

The Protection Product Harmonization and Registration Board  
Minutes of April 1, 2014 Meeting

The North Dakota Crop Protection Product Harmonization and Registration Board met on April 1<sup>st</sup>, 2014, in the Fort Totten Room of the State Capitol in Bismarck, ND.

Board Chairman Jeff Topp called the meeting to order at 1:04pm. Board members in attendance included Chairman Jeff Topp, Agriculture Commissioner Doug Goehring, Representative Marvin Nelson, Troy Bassingthwaite and Stan Buxa. Board members Senator Terry Wanzek and Representative Mike Brandenburg participated via telephone. Ivan Williams, and Dr. Ken Grafton were absent. A quorum was declared.

Non-board members present for all or part of the meeting in person or via telephone included, Terry Weckerly, and Michael Wunsch (NDSU) were dialed in on phone, attending the meeting later. A quorum was declared.

Other individuals present during all or part of the meeting included Jim Gray (NDDA), Brandy Kiefel (NDDA), Chad Ulven (C2 Renew Corp), Kari Block, (Earthkind Corp), Corey Kvatcha C2 Renew, Dr. George Linz (USDA), John Sandbakken (National Sunflower Assoc), Dr. Michael Wunsch (NDSU), Dr. Rich Zollinger (NDSU), and Dr. Julie Pasche (NDSU).

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

**I. Approval of Minutes.** Buxa moved to approve the minutes of the board meeting on December 16, 2013. The motion was seconded by Wanzek. All voted in favor. Motion carried.

**II. Minor Use Fund Grand Budget Report.** Gray provided a report on the Minor Use Fund. There was \$69,564.81 carried over in the Minor Use Fund from the 2011-2013 biennium to the 2013-2015 biennium. With the \$325,000 appropriation from the legislative assembly, there was a total of \$394,564.81. The Board made \$7,500 in Minor Use Fund payments this biennium with an additional \$60,750 of funding obligation, leaving \$326,314.81 in net Minor Use Fund dollars available.

**III. Pesticide harmonization Grant Budget Report.** Gray provided a report on the Pesticide Harmonization Grant fund. Gray explained that this fund pays for board operating expenses and is used for harmonization grants. There was \$55,458.65 of net funds available in the fund. No further discussion.

**IV. Final Reports from Previously-Funded Minor Use Projects.** The Board was provided four previously funded Minor Use Projects. The grant recipients provided oral reports to the Board, either in person or via speakerphone.

*A. Evaluation of Fungicides for Management of Sclerotinia Head Rot in Sunflowers (MUF-01-13): Dr. Michael Wunsch, NDSU.* Topp referred members to Tab D in their meeting binders. Wunsch reported this was the final year of the three year project. No fungicides demonstrated efficacy against Sclerotinia head rot, although one fungicide had good efficacy against sunflower rust.

*B. Evaluation of Fungicides for Management of Foliar Blights of Lentils (MUF-02-13): Dr. Michael Wunsch, NDSU.* Topp referred members to tab E in their meeting binders. Wunsch reported on research focused on identifying alternatives to pyraclostrobin for management of Ascochyta on lentils. Pyraclostrobin works well on Anthracnose, but there is a high risk of developing resistance. Wunsch conducted trials at two locations (Carrington and Williston). Drought conditions in Carrington prevented adequate disease development, and Sclerotinia disease development in Williston was too low to differentiate treatments. Omega exhibited a rate response for Anthracnose control. Bravo also performed well for control of Anthracnose, although none of the DMI fungicides exhibited efficacy. Omega consistently showed efficacy against Anthracnose, but it was slightly less effective than Bravo or Headline. Wunsch stated that IF-4 recently provided funding to pursue registration of Omega on lentils.

*C. Evaluation of Fungicides and Fungicide Rotations for Management of Ascochyta Blight of Chickpea (MUF-03-13): Dr. Michael Wunsch, NDSU.* Topp referred members to tab F in their meeting binders. This is the second year of the two year project for fungicide strategies for management of Ascochyta blight of chickpea. Wunsch summarized when applied as three applications, the fungicide Omega showed moderate efficacy against Ascochyta blight. When applied as the first fungicide application, Omega was not significantly better than Bravo Weather Stik. Priaxor exhibited a rate response, with 6 fl oz. performing better than 4 fl oz. Bravo Top performed equivalently to Proline. The charts show Ascochyta overwhelms Endura at high levels of infection. Carrington had a hot, dry season making it difficult to establish disease. No disease was established in Minot. No questions for Wunsch.

*D. 2012 Pesticide Use Survey (MUF-04-13): Dr. Rich Zollinger, NDSU.* Topp referred members to tab G in their meeting binders. A sample of 7,000 farm operators was selected at random from the USDA National Agricultural Statistics Service (NASS) with a total of 2,511 usable surveys obtained. Zollinger reported that 35,594,100 acres were treated with herbicides, insecticides, fungicides, and desiccants in 2012. It was noted that fungicide use increased 22% since 2008, although the number of acres treated with herbicides and insecticides has not significantly changed. Zollinger pointed out that a large number of responses were “unknown”, meaning that the respondent was unable or unwilling to identify specific pesticides used on their farm. “Unknown” herbicides were used on 33% of the wheat acres, 40% of the corn acres, 43% of the soybean acres, and 48.4% of the sunflower acres. For reference, “unknown” treatments

accounted for only 5 to 8% of the acres in 2008. Zollinger stated that the results question the usefulness of the survey and whether future surveys are justified.

Topp stated it is not unique to North Dakota to get farmers to fill out surveys since producers are less inclined to fill out surveys or feel that surveys are intrusive. Topp added USDA is trying to make it easier to fill out surveys.

Goehring moved to accept all final reports and issue any final payments. Motion was seconded by Bassingthwaite. Chairman Topp called for a roll call vote. Those voting in favor: Buxa, Bassingthwaite, Nelson, Wanzek, Goehring, Topp. Those voting in opposition: None. Motion carried.

**V. Consideration of New Minor Use Fund Requests.** Topp referred members to tab H through N in their meeting binders which included several research proposals. He opened the floor to each researcher to provide a brief synopsis of their proposals.

*A. Expanding the Labeled Use of 9, 10 Anthraquinone as a Blackbird Repellent for Ripening Sunflower: Dr. George Linz, USDA-APHIS.* Linz presented the Board with his proposal to assess residues of 9, 10 Anthraquinone in sunflower in order to set a food tolerance or to establish an exemption from a tolerance. Linz stressed that blackbirds are a significant pest to sunflower producers, causing approximately \$10 million in losses each year. Anthraquinone has shown efficacy as a seed treatment to reduce bird damage to sunflower. The proposed study would assess efficacy of anthraquinone as a foliar treatment and assess residues in the crop. Residue data could be used to support a Section 24(c) registration allowing foliar use. The total budget would be \$120,354. Linz was asking for \$58,500 of Minor Use Funds for the project.

Goehring asked what stages of sunflower would be treated. Linz replied that he planned on treating two different growth stages.

Buxa asked if this has been tested in the field. Linz responded that this formulation has not been tested.

Bassingthwaite asked if any thought of using aerial application. Linz replied that he wants to start with high boy to see if it works.

Bassingthwaite asked if rain washes off of the treatment. Linz replied that the first 3 weeks of treatment are critical.

Top asked where is matching fund coming from. Linz referred members to the budget page of his proposal.

*B. Comparative Efficacy of New Versus Traditional Fungicides for Control of Sclerotinia on Dry Beans: Dr. Michael Wunsch, NDSU.* Wunsch presented the Board with his proposal for a one-year request to increase knowledge and data fungicide efficacy of

Sclerotinia on dry beans. The project would also evaluate fungicide rotation strategies when two sequential fungicide applications are made. Testing will be done at Carrington and Langden. Wunsch asking for \$16,800. There were no questions on the proposal.

*C. Optimizing Fungicide Application Strategies for Sclerotinia Control on Dry Beans: Dr. Micheal Wunsch, NDSU.* Wunsch presented the Board with this one year request to research guidelines to soil moisture, rainfall and/or irrigation patterns, and row spacing for the use of one versus two fungicide applications to control Sclerotinia on dry beans. The condition under which a second fungicide application is needed is poorly understood. Wunsch was asking for \$6,800.

*D. Using Insecticides to Manage Secondary Spread of Pea Seed-borne Mosaic Virus: Dr. Michael Wunsch, NDSU.* Wunsch presented the Board with his proposal with a first of a three year project. Pea seed-borne mosaic virus (PSbMV) is a damaging viral pathogen of field peas and lentils that causes significant losses, including cracked seed coats and discoloration. The intent of the project is to optimize insecticide recommendations for control of aphid-mediated PSbMV transmission and establish thresholds for seed-borne PSbMV and populations at which insecticide usage is profitable. Wunsch was asking for \$19,000 for one of the two research trials. A request has been made to the Northern Pulse Growers Association for the other half.

Buxa asked how bad the pest problem is. Wunsch replied he knows of at least three major seed growers who had seeds rejected last year.

*E. Optimizing Fungicide Timing for Sclerotinia Control in Soybeans: Dr. Michael Wunsch, NDSU.* Wunsch presented his proposal as a one year project to identify optimal fungicide application timing for Sclerotinia control on soybeans relative to bloom initiation and canopy closure. Wunsch was asking for \$5,500 for evaluating fungicide timing in Oakes.

*F. Improved Methods for Rodent Repellents Using ND Residual Biomass: Dr. Chad Ulven, C2renew Corp.* Ulven presented his proposal for a two year project on controlling pests in farm yards using all natural biomass. The purpose of the project was to: 1) research additional biomass for indoor repellent, 2) develop a new bio based outdoor repellent, and 3) develop an all-natural preventive insect pesticide. Ulven was requesting \$175,000.

Wanzek asked if this project is in the scope of the program. Gray referred members to the administrative rules and read the relevant sections. Gray indicated that there was nothing in the rules to exclude the project.

Nelson asked if these were new products for indoor and outdoor. Ulven replied they are new products, making it safe for animals.

Goehring suggested taking their project to APUC

Topp pointed that this proposal is not typically what we look for. Ulven answered stating end goal is to get new products registered.

Bassingthwaite asked how this project benefits ND Ag economy. Ulven replied project would involve marketing for biomass.

Brandenburg asked what the plan is for \$175,000. Ulven referred the board to the budget page.

Topp asked if this is an “all or nothing” proposal. Ulven replied that it is not. The project is broken up into three objectives, each of which could be met individually.

Topp pointed out that the project was stretching the Board to consider a project outside of what the Board typically does. He stated that the Board will rank the proposal with the other projects.

*G. Evaluating In-Furrow Fungicide Applications for the Management of Root Rot in Field Peas and Dry Beans: Dr. Julie Pasche, NDSU.* Pasche presented her proposal at targeting fungicides shown to be efficacious against the root rot pathogens that are most damaging to field peas and dry beans growing regions of North Dakota. The funding request for one of the two studies was \$20,244. No questions.

Board members ranked the funding proposals and provided their score sheets to Gray and Kiefel. There was open discussion.

Brandenburg asked what would be left in if they fully funded \$175,000 proposal. Gray replied there would be \$29,970 left in the Minor Use Fund if the Board funded all proposals at the requested amounts.

Bassingthwaite noted he wanted more data, more information to even fund some of the proposal. Brandenburg suggested going to APUC and coming back in July.

Goehring suggested funding \$60,000 to get them started for supplies, materials and suggesting getting rest of funding from APUC.

Bassingthwaite asked if this should be granted before a proposal to APUC or after.

Topp suggested that the Board act on each Minor Use Fund proposal.

Buxa moved to reject the funding proposal, “Optimizing Fungicide Timing for Sclerotinia Control in Soybeans”. Motion was seconded by Wanzek. Motion carried.

Topp requested action on the proposal, “Expanding the Labeled Use of 9,10 Anthraquinone as a Blackbird Repellent for Ripening Sunflower” found in tab H. Goehring moved to fund the anthraquinone project on sunflower from Linz at the requested amount of \$58,500. Motion was seconded by Bassingthwaite. Those in

favor: Buxa, Bassingthwaite, Brandenburg, Nelson, Wanzek, Goehring, Topp. Those opposed: none. Motion carried.

Topp requested action on the proposal, “Comparative Efficacy of New Versus Traditional Fungicides for Control of Sclerotinia on Dry Beans” found in tab I. Wanzek moved to fund the project at the requested amount of \$16,800. Motion was seconded by Brandenburg. Those in favor: Buxa, Bassingthwaite, Brandenburg, Nelson, Wanzek, Goehring, Topp. Those opposed: none. Motion carried.

Topp requested action on the proposal, “Optimizing Fungicide Application Strategies for Sclerotinia Control in Dry Beans” found in tab J. Wanzek moved motion to fund project at the requested amount of \$6,800. Brandenburg seconded the motion. Those in favor: Buxa, Bassingthwaite, Brandenburg, Nelson, Wanzek, Goehring, Topp. Those opposed: none. Motion carried.

Topp requested action on the proposal, “Optimizing Fungicide Application Strategies for Sclerotinia Control in Dry Beans” found in tab K. Bassingthwaite moved motion to fund project at the requested amount of \$19,000. Goehring seconded the motion. Those in favor: Buxa, Bassingthwaite, Brandenburg, Nelson, Wanzek, Goehring, Topp. Those opposed: none. Motion carried.

Topp requested action on the proposal, “Improved Methods for Rodent Repellents Using ND Residual Biomass” found in tab M. Brandenburg moved to fund the project at \$60,000. Goehring seconded the motion. Wanzek moved to amend the motion to make the funding contingent on the applicant getting a matching APUC grant of at least \$60,000. Buxa seconded the motion to amend. Motion to amend carried. Topp then called for a vote on the amended motion. Those in favor: Buxa, Brandenburg, Nelson, Wanzek, Goehring. Those opposed: Bassingthwaite. Motion carried.

Topp requested action on the proposal, “Evaluating In-Furrow Fungicide Applications for the Management of Root Rot in Field Peas and Dry Edible Beans” found in tab N. Buxa moved to approve the proposal at the requested amount of \$20,244. Motion was seconded by Wanzek. Those in favor: Buxa, Bassingthwaite, Brandenburg, Nelson, Wanzek, Goehring, Topp. Those opposed: none. Motion carried.

## **VI. New Business.**

Topp asked Gray to brief members on mileage reimbursements. Gray stated that the Board currently reimburses members and staff at a rate of \$0.45 per mile for travel to and from meetings. Most state agencies have increased the mileage reimbursement rate for personal vehicles to \$0.56 per mile. Gray stated that he could increase the mileage reimbursement rate of the Board agreed with that change, but he would need formal Board approval. Brandenburg moved to increase the mileage reimbursement rate to current OMB rates. Motion was seconded by Nelson. Motion carried.

Goehring presented the Board with a pesticide harmonization grant proposal titled, "Pesticide Harmonization Grant Request to Defray Costs for NDDA In-Residency Program with EPA's Office of Enforcement and Compliance Assurance". Goehring stated that he was recently contacted by EPA's Office of Enforcement and Compliance Assurance (OECA) inquiring about the feasibility of Gray doing a residency project in their offices similar the residency that Gray did in EPA's Office of Pesticide Programs (OPP) in 2012 and 2013. Goehring stated that the purpose of the residency was to educate EPA on North Dakota's risk-based regulatory strategy and to show the value of using incorporating compliance assistance into enforcement programs to improve compliance rates. Gray would also be involved in efforts to improve coordination between OECA and OPP regarding pesticide label language that is developed during the pesticide registration process. And, EPA OECA would like Gray to co-chair a workgroup that will design a more meaningful data set to allocate resources nationally and better communicate the value of pesticide regulatory programs.

Goehring stated that he was requesting \$11,904 to help defray costs of four trips to Washington, DC to participate in the OECA residency.

Board members discussed Harmonization Grand proposal for OECA Residency. Bassingthwaite moved to approve Goehring's request for \$11,904. The motion was seconded by Brandenburg. Motion carried.

Board members discussed the need to meet again in late November or early December. Topp adjourned the meeting.