



# MDA Regulatory Update

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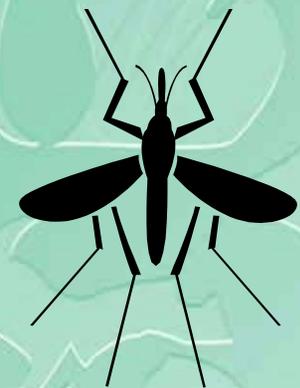
Pesticide Section Manager

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# Mosquito Control

## EPA Regulatory Issues

- EPA and Mosquito Control
  - Pesticide guaranteed analysis
  - Legal use of insecticides and larvicides
  - Monitoring commercial licensed firms
  - Emerging community programs
  - Adverse environmental impacts
  - Clean Water Act
  - Endangered Species



# Clean Water Act



- EPA Interim Statement - July 11, 2003
  - Is a legal application of a pesticide to water also a “discharge of a pollutant” regulated under the Clean Water Act (CWA)?
  - EPA’s Interpretation:
    - Whether or not a pesticide is a pollutant under CWA turns on the manner in which it is used, i.e., whether its use complies with all relevant requirements of FIFRA



# Clean Water Act

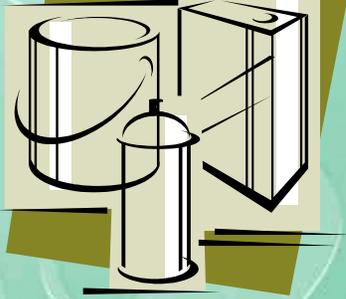


- What does the interpretation leave us with?
  - It does not prevent multiple agencies from regulating aquatic pesticide applications (MDA and MDEQ)
  - It does not establish a lead state agency
  - It does not address metabolites or inert ingredient issues
  - It does support MDA's position that FIFRA should be the "first cut" on determining legal use.

# Clean Water Act



- How will MDA operate?
  - MDA will continue to assess legal pesticide use according to label use directions
  - In situations of pesticide misuse, MDA will conduct investigations and appropriate enforcement actions
  - MDA commented that FIFRA should be the primary regulatory tool and the interpretation expanded to include metabolites



# Clean Water Act

- Who regulates larvicide use in Michigan?
  - At this time there are two regulatory programs.
  - MDA regulates pesticide use
  - MDA registers pesticides for sale/use in Michigan.
  - MDA inspects and investigates
  - MDEQ will continue to review aquatic uses and permit use as needed under various options.

# Other Regulatory Issues

- Traditional Pesticide Regulations
  - Certification/Registration
  - Licensing of businesses
  - Use according to label
  - Community Notification
- Repackaging of Pesticides
  - New issue for communities that want to distribute to the public
  - **DON'T REPACKAGE**



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