Pulse Growers Association. Omega has showed efficacy on other crops such as spinach and onions. It has shown promise against a variety of pathogens and low risk of resistance.

E. Wunsch: Fungicides for Management of Sclerotinia Head Rot on Sunflower

Michael Wunsch outlined the request for funding for the evaluation of fungicides for managing of Sclerotinia head rot on sunflower. There are currently no fungicides labeled for use on sunflowers that offer efficacy against the disease. Crop rotation is of limited value due to a broad host range and pathogens surviving in soil for 5-7 years. The proposed study would test efficacy of fungicides that are successfully used to manage Sclerotinia on other crops, as well as experimental fungicides with anticipated registration on sunflower to test their ability to control the disease on sunflowers. The project's total budget is \$30,000. Of that amount, \$15,000 has been requested from the USDA National Sclerotinia Initiative and the remaining \$15,000 is requested from the Minor Use Fund.

Goehring asked whether this study would assist other crops. Wunsch stated it may have similar results to apply to safflower, but the main focus is sunflowers. Topp asked Wunsch if USDA has already approved the \$15,000. Wunsch stated that USDA has not yet approved the funding, but that the odds were good that they would.

Commissioner Goehring thanked the presenters and asked that the board be allowed to meet privately and discuss. Gray collected scoring sheets to tally while the board discussed proposals. It was noted that Zollinger's project has a very high dollar amount that doesn't leave room for other requests with smaller dollar amounts. Wunsch put a lot of work toward matching funds which can be reflected in the scoring criteria. Goehring noted that while Zollinger's research is honorable, it is appalling that the company will profit enormously, but not fund research. Bassingthwaite stated that while the company's failure to support getting their product to market, the product has great value to agriculture and doesn't want the product's fate to be that it is never made available on the market. Buxa noted that if the board had not similarly funded the research for Spartan, that product may not be available for use on sunflowers today. He also noted that the chickpea study is more costly per acre. Topp asked for Dr. Grafton's opinion on making a partial grant to Zollinger's request. Dr. Grafton said that even \$20,000-\$30,000 would not be enough money to make substantial progress and said the only possibility may be to offer a set dollar amount, but only if the company matches contributions.

Bassingthwaite stated that canola growers should have adequate funds to fund the blackleg study next year, and the blackleg study might be one to cut if the Board needed to. Buxa agreed.

Gray brought the scoring sheet totals and posted them for board members to review:

Project	Score	Dollar Amount Req.	Matching funds
Halley: Blackleg on Canola	404	\$14,000	\$10,000
Zollinger: Pyroxasulfon on Sunflowers	173	\$125,000	0
Wunsch: Ascochyta of Chickpeas	398	\$14,000	\$14,000 (requested)
Wunsch: Blights of Lentils	396	\$16,000	\$16,000 (requested)
Wunsch: Sclerotinia on Sunflowers	405	\$15,000	\$15,000

Board members discussed their perceptions of scoring categories. Boe asked if the scoring is now how the board has to follow through on requests. Goehring explained that granting requests has to be justified, documented, and explained if the scoring recommendations are not followed such as mitigating circumstances. Topp stated that the budget allows for the board to fund four of the five requests and leaves some funds if there is a wish to fund the remaining request. Four requests have high scores that are very close.

Boe made a motion to fund all proposals with a score of 300 or higher at the full amount requested; Goehring seconded the motion. Topp asked for discussion on the motion. Bassingthwaite stated that although the score for Zollinger's proposal does not meet funding as

set forth in the motion, it may be money very well spent. Goehring said that a meaningful amount to new chemistry for sunflowers would likely be \$75,000. Bassingthwaite made an amendment to the motion to reduce funding the blackleg/canola project from \$14,000 to \$7,000; Buxa seconded the motion. Goehring stated that Northern Canola Growers could provide some assistance on that project. Boe asked the group how often the Northern Canola Growers meet and whether they would be able to react to the request for funding assistance. Topp said they can meet by conference call. If the motion passes as amended, Halley will be informed of the board's decision and a conference call can be arranged.

Topp asked for vote on the amendment to bring the blackleg/canola product fund from \$14,000 to \$7,000. All voting Aye: Topp, Weckerly, Buxa, Goehring, and Bassingthwaite. Those opposed: Boe. Those absent: Brandenburg and Wanzek. Amendment passed.

Topp called for vote on the motion to fund all projects scoring 300 or more in full amended to fund blackleg on canola at half. All voted in favor; none opposed. Motion carries.

V. Consideration of Harmonization Grant Proposals. Chairman Topp turned discussion over to Commissioner Goehring for discussion on sending Jim Gray to Washington, D.C. to work directly with the EPA on various pesticide regulatory issues. Goehring explained that Gray would work with the EPA on a common sense approach to clarify pesticide labeling and addressing regulatory issues. Pesticide language is currently confusing and Gray would offer a real world approach. The work that needs to be done is extensive. The proposal was to send Gray to D.C. six times over the course of a year for one week at a time (5 days and 4 nights). This is an opportunity for North Dakota to have a voice and make a difference. The funds requested would be to cover lodging, airfare, meals and other travel expenses incurred which is estimated to be \$3,000/week away. Topp stated this is a great opportunity for us to have an in-state representative at the national level. Weckerly made a motion to support Harmonization Grant funds in the amount of \$18,000 for Gray to work with EPA in Washington, D.C.; motion seconded by Buxa. Those voting in favor: Topp, Weckerly, Boe, Buxa, and Bassingthwaite. Those opposed: none. Absent: Brandenburg and Wanzek. Goehring abstained from the vote.

VI. Other business.

Buxa asked whether they want to consider any funding to Zollinger's proposal. Goehring said that the Board has 15 months to receive additional project funding requests and there is not enough money from this source.

Topp stated that they need to look at the Board's proposed budget for the next legislative session. Last session the Minor Use Fund was budgeted \$200,000 and the Harmonization Grant/operating fund was budgeted \$75,000. Board members should have an idea of what needs to be presented to the legislature for appropriation purposes. Goehring stated that final budgets should be submitted by July 1 so ideas it should be thought out by April. Goehring stated that all budgets go to the governor, but the Board can still ask for and defend what they feel is needed. Topp said there is more pressure at the federal level and there will be more and more requests to the Minor Use Fund as the USDA makes cuts and other government entities are in debt. North Dakota is in a good position for now. It is nice to be able to send our people to

D.C. at the ground floor to get things done. Topp stated that it gives us some influence and it's the only way we can affect change. Gray stated that this is a way to fix regulatory issues from the inside out. Gray asked board if \$75,000 has been sufficient for this biennium and should be proposed again for the next biennium. Topp stated that there is enough money for E-Tour and there is enough through the next biennium. Increasing the Minor Use Fund resources would allow the board to evaluate differently on projects and suggested \$300-\$325,000 for the next session as the \$200,000 didn't leave enough to be as effective as the board would have liked. Goehring said that in requesting more Minor Use Funds, there is support to the argument based on continually emerging issues. Goehring said that is what will be in the agriculture budget request.

Gray asked when the board will meet again. Topp stated that the next board meeting can be held if needed after soybean and corn harvesting.

Weckerly motioned to adjourn the meeting. Buxa seconded. The motion carried and meeting was adjourned.