

The Commonwealth of Massachusetts

Executive Office of Energy and Environmental Affairs



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ENDANGERED SPECIES LABEL CHANGES GUIDE

In April 2022, the EPA released its Endangered Species Workplan outlining how it will comply with the ESA in pesticide registration. EPA developed a series of strategies to reduce exposure of federally listed Endangered & Threatened Species and designated critical habitats from the use of insecticides, herbicides, rodenticides and fungicides. Since then, the agency has begun implementing these strategies, which may require additional mitigation measures to protect federally listed species.

You will begin seeing new label language on new products and products which have gone through their registration review. This guidance document is designed to help pesticide applicators understand and prepare for the new pesticide label requirements intended to protect endangered and threatened species and their habitats.

What's New on Labels

Pesticide labels may include:

- Geographic-specific use limitations
- Buffer zones and application restrictions
- Runoff and drift mitigation measures

These requirements may vary depending on where and how a pesticide is used.

Required Tools

Bulletins Live! Two ("BLT"): You may be directed to BLT which is an online tool that provides location-specific use restrictions. Applicators must check the system within a specified timeframe (typically within 6 months of application). The bulletin will outline any additional measures required to protect listed species in that area.

Drift and Runoff Mitigation Menu: You may be directed to the mitigation menu which is in the form of an online tool, interactive excel spreadsheet or static spreadsheet. You will use this form to calculate the number of "points/credits" needed to use a product.

What To Do Now

While there may not be a lot of products with the new label language on it now, more products will begin to incorporate and contain the new language. It is extremely important that you plan ahead and familiarize yourself with the tools before you need to use them. Below is a list of actions you should take prior to deciding to make any applications:

1. Read the label to determine if there is any new language. Continue to read the labels frequently throughout the year before making applications so that you will know if changes have been made.
2. Using the label, determine how you will make the application prior to the application. This will allow you time to determine the following:
 - How many points/credits are needed in order to use the product.
 - What types of mitigation measures you may need to take in order to use the product.
 - Whether you can use the pesticide in that area at the time you want to use it.
 - Whether you have any questions about the new label language
3. Review the mitigation menu and familiarize yourself with the optional mitigation measures provided.
[Runoff/Erosion mitigation POINTS Calculation worksheet](#)
4. Determine the baseline points your current practices and land automatically have.
5. Access Bulletins Live! Two and familiarize yourself with how the website works
<https://www.epa.gov/endangered-species/endangered-species-protection-bulletin>
6. Practice! Perform a ‘dry run’ of using a product that has the new label language on it.

This is a long-term effort, with a steep learning curve. Through its stakeholders and partners, MDAR plans to provide education/outreach opportunities to applicators which will provide more detail and guidance as to how to follow the new label language and use the tools that EPA has developed. In the meantime, if you have any questions, please feel free to reach out to MDAR with questions at taryn.lascola@mass.gov.