

**Special Registrations of Pesticides on Tribal Lands in Montana. (Friday 03/27/2009 12:00PM)**

Cecil Tharp (MSU Pesticide Education Specialist)

Amy Bamber (MDA Special Registrations Program Manager)

Many older pesticide chemistries for use in controlling pests have been delisted by the Environmental Protection Agency (EPA) due to growing concerns over persistence in the environment or other toxicological concerns. Some examples are the loss of lindane for the control of wireworm in small grains, chlorpyrifos for control of aphids in barley, or the expected 2009 loss of carbofuran for control of many pests in small grains and alfalfa (see full report at ['loss of carbofuran registrations'](#)). Some pesticide products will actually lose a registration only on select crops or sites (chlorpyrifos), while others lose their entire registration on all crop sites. The loss of some of these select pesticides has left some Montana producers vulnerable to pests.

State special registrations allowed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 18 or FIFRA section 24c can address these losses. Section 18's allow the emergency exemption from registration of pesticide products for such emergency situations when no other registered products are available. Section 24(c)'s are also known as Special Local Need registrations, and they can be used to address pest problems on crops that are found mainly in Montana or our surrounding region. A state special registration may be approved anywhere within state boundaries, with the exception of tribal lands. This has left applicators and producers within tribal boundaries at risk of pest outbreaks without the option of using special registrations that may be available to lands immediately adjacent to tribal boundaries.

This historic problem has left many state and federal agencies silent as to whether special registrations may pertain to farmers or applicators within tribal boundaries. A 'Special Registration Use in Indian Country' pilot program was initiated on November 28<sup>th</sup>, 2008 between the Environmental Protection Agency and tribal agencies across the United States. This program allows special registrations to be available for use legally on tribal lands. This includes all tribes within Montana. This 3 year pilot program may be expanded, modified, or eliminated based on comments from the public and tribal agencies. Any Montana tribe may request not to participate in this program at any time by contacting EPA. For a list of all Montana section 18's and 24(c)'s see the online special registrations website at <http://agr.mt.gov/pestfert/PesticideRegistration1824.asp>

**FOR FURTHER INFORMATION CONTACT:** See the complete EPA tribal pilot program at <http://www.epa.gov/oppfead1/tribes/pilot-project.htm>, or contact the MSU Pesticide Safety Education Program (Cecil Tharp, [ctharp@montana.edu](mailto:ctharp@montana.edu), 406-994-5067). For more information on the Montana Special Registrations Program contact the Montana Department of Agriculture (Amy Bamber, [abamber@mt.gov](mailto:abamber@mt.gov), (406)444-3676).