



Number 93182-8) are both end-use products that can be applied to the foods listed on their labels.

## **II. Petitioner Gharda's Applications for Approval of Amended Labels**

In my August 3 statement, I noted that Gharda “submitted applications for approval of amended labels that remove all food uses other than the 11 uses identified in the [Proposed Interim Decision for the Registration Review of Chlorpyrifos (“2020 PID”)], limited to those geographic areas identified in the PID and using the application rates that EPA assessed in the 2020 DWA.” *See* JX 9 (Chlorpyrifos Technical, 93182-3, June 10, 2022), JX 10 (Pilot 4E, 93187-7, Jan. 11 2023); JX 11 (Pilot 15G, 93182-8, Jan. 11, 2023). It has come to my attention that application rates for soybeans and sugar beets included in one of the proposed labels submitted by Gharda—Pilot 15G, EPA Reg. No. 93182-8—are higher than the rates that were assessed by EPA in the 2020 DWA in support of the 2020 PID. *Compare* JX 11 at 11 (proposing maximum application rates of 8 ounces of product per 1,000 feet of row for soybeans and up to 9 ounces of product per 1,000 feet of row for sugar beets) *with* PX 39 at 34 (assuming upper-bound application rate of 1 pound of active ingredient per acre for soybeans and upper-bound application rate of 1.5 pound of active ingredient per acre for sugar beets). Converting the labeled rates into pounds of chlorpyrifos per acre results in levels that exceed assessed rates: 3.27 pounds of chlorpyrifos per acre for soybeans (versus 0.75-1 lb/acre as assessed) and 3.67 pounds of chlorpyrifos per acre for sugar beets (versus 1.25-1.5 lbs/acre as assessed).

## **III. Conclusion**

Thus, the submitted label for Pilot 15G would require additional revisions to conform to the 2020 PID. Notably, because all three of Gharda's label submissions continue to bear

directions for use on food crops, they could not be approved in light of the lack of chlorpyrifos tolerances.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Respectfully submitted,



Dated: October 4, 2023

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