Appendix X

Pesticides and Brush Control
Texas Department of Agriculture

Pesticide Registration and Safety

The U.S. Environmental Protection Agency (EPA) and the Texas Department of Agriculture (TDA) register all pesticides used for brush control in the state of Texas. The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the Food Quality Protection Act (FQPA), and Federal Food, Drug and Cosmetic Act (FFDCA) all regulate the use of pesticides in Texas to some degree. However, FIFRA and Texas pesticide laws and regulations are primarily involved in the registration process of brush control herbicides.

To be eligible for registration and use in Texas, pesticide products must first undergo a rigorous testing protocol required by EPA and then be registered federally. The testing protocol is extensive and must address issues such as efficacy and toxicity to non-target species. The vast majority of pesticide products that are registered in Texas are subject to over 140 scientific or toxicological tests in order to receive and maintain EPA product label approval, and subsequent Texas registration. Automatic approval does not occur for use of a pesticide in Texas if it is approved by EPA. Pesticides must meet state use and registration regulations in addition to strict EPA standards. The exact number of tests that must be performed for a pesticide to be allowed in Texas varies with its end-use, but it is extensive whatever the case. EPA evaluates a plethora of scientific studies before registering a product and uses a series of safety factors to determine the appropriate use patterns considering worst-case exposure scenarios.

Native Texas wildlife, especially threatened and endangered species, are given further consideration when performing risk assessments for the special use of pesticides in many brush control projects. Various classes of species are specifically targeted for detailed assessment, namely the chemical effects on amphibians and reptiles, birds, fish and invertebrates. The environmental fate of most compounds used in brush control is also carefully reviewed in order to protect water supplies. Factors such as degradative processes, absorption and mobility, field dissipation, as well as local ground and surface water concerns are considered in risk assessments, especially during special use considerations such as a FIFRA Section 24(c) allowances as discussed below.

Toxicity Category	Herbicide / Substance	Oral LD50	Equivalent Human Dose
I Severe Danger	Botulinus	0.00001	1 teaspoon or less
	TCDD (a dioxin)	0.1	
	Parathion	13	
	Strychnine	30	
	Nicotin	50	
II Moderate	Caffeine	200	1 teaspoon to 1 ounce
	2,4-D	375	
III Slight (caution)	Formaldehyde	800	1 ounce to 1 pint
	Aspirin, Vitamin	1700	
	Bleach	2000	
	Table	3750	
	Diuron	3750	
	Glyphosat	4320	
IV Very Slight	Imazapy	>5000	More than 1 pint
	Diesel	7380	
	Kerosen		
	Sugar		

Table 1: The equivalent human dose is that physical amount of the compound that would contain the oral lethal dose 50 (LD_{50}) amount.

In reality and for all practical purposes of assessment, the amount of pesticide that a sensitive species must be exposed to and cause a harmful effect is very unlikely to be seen with any use of a pesticide product (Table 1). Even when these species may encounter these registered pesticides in a natural setting, most of these chemicals have relatively low toxicity or similar toxicity to that of many household or natural materials (Table 2).

Table 2: Overall toxicity rating based on the LD_{50} and the dermal response rating are from 1 to 5, with 5 being the least severe

COMMON NAME	TRADE NAME	ORAL LD50 mg/Kg	TOXICITY RATING	DERMAL RESPONSE RATING
nicotine	for comparison	50-60	2	-
paraquat	Surefire	120	3	3
caffeine	for comparison	200	3	-
diquat	Diquat	230	3	4
2,4-D	various brands	600	4	4
tebuthiuron	Spike	644	4	4
MSMA	various brands	1,800	4	4
Aspirin	for comparison	1,240	4	-
hexazinone	Velpar	1,690	4	4
dicamba	Banvel	2,900	4	4
prometon	Pramitol	2,980	4	-
atrazine	various brands	3,080	4	5
pendimethalin	Pendulum	3,277	4	4
Table salt	for comparison	3,320	4	-
diuron	Direx, Karmex	3,400	4	4
bromacil / diuron	Krovar	4,260	4	5
glyphosate	Roundup	4,320	4	5
sulfometuron methyl	Oust	>5000	5	4
imazapyr	***Arsenal***	>5000	5	4
imazapic	Plateau	>5000	5	5
prodiamine	Endurance	>5,000	5	4
simazine	Princep	5,000	5	4
bromacil	Hyvar	5,200	5	4
chlorsulfuron	Telar	5,545	5	5
picloram	Tordon	8,200	5	4
oryzalin	Surflan	10,000	5	4
norflurazon	Predict	>10,000	5	4
fosamine	Krenite	24,000		4

FIFRA Section 24(c) Special Registration

A FIFRA Section 24(c) is designed to expand a currently registered product label in the state of Texas for a documented special local need (SLN). A SLN means an existing or imminent pest problem within Texas for which TDA, based upon satisfactory supporting information, has determined that an appropriate federally registered pesticide product is not sufficiently available. Documentation of need for the 24(c) registration in the form of letters from producers, grower organizations, experiment station personnel, and/or extension service personnel, must be provided to EPA. Research and/or test data, or summaries supporting efficacy and safety must be submitted. In addition, data documenting expected residue levels (when appropriate, mainly when food or feed crops are involved) must also be supplied with the application packet to EPA. Prior to issuing a Section 24(c), EPA and TDA determine that use of the product for which registration is sought will not cause unreasonable adverse effects

on man or the environment when used in accordance with labeling directions or widespread and commonly recognized practices. Endangered and threatened species are especially considered when evaluating special uses of pesticides. The U.S. Fish and Wildlife Service, Texas Parks and Wildlife Department and TDA are in regular contact concerning the well being of all native Texas species.

The Texas Department of Agriculture obtained a FIFRA Section 24(c) Special Local Need registration to use *Arsenal®* (active ingredient imazapyr) to control saltcedar to conserve water and protect native habitats.

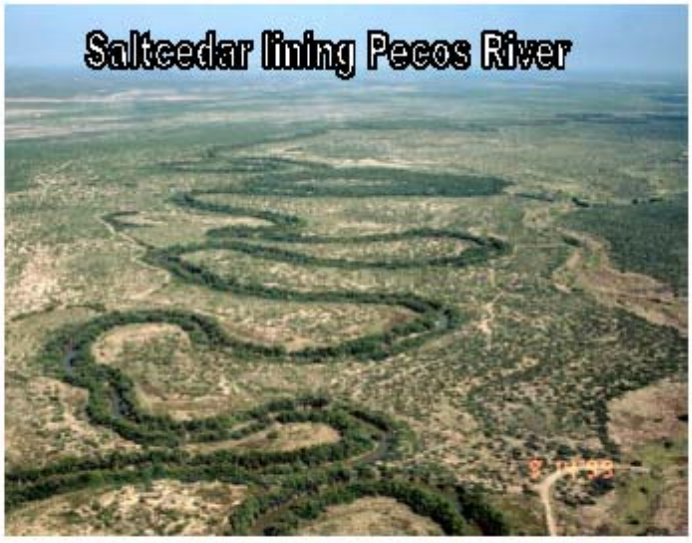
In fact, in several cases, saltcedar is being controlled with *Arsenal®* to enhance wildlife habitat. The Canadian Municipal Water District is planning to control salt cedar beginning in September 2004 along the Canadian River. This effort is being made to stop the spread of salt cedar, which is estimated to consume almost 70,000 acre feet of water each year in the river basin, and to enhance habitat for the Arkansas River Shiner. In addition, U.S. Fish & Wildlife Service and Panhandle Water Conservation District officials have proposed a joint project to finance the control of salt cedars along the Canadian River to enhance habitat for the Arkansas River shiner.

In another instance, the U.S. Fish & Wildlife Service and Fort Worth Zoo requested that TDA change the restriction on the use of *Arsenal®* in Salt Creek in Culberson County to enhance habitat for the endangered Pecos Gambusia. Additionally, the Colorado River Municipal Water District has worked with U.S. Fish & Wildlife and the Texas Parks and Wildlife Department to use *Arsenal®* along the Colorado River to preserve habitat for the endangered Concho water snake and the endangeredTexas poppy-mallow. The Concho water snake is not affected by *Arsenal®* because this chemical generally only affects plant species. The Texas poppy-mallow is not affected by the saltcedar spraying because its habitat is not near saltcedar due to different soil preferences between the two plant species. Additionally, GIS mapping is done before helicopter spraying of *Arsenal®* to pinpoint Texas poppy-mallow habitat.

Saltcedar (*Tamarisk*) Control in Texas

Saltcedar (*Tamarix spp.*) was introduced into the southwestern United States in the early 1800s from Eurasia as an ornamental shrub that aided in erosion control. A mature saltcedar may consume up to 200 gallons of water per day and is a problem for most of the western United States. Saltcedar trees occur in almost all of the water bodies of west Texas including the Pecos, Brazos, Canadian, Colorado, Rio Grande and Red rivers, and their tributaries.

Saltcedar has the ability to change its physical environment giving it a competitive advantage over native trees and shrubs. This occurs through increased surface soil salinity, lowered soil water potential and increased fire frequency. This invasive increases surface soil salinity by absorbing salts from deeper soil layers and groundwater and transporting these salts to their leaves, subsequently releasing the salts back into the surrounding soils through accumulation of leaf litter. The high tolerance for salt that saltcedar possesses allows for a competitive advantage. Increased soil salinity inhibits germination and growth of most other plant species.



The Texas Department of Agriculture is leading the Texas Riparian Invasive Plant (TXRIP) Taskforce in its endeavors to combat the spread of invasive riparian plants, especially saltcedar. This Taskforce is composed of almost every major state and federal agency with a mandate on this issue. TXRIP joins the US

Tamarisk Coalition, the US Department of Interior, and the US Department of Agriculture in addressing this serious national problem. All scientifically tested methods for saltcedar control are assayed for use in control programs, including biological, chemical, and mechanical options.

Recent applications of federally approved herbicides, including *Arsenal®*, has proven to be a very effective and safe tool to control saltcedar in selected segments of Texas waterways. This has spurred an interest in using this means of control in other infested water systems.