

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RICHARD K. SULLIVAN JR.
Secretary

GREGORY C. WATSON
Commissioner

June 13, 2013

Maija Mizens, PhD
Central Life Sciences
Wellmark International
1501 E Woodfield Road
Suite 200
Schaumburg, IL 60173

Dear Dr. Mizens;

In response to your letter of September 6, 2012, the Department brought to the Pesticide Board your request for a re-evaluation of the carcinogenicity classification for etofenprox in the context of the requirements of the Massachusetts Pesticide Control Act, MGL c. 132B Section 6g and Pesticide Regulations 333 CMR 14.04 (5) (b). The Department provided a review of the current EPA assessment of etofenprox for the Board's consideration. The Board passed the following motion;

Moved;

That the Pesticide has considered the both the requirements of the pesticide laws and regulations, MA Pesticide Control Act, MGL c. 132B Section 6G and Pesticide Regulations 333 CMR 14.04 (5) (b), and the U.S. EPA Carcinogenicity classification of etofenprox. The Board finds that the Carcinogenicity classification language used by U.S. EPA is NOT equivalent to the classification as "known, likely or probable human carcinogens by the United States Environmental Protection Agency, or equivalently categorized by the department". As such etofenprox with its classification of "Not Likely Below a Defined Dose Range" may be used on the outdoor grounds of school property.

This essentially removes the prohibition of the use of Zenivex making it illegal to use on school property and as a result prevented the use for area wide mosquito control.

Regards,

Lee Corte-Real, Director
Division of Crop & Pest Services