

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Materials Management, Bureau of Pest Management

625 Broadway, 9th Floor, Albany, New York 12233-7257

P: (518) 402-8768 F: (518) 402-9024

www.dec.ny.gov

May 29, 2015

Ms. Martha S. Mendiola
Brushy Mountain Bee Farm
610 Bethany Church Road
Moravian Falls, North Carolina 28654

Re: **Registration of Oxalic Acid Dihydrate (EPA Reg. No. 91266-1-73291)**

The New York State Department of Environmental Conservation (Department) has reviewed your application, received May 19, 2015, for registration of Oxalic Acid Dihydrate (EPA Reg. No. 91266-1-73291) in New York State. The product is labeled for use in beehives to treat colonies for Varroa mites. The use of oxalic acid dihydrate for beehives is considered a major change in labeling in New York State.

The New York State Department of Health (DOH) and the Department's Division of Fish, Wildlife & Marine Resources' Bureau of Habitat (BOH) reviewed the information available for the use of oxalic acid dihydrate for the control of Varroa mites in beehives. After careful consideration of all information, the Department has concluded that the use of Oxalic Acid Dihydrate should not have an adverse effect on the health of applicators or the general public, or the fish and wildlife resources of New York State when used as labeled.

The DOH stated that oxalic acid dihydrate is extremely corrosive to eyes and skin, but appears to have few other toxicity concerns. The label directs handlers and applicators to wear the following Personal Protective Equipment (PPE): long-sleeved shirt and long pants; socks and shoes; protective gloves; protective eyewear; and half-face respirator with cartridge and/or particulate filter. Oxalic acid is ubiquitous in the environment being found naturally in many plants and vegetables, as well as in honey. Dietary exposure from the proposed use will be insignificant and indistinguishable from background levels of oxalic acid and was, therefore, exempted from the requirement for a tolerance.

The BOH stated that Varroa mites feed on developing bees which leads to brood mortality and the reduction of lifespan of workers that were parasitized during development. Varroa mites are a very serious pest in honey bee colonies and the mites are considered a major cause of overwintering colony losses. Although no data have been submitted to United States Environmental Protection Agency (U.S. EPA) to assess the likelihood of adverse effects on non-target organisms from the proposed use of oxalic acid to control Varroa on adult bees, the likelihood of non-target exposure is low



given that the compound is proposed for use within the honey bee colony when broods are not present. While there are data to demonstrate that oxalic acid can be acutely toxic to adult bees, the proposed treatment rates have been established based on research demonstrating that oxalic acid will provide effective control of mites while minimizing adverse effects to adult bees. The available research indicates that in the absence of effective Varroa control measures, there is an increased likelihood of adverse effects to both individual bees and the whole colony due to parasitism of the mite. Given the application method, lack of persistence and the absence of exposure to non-target organisms when this product is used as labeled, the BOH has no objection to registration in New York State.

The Department hereby accepts Oxalic Acid Dihydrate (EPA Reg. No. 91266-1-73291) for registration as labeled in New York State. Enclosed for your records is a copy of the New York State stamped "Accepted for Registration" label and New York State Certificate of Pesticide Registration.

Please note that a proposal by Brushy Mountain Bee Farm or any other registrant, to register a product that contains oxalic acid dihydrate, and whose labeled uses are likely to increase the potential for significant impact to humans, non-target organisms, or the environment, would constitute a major change in labeled use pattern. Such an application must be accompanied by a new application fee and meet the requirements listed in Appendix 1.B. of "New York State Pesticide Product Registration Procedures" (November 2014). Such information, as well as forms, can be accessed at our website as listed in our letterhead.

Please be aware that any unregistered product or labeling may not be sold, offered for sale, distributed, or used in New York State.

Please contact Jeanine Broughel, Chief of the Pesticide Product Registration Section, at (518) 402-8768, if you have any questions.

Sincerely,

Scott Menrath

Scott Menrath, P.E.
Director
Bureau of Pest Management