

## May 1<sup>st</sup>, 2024 Chlorpyrifos Update

This past November the 8<sup>th</sup> District Court reinstated Chlorpyrifos residue tolerances which enabled the use of chlorpyrifos containing products if they are registered with the EPA and the respective State Department of Agriculture in which they are sold and used. As part of the registration review process the EPA plans to continue its evaluation of the 11 beneficial uses of chlorpyrifos, of which sugarbeets is identified as one of the 11 beneficial uses.

Prior to the court's ruling there had been voluntary EPA registration cancellations of chlorpyrifos containing products. Currently some products are now registered with the EPA and with the Minnesota and North Dakota State Departments of Agriculture allowing their use in sugarbeets. If a chlorpyrifos containing product is not registered for use with the EPA and the respective State Department of Agriculture, it is not allowed to be used on sugarbeets. It would be considered a misapplication if an unregistered chlorpyrifos product is used as it would not be a labeled application. This would then fall under American Crystal's "Policy Providing for the Destruction of Sugarbeet Acreage Due to the Presence of Misapplied Chemicals" and the remedies contained therein.

### **Chlorpyrifos containing products can only be used if they meet all of the following criteria:**

1. Chlorpyrifos can only be used in a state with a registration for the chlorpyrifos active ingredient.
2. Only chlorpyrifos containing products registered with both the EPA and the respective State Department of Ag can be used.
3. Existing stocks can only be used if the chlorpyrifos product meets the criteria of points 1 & 2.
4. The Chlorpyrifos product needs to be labeled for use on sugarbeets.

### **Based on the criteria above, as of this date in crop year 2024 only the following Chlorpyrifos containing products can be used in North Dakota and Minnesota on sugarbeets:**

- **Pilot 4E** (liquid) & **Pilot 15G** (granular) – made by Gharda
- **Govern** (liquid) - made by Tenkoz
- **Warhawk** (liquid) & **Warhawk ClearForm** (liquid)- made by Loveland
- **Chlorpyrifos 4E-AG** (liquid) & **Chlorpyrifos 15G** (granular) - made by Drexel

### **MN has 2 stipulations for the sale of chlorpyrifos**

1. Registered chlorpyrifos products must be sold with document for:
  - MN BMP's for Chlorpyrifos Water Quality Management  
[https://www.mda.state.mn.us/sites/default/files/docs/2021-02/waterbmpchlorpyrifos\\_0.pdf](https://www.mda.state.mn.us/sites/default/files/docs/2021-02/waterbmpchlorpyrifos_0.pdf)
2. Registration is only good for one year.
  - Minnesota will re-evaluate chlorpyrifos registrations when EPA has established regulations on the 11 beneficial uses of chlorpyrifos.

If you have questions, please contact your Agriculturalist.



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