**DRAFT Minutes of the Advisory Committee on Plants and Animals**

**December 10, 2021 Meeting**

Hawaii Department of Agriculture (HDOA)

1. CALL TO ORDER

The meeting of the Advisory Committee on Plants and Animals (Committee) was called to order by Committee Chairperson Dr. Helmuth Rogg on Friday, December 10, 2021 at 9:14 a.m. via Zoom meeting.

Members Virtually Present:

Dr. Helmuth Rogg, Committee Chairperson, Hawaii Department of

Agriculture (HDOA)

Dr. Maria Haws, Professor of Aquaculture, Pacific Aquaculture & Coastal Research Center, University of Hawaii at Hilo

Robert Hauff, State Protection Forester, Division of Forestry & Wildlife, Department of Land & Natural Resources (DLNR), Ex Officio Member Designated Representative

Myra Ching-Lee, Epidemiologist Specialist, Disease Outbreak Control Division, Department of Health, Ex Officio Member Designated Representative

Thomas Eisen, Planner, Environmental Review Program,

Department of Business, Economic Development and Tourism, Ex Officio Member Designated Representative

Kenneth Matsui, Owner, Petland-Pets Pacifica

Others Virtually Present:[[1]](#footnote-1)

Jodi Yi, Deputy Attorney General

Wil Leon Guerrero, Micro-Organism Specialist,

Plant Quarantine Branch (PQB), HDOA

Jonathan Ho, Inspection & Compliance Chief, PQB, HDOA  
Chris Kishimoto, Entomologist, PQB, HDOA

Darcy Oishi, Acting Branch Manager, Plant Pest Control Branch, HDOA

Karen Hiroshige, Secretary, PQB, HDOA

Stephen Dalton, IT Specialist, HDOA

Kevin Salvador, IT Specialist, HDOA

Dr. Martin Nadeau

Dr. Miaoying Tian

Dr. Paul Reibach

Rian Huizingh

Michael Melzer

Silvia Todorova

Others Virtually Present (cont’d):

Terri Spanogle

Keith Weiser

Koki Atcheson

apvharrington

Janelle

1. INTRODUCTION AND COMMENTS

Chairperson Rogg introduced himself and the Committee members were asked to confirm their presence verbally.

Dr. Rogg requested a motion to change the order of the requests presented and move the Entomology request to the first item of discussion on the agenda due to time conflicts for Darcy Oishi.

Mr. Kevin Salvador, IT Specialist, called upon Mr. Wil Leon Guerrero who wished to provide a comment.

Mr. Leon Guerrero, Microrganism Specialist, stated that the applicants for the first item on the agenda are located on the east coast and to please consider the time difference for them. Dr. Rogg stated the Entomology item shouldn’t take too long.

Committee member Robert Hauff made a motion to move the Entomology request to the first item on the agenda in order to accommodate the Department of Agriculture’s schedule. Committee member Kenneth Matsui seconded the motion. Dr. Rogg asked if there was any discussion. After hearing no request for discussion, Dr. Rogg called for a vote and the motion passed unanimously.

Vote: APPROVED 6/0

Motion carries.

1. APPROVAL OF MINUTES FROM THE October 29, 2021 MEETING

Dr. Rogg asked if there were any comments regarding the comments on page 2 that the “written testimony was received and distributed to the Committee members,” but it was received late. He also commented on the word “their” located on page 9”, asking if that word was correct. Mr. Hauff asked if there was anybody to verify that is correct or how does the Chair want the issue resolved? Committee member Myra Ching-Lee suggested the word “their” be removed.

Mr. Hauff made a motion to approve the minutes with the stated amendment. Committee member Dr. Maria Haws seconded the motion. Dr. Rogg asked if there was any discussion from the public or the members. Hearing no response, Dr. Rogg called for a vote and the motion passed unanimously.

Vote: APPROVED 6/0.

Motion carries.

1. COMMENTS FROM GENERAL PUBLIC ON AGENDA ITEMS (ORAL OR

WRITTEN)

Written testimony was received and distributed to the Committee members. Dr. Rogg noted oral testimony will be heard after each request has been presented.

Mr. Salvador noted earlier that there were no comments from the public.

1. REQUESTS TO BE REVIEWED BY THE ADVISORY COMMITTEE

Entomology:

Request for: (1) A Finding that the Unrestricted Movement of Coconut Rhinoceros Beetle Host Materials, Including But Not Limited to: Entire Trees, Green Waste, Mulch, Trimmings, Fruit and Vegetative Scraps and Decaying Stumps of Palmeceous Plants and Other Trees, All of Which are Hosts or Harbor the Coconut Rhinoceros Beetle, *Oryctes rhinoceros*, To, From and Within the Island of Oahu, And Other Areas Confirmed with Coconut Rhinoceros Beetle, Constitutes an Emergency Justifying an Interim Rule; and

(2) A Finding that the Adoption of an Interim Rule to Restrict the Movement of Coconut Rhinoceros Beetle Host Materials, Including But Not Limited to: Entire Trees, Green Waste, Mulch, Trimmings, Fruit and Vegetative Scraps, and Decaying Stumps, is Required to Prevent the Spread of the Coconut Rhinoceros Beetle, *Oryctes rhinoceos*, To, From and Within the Island of Oahu to un-infested areas within the State.

Acting HDOA Plant Pest Control Branch Manager Mr. Darcy Oishi provided a synopsis of the request.

Dr. Rogg asked the Committee for a motion to approve the request.

Mr. Matsui said that the request was unreasonable since there are palm plants all over Oahu and they are constantly dropping their fronds. Unless all coconut trees and other palms were removed, it was unclear how this interim rule was going to succeed. He noted the City and County of Honolulu (City) is currently picking up palms and other green waste and moving it around the island. Mr. Oishi said in areas where the CRB response program has been able to enact comprehensive green waste measures, such as at Joint Base Pearl Harbor Hickam, where there is a green waste management policy in place, they have seen significant reductions in coconut rhinoceros beetle (CRB) infestations within the area under management. With the help of pesticide applications, they have also been able to achieve localized eradications of CRB including at Mamala Bay Golf Course, where the first breeding site of CRB in Hawaii was discovered. Mr. Oishi said the CRB response program is most concerned with the spread of CRB through the movement of infested green waste and coconut trees by people. Mr. Oishi pointed to recent detections of CRB in Kahuku, Pupukea, and the Polo Beach area on the North Shore of Oahu, indicating all seem to be associated with the unregulated movement of green waste.

Mr. Matsui asked what the interim rule requirement would be for the City’s trash and green waste trucks. Mr. Oishi said the City trucks already take green waste to Hawaiian Earth Products for composting. This interim rule would be for landscapers and tree trimmers – companies that regularly engage in tree trimming activities but don’t necessarily take the green waste they generate to a facility that will process it in a way that effectively kills all life stages of the beetle.

Mr. Matsui said CRB larvae would survive in most composting operations. Mr. Oishi said the Department of Health’s Solid Waste Branch regulates composting operations and the composting facilities’ process for producing compost generates more heat for a longer duration of time than both the Solid Waste Branch’s requirements for making compost and the CRB’s ability to survive therefore, the composting process effectively kills all life stages of CRB. Mr. Oishi said the problem is once the compost cools down, it becomes a potential infestation site for CRB, but quick and rapid destruction of infested host material, in this case by composting, is by far the most effective way of controlling CRB throughout the world.

Mr. Matsui asked what happens to all the palm fronds that drop to the ground. Mr. Oishi said fallen palm fronds do not immediately become host material. They only become host material after they decay and break down. Mr. Oishi said most businesses and facilities already have sanitation and disposal practices in place, so the palm fronds don’t have a chance to break down and become host material. Mr. Oishi said the intent is to make sure that the fallen palm fronds and other green waste is routed to somewhere that is not a risk for becoming infested by CRB. He said the best situation is all green waste is routed to an approved composting facility that has good sanitation practices and heats their compost to a temperature that kills CRB, in order to be able to provide compost that is free of pests.

Mr. Matsui asked Mr. Oishi if he was going to require landscapers to show documentation that they are taking their green waste to an approved composter. Mr. Oishi said that was correct. Mr. Matsui then asked for assurance from Mr. Oishi that this interim rule would not require the cutting down of palm trees to be in compliance. Mr. Oishi confirmed palms would not be required to be cut down and said the interim rule’s purpose is not to eliminate palm trees but to minimize the impact of CRB. Committee member Matsui told Mr. Oishi that the interim rule would have to give people a workable solution to get rid of palm fronds.

Mr. Eisen had concerns the interim rule did not clearly state what is and is not host material. He was also concerned that implementation of the interim rule would be very difficult saying there were many exceptions to the interim rule, all of them involving a compliance agreement, noting many people may not know how to enter into a State compliance agreement. Mr. Eisen also wanted to know what would happen after one year, when the interim rule expires. Mr. Oishi responded that palm trees would be regulated in their movement within Oahu, from Oahu to other islands, and would undergo inspections as part of a compliance agreement. Mr. Oishi added, that to address any concerns or questions about the compliance agreements, there will be extensive outreach and education attached to the various compliance agreements that HDOA will be implementing. The CRB Response team has outreach specialists and other staff that can educate and communicate the message of what will and will not regulated by this interim rule. Mr. Oishi said after the one year interim rule expires, the goal is to implement a permanent rule regulating green waste management that would apply not just to CRB but to a wide range of pests that are inadvertently moved around in green waste and compost.

Mr. Matsui posed a hypothetical scenario of palm plant green waste being moved by the City from one area of Oahu to a composting facility close to the North Shore. He also noted that he has seen with piles of green waste not covered and no visible CRB mitigation measures in place. Mr. Matsui understood that the composting would probably kill the CRB but that it is still being moved to an area where it is not known to be found yet. What if it escapes before composting and infested the surrounding areas?

Mr. Oishi responded that for a composter such as Hawaiian Earth Products, the first thing that would immediately happen is the green waste would go into a grinder, which would quickly kill most of the life stages of the CRB. This grinding process also quickly raises the temperature of the plant material being ground up to a level that would kill all life stages of CRB within 30 minutes. Mr. Oishi noted the movement of green waste to composting facilities is risky, they intent is to mitigate risk with the interim rule because the CRB program has seen tree trimming company box trucks driving around Oahu with green waste that has been accumulated over a period of days, which could become mobile breeding spots for CRB. Mr. Oishi noted this is the type of situation that is trying to be addressed, not necessarily green waste collected by individual homeowners.

Dr. Haws asked if CRB was being found close to the airport, what is being done to protect the other islands from CRB being transported there and will something be done to raise awareness of CRB on the Neighbor Islands, similar to what was done for Rapid Ohia Death? Mr. Oishi said they have a comprehensive monitoring program for the Daniel K. Inouye International Airport and CRB have not been found on the grounds in or around the airport. He noted the heaviest CRB infestations on Oahu being further away from the airport in Waiawa. Mr. Oishi said the risk of CRB getting onto a plane is a lot lower unless something like large coconut trees were being flown out from Oahu to another island. Mr. Oishi noted that even if that were the case, coconut plants and trees still need to be inspected before being flown to another island and for current routine air traffic, there is no risk based upon where CRB populations are located and where populations are highest.

Mr. Matsui asked Mr. Oishi that if a company had a chipper and chipped palm plant material after cutting it off the tree, would that be acceptable. Mr. Oishi said chipping the plant material will remove some life stages of CRB, if the chipped material is not properly disposed of quickly, it becomes an attractant.

Mr. Oishi said that one of the practices developed at Joint Base Pearl Harbor Hickam is staging of chipped plant material in a secure manner to prevent CRB infestation was allowed for subsequent transport and composting. This was an example of prudent mitigation measures could be used to successfully manage CRB populations. But what he currently sees off of the base is chipped material stored in a box truck for days at a time. Mr. Matsui replied that this is what happens with homeowners. Instead of a box truck, green waste is stored in a bin for weeks at a time. Mr. Oishi said that most homeowners don’t chip their green waste, so it is not attractive to CRB yet. He noted when green waste starts breaking down will it become attractive. Mr. Matsui said he was still unclear as to how most facilities and homeowners that had coconut trees would dispose of that plant material while being in compliance with the interim rule.

Mr. Eisen stated that while he still had concerns with the implementation of the interim rule, he was happy to hear about the outreach component and of a successful pilot program from green waste storage prior to composting. He suggested having language within the interim rule that makes it easier to understand how to be in compliance because the interim rule as it is currently written is too heavy handed about what not to do. There is very little language about how to be compliant. He thought that spelling out ways to be compliant would make this a more effective management tool.

Dr. Rogg said the key for this interim rule is the compliance agreement. The goal of the interim rule is to reduce the risk of spreading CRB with host material. The details of how to do this will be in the compliance agreement. Dr. Rogg said many of the affected stakeholders and partners that would be affected by the interim rule and accompanying compliance agreement already seem to be practicing sanitary measures under an unofficial compliance agreement, following the CRB Response Team’s recommendations. HDOA is just trying to make the agreements official. Dr. Rogg stated that Hawaii is at a “tipping point” with CRB, either implement restrictions to prevent its spread, or let it spread throughout the island of Oahu and potentially the rest of the state. He noted the CRB Response is mostly federally funded and showing USDA the State’s commitment to restrict CRB’s spread would help continue federal funding for this project. Dr. Rogg said continuing the project would help focus outreach and education on regulating the host material since cutting down every palm tree on Oahu was not a likely option.

Mr. Matsui stated that he did not know how this interim rule was going to work given that there are so many individuals who own monocot plants and trees in Hawaii. Mr. Hauff said he applauded the effort to try to restrict the spread of CRB by trying to manage what is a high-risk vector of invasive species, calling green waste a little bit of a nightmare. He said this interim rule provides a framework for regulating green waste. He noted most people are familiar with coconut palms but said Hawaii also has endemic palms that are either threatened or endangered and CRB could cause their possible extinction. Mr. Hauff said species of native palms have already been found to be susceptible to CRB and CRB is getting closer and closer to populations of native palms, some of which are endemic to Oahu.

Mr. Hauff said he understood that most of the specifics of the interim rule will be worked out in the compliance agreements, but he had some questions as well. How would someone know if they need a compliance agreement?

Would individual homeowners who haul their green waste to a transfer station need to be in a compliance agreement? How will outreach and education be conducted for these people? Will this be an acceptable way for them to dispose of green waste?

Mr. Oishi replied that the answer to Mr. Hauff’s questions is to regulate the transfer stations. The transfer stations would be under the compliance agreement, not the homeowners. The intent of this interim rule is not to burden private individuals but to regulate businesses that have the potential for moving and spreading CRB. Mr. Oishi said at the beginning of the CRB response, it was anticipated that homeowners would play a significant role in spreading CRB, but it has not been the case. He said only when CRB moves into and becomes established in a neighborhood is there more of a risk for homeowners to spread it, but in most cases where there are big jumps in movement of CRB, it is not from a home to a home. He said it is from a high risk area with irrigation or bodies of water nearby to have constant moisture, plus a large number of palms for adult CRB to feed on. Mr. Oishi said that this is not what is normally seen with individual homeowners.

Mr. Oishi explained this interim rule and compliance agreements are not designed to eradicate CRB. They are there to help contain the spread of CRB. If they can contain CRB, then other practices and tactics that they have developed can maybe be used to start reducing CRB populations in high infestation areas.

Mr. Hauff asked Mr. Oishi if there was a legal issue with homeowners not having to be under a compliance agreement but landscaping companies and tree trimmers do. Could a landscaper or tree trimmer ask why do they have to be under compliance but a homeowner does not? Mr. Hauff said the interim rule seems to apply to everybody. Mr. Oishi said that was not something he had considered.

Mr. Hauff asked Mr. Oishi about nursery stock requirements under the interim rule. He asked if only ive plants were covered or if the soil the plant was grown in would also be covered. Mr. Oishi answered that both the live plants and the soil they were growing in would be covered. Mr.Hauff asked if this would include any nursery plant being moved around the island. Mr. Oishi replied that for movement of nursery stock material, HDOA already regulates the movement of soil, which already addresses a big set of issues. Plants are supposed to be grown in soil free media or bare rooted. He said all movement of plant material in media would be under a permit and subject to inspection.

Mr. Hauff asked it that would apply to intraisland movement as well. Mr. Oishi answered “Correct.” Mr. Hauff said since he thought of waste management as a County function, did Mr. Oishi consult with the County about this interim rule? Mr. Oishi responded that he had not had talks with the County at this time but he has initiated conversations with the Department of Health (DOH) who regulated solid waste management programs. Mr. Hauff then asked if the interim rule is also compliant with DOH regulations. Mr. Oishi replied “Yes.” There was no conflict with existing DOH regulations.

Mr. Hauff asked about the fines that could be issued under the interim rule. He wanted to make sure that the fines would not be so heavy as to drive a small company out of business for its first violation while not being so low that the larger companies could easily pay them and just consider it the cost of doing business. What would the fines be based on? Mr. Oishi replied that HDOA had not developed a schedule of fines just yet and that is something that would need further internal discussion but would take Mr. Hauff’s concerns into consideration when developing a schedule of fines.

Mr. Matsui, noting Hawaii’s tourist industry, asked how whole coconuts and coconut frond hats were going to be regulated. Mr. Oishi replied that these items would not be regulated. Dr. Rogg asked if whole coconuts and palm hats were host material. Mr. Oishi stated that palm frond hats would not be host material until they started to decay. Mr. Matsui then asked why whole coconuts used for making milk or juice would not be regulated. Mr. Oishi said the coconuts would end up in the waste stream and on Oahu, it meant the coconuts would end up at H-Power where they would be destroyed. He noted there could be an issue if the coconuts happened to not be disposed of appropriately. Mr. Matsui said at tourist sites along the road, he notices all the coconut husks had never asked how they were disposed of. He had heard of people picking up the husks for use as dog toys. Mr. Eisen said the husks might be disposed of behind the operation and accumulate into a pile of green waste, so this would be a big educational campaign to address businesses that sell whole coconuts or that make juice or milk from them to dispose of them properly.

Dr. Rogg addressed the Committee saying that no law is perfect. They are trying to include the most amount of people that they can regulate. But there will also have to be outreach conducted to inform other people of how important this interim rule is.

Dr. Rogg called for a motion to approve HDOA’s request to implement the interim rule for CRB. Committee member Hauff asked Dr. Rogg what the Committee would be approving/finding. Dr. Rogg said the Committee has to approve that there is a finding of an emergency that justifies the implementation of the interim rule and a finding to adopt the interim rule.

Mr. Hauff moved to approve the request of a finding of an emergency as well as the adoption of the interim rule restricting the movement of CRB host materials as stated in the application. Dr. Haws seconded the motion. Dr. Rogg asked if there was anyone from the public who wished to give testimony. There were none.

Mr. Hauff voiced his support of the motion and he appreciated the work HDOA was doing for this interim rule. He was supportive under the consideration that there would be some flexibility to the interim rule and that there would be outreach conducted with the public. He said the interim rule is a necessary step to deal with CRB but this is a very complicated situation that would have to be dealt with a lot of public outreach and some flexibility to how the interim rule would be implemented.

Dr. Rogg said that there were many examples of interim rules on the federal level. He cited fruit fly outbreaks in California, Texas, and Florida where the federal government uses compliance agreements to limit the spread and to delimit the area under the interim rule so there is a legal framework to set compliance agreements. Then you have different compliance agreements for each type of affected business involved in the fruit fly outbreak to regulate and restrict movement of host material. In Hawaii, these compliance agreements are very specific to H-Power, Hawaiian Earth Products, landscapers, and transporters of green waste because each type of company has a specific role to play in limiting the spread of CRB.

Mr. Eisen asked what the next procedural steps were to be taken for this request. Dr. Rogg replied if the Committee approves the request, it goes to the HDOA Chairperson for their signature. The Board of Agriculture has voted to give the Chairperson the authority to sign and implement an interim rule without the request having to be heard at a Board of Agriculture meeting.

Mr. Eisen requested there be language in the interim rule that mentions the education campaign that this interim rule is going to rely on. Mr. Eisen mentioned that education and outreach is not mentioned in this interim rule. Dr. Rogg responded that Mr. Eisen’s request was important but that the education and outreach component was already being implemented since the CRB program has already started working on an outreach campaign to address CRB host material, and that is independent of the interim rule being approved.

Dr. Rogg called for a vote on the approval to implement the interim rule.

Vote: APPROVED - 5 approvals (Rogg, Haws, Eisen, Hauff, Ching-Lee) / 1 disapproval (Matsui)

Motion carries.

Microorganism

Request to: Preliminary Review for a Change in the List Placement of *Beauveria bassiana* strain ANT-03, a fungi on the List of Restricted Microorganisms (Part A), for Future Placement on the List of Nonrestricted Microorganisms, for use in a Microbial Bio-Remediation Product.

PQB Microorganism Specialist Wil Leon Guerrero provided a synopsis of the request.

Committee Member Hauff asked Mr. Leon Guerrero as to why this request didn’t go to the entomology subcommittee for review to address the possible effect on native insects. Mr. Leon Guerrero stated that he didn’t send it to entomology subcommittee because Hawaii already has a pesticide product approved with *Beauveria bassiana* strain GHA and to this day there are no known issues with native insects.

Mr. Hauff also asked what the context is for this product and if the product was intended for a multiple pests and crops or for something specific such as control of coffee berry borer. Mr. Leon Guerrero suggested that the applicant speak to address this question.

Dr. Martin Nadeau of Anatis Bioprotection introduced himself to the Committee and noted that EPA in California has approved this pesticide and answered that the intent was to test against the coffee berry borer.

Mr. Hauff asked if the rules dictate that the species itself, *Beauveria bassiana*, can be approved versus individual strains be indicated on the lists. Jonathan Ho, PQB Inspection and Compliance Section Chief said there is nothing in the rules that require strain or species, so there is some discretion on how the listing is made. Mr. Ho mentioned that historically PQB has been conservative, erring on the side of caution when it comes to approving importation of restricted articles and referencing Dr. George Wong’s comments. He noted that it is possible for the entire species to be reviewed and approved versus individual strains, but because PQB is a regulatory agency and the petitioner is only proposing this individual strain, if others benefit from placing all strains on the list there may be the appearance of those individuals receiving preferential treatment because there was no request and subsequent approval for those strains. Mr. Ho said the Board could act on its own and direct the PQB to do the review of all *B. bassiana* strains. Mr. Hauff asked if the Committee could make a recommendation to the Board for review of all the strains. Mr. Ho said the agenda is for a specific strain, but if the Committee feels strongly about it, their discussion, comments, and recommendation will be provided to the Board.

Committee Chairperson Dr. Helmuth Rogg asked if there were any public testifiers. Kevin Salvaldor, HDOA IT, noted there were none. Dr. Rogg called for a motion. Dr. Rogg asked Deputy AG Jodi Yi if he could make the motion. Ms. Yi confirmed the Committee Chairperson can make a motion. Dr. Rogg made a motion to approve the request. Committee member Thomas Eisen seconded the motion. Dr. Rogg asked if members of the public wanted to testify. Mr. Salvador said no one wishing to testify. Dr. Rogg asked if the Committee members had additional comments.

Mr. Hauff said he wanted to add that when a subcommittee member recommends disapproval, there is a possible cause for concern, so he consulted with the DLNR entomologist who runs their native invertebrate conservation programs and noted the use patterns of this product will dictate impact of this strain, which is regulated by the product’s label. He said DLNR is part of the labeling process and if there were concerns they would be brought up and noted their entomologist had some concerns about the limited studies on honeybees which would include native bees. He said DLNR did not have additional concerns because there are other strains of *Beauveria* already in use and that this pesticide seems to be a lower risk to native insects than other pesticides currently being used. Dr. Rogg asked for asked for additional comments. Hearing none, Dr. Rogg called for a vote with Committee members Hauff, Ching-Lee and Eisen approving.

Committee member Kenneth Matsui initiated a discussion amongst the Committee members regarding concerns about the honeybee study. Mr. Matsui mentioned that there are inconsistencies with the provided documentation of regarding honeybees. He said the honeybee study that was conducted indicated that BioCeres WP is safe to honeybees under field conditions and can be applied against field pest insects, but on the pesticide label it makes reference that this product may harm beneficial insects and honeybees.

Terri Spanogle, Senior Analyst from SciReg, which represents Anatis for state regulatory matters, introduced herself and said that as Committee member Hauff mentioned, that if the product is used according to the label, it will mitigate ecological and human health concerns. She noted that the honeybee study was included in the submittal and that the U.S. EPA has already approved the TGAI (Technical Grade of the Active Ingredient) and end use product with *B. bassiana* strain ANT-03. Ms. Spanogle that specific questions regarding the product effects on the honeybees can be referred to Dr. Paul Reibach, ecotoxicologist. There was a brief discussion about which study was provided to the Committee.

Dr. Reibach, introduced himself as a consultant with SciReg who has been doing ecotoxilogical and chemical residue studies for over 30 years. He said that he reviewed the study and found there is no negative effect on honeybees and that it is safe. He explained that when normally registering a product with the EPA, there are a series of progressive steps for use, beginning in a laboratory. Dr. Reibach noted that the EPA skipped the laboratory and acute studies, proceeding directly to a tunnel study, which simulates semi in-field conditions. He noted that the study demonstrated there was no effect on bees. He said bees did die, because they were from a natural population, and those bees were tested for the presence of the fungus and it was not detected, so the deaths were attributed to non-test material causes. Dr. Rogg asked Dr. Reibach to confirm that pages 33 and 34 of the submittal, noting bee mortality, was the study that was being referred to. Dr. Reibach confirmed that was the study being discussed and also noted the information regarding honeybees on the label was placed there are a precaution, not because there was a risk perceived by EPA. Dr. Nadeau noted that California and the EPA have different document requirements which may have led to the confusion.

Dr. Rogg asked if there were any further discussions. Hearing no response, Dr. Rogg called for a vote.

Vote: APPROVED 6/0

Motion carries.

1. ADJOURNMENT

Having no further business, Chairperson Rogg called for a motion to adjourn. Mr. Hauff made the motion to adjourn. Mr. Eisen seconded the motion. Dr. Rogg called for a vote and the motion was unanimously approved.

Vote: APPROVED 6/0

The meeting was adjourned at 11:15 A.M.

1. The identification of the public members is based on their sign-in name but are not verified. [↑](#footnote-ref-1)