

**PESTICIDE ACTIVE INGREDIENTS SUBJECT TO LITIGATION  
(as of 1/06/03)**

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>1,3-Dichloropropene</b>		X				Insecticide – controls plant parasitic nematodes & soil pests in vegetable crops, field crops, fruit & nut crops, nursery crops	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>2,4-D</b>		X	X			Herbicide – vegetables (corn, popcorn, grain sorghum, soybeans, wheat, hay, oats, rice) Controls weeds and brush in pastures, rangeland, fallow land. Controls weeds in ornamental turf (golf courses, cemeteries, park), in non-crop areas (ditches, lots)	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>2,4-D 2-Ethylhexyl Ester</b>	X					Herbicide – corn, sorghum, small grains (wheat, oats, barley, rye), soybeans	<b>CATS:</b> (Forest plants) EPA must seek concurrence of FWS no later than 1/16/03. (Specific listed salmonid ESUs)- EPA must request formal consultation with NMFS no later than 5/10/04.  Identified on EPA’s “Candidate List” for possible determination in CATS case by 7/1/03
<b>Acephate</b>		X				Insecticide – peanuts, cotton, vegetables (beans and lima beans, celery, cole crops, cranberries, head lettuce, peppers), tobacco, rice, mint	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>Acrolein</b>	X					Aquatic Herbicide- submerged weeds and algae Burrowing rodents	<b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 5/16/03. Identified on EPA’s “Candidate List” for possible determination in CATS case by 7/1/03

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
Alachlor		X				Herbicide – annual grasses and broadleaves, vegetables (corn, grain, sorghum, peanuts, soybean lima beans), woody ornamentals (juniper, yew), sedge	<b>Wash Toxics:</b> <i>No Effect decision made 5/30/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i>
Atrazine	X	X	X			Herbicide – corn, sorghum, sugarcane, wheat, broadleaf & grass weeds, guava, macadamia nuts, conifers	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>  <b>CATS:</b> <i>(Forest plants) EPA must seek concurrence of FWS no later than 1/16/03. (Specific listed salmonid ESUs)- EPA must request formal consultation with NMFS no later than 11/12/03.</i>  Identified on EPA’s “Candidate List” for possible determination in CATS and Wash Toxics cases by 7/1/03
Azinphos-methyl		X	X			Insecticide – cotton, coffee, fruits (nectarines, peaches, plums, prunes, blackberries, blueberries, citrus fruits, grapes, strawberries), melons (honeydew, cantaloupe, watermelons) nuts (filberts, pecans, walnuts), vegetables (broccoli, Brussels sprouts, cabbage, cauliflower, celery, cucumbers, eggplants, onions, potatoes, tomatoes), tobacco, rice, sugarcane, southern pine seed orchards	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>  Identified on EPA’s “Candidate List” for possible determination in Wash Toxics case by 7/1/03

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Bensulide</b>		X				Herbicide – annual grass and broadleaf weeds, cucurbit vegetables (cucumbers, gherkin, squash, melon, honeydew, muskmelon, pumpkin, watermelon, cantaloupe, edible gourd) cole vegetables (broccoli, Brussels sprouts, cabbage, cauliflower, collards, kale, kohlrabi, mizuna, mustard greens, rape green), fruiting vegetables (eggplants, peppers, tomatillos, pepinos) leafy vegetables (arugala, cardoon, celery, chervil, cress, dock, endive, Florence fennel, parsley, radicchio, lettuce), carrots, dry bulb vegetables (garlic, onions, shallots)	<b>Wash Toxics:</b> 11/29/02 determinations of <u>No effect for 7 of the 26 ESUs</u> ; <u>May effect, but is not likely to adversely affect for 2 ESUs</u> ; <u>May effect 17 ESUs</u> . For the latter 17 ESUs, OPP recommends implementing protective measures to avoid adverse effect to the ESUs. OPP must now requests concurrences from NMFS on the <u>not likely to adversely effect finding (2 ESUs)</u> , and a biological opinion from NMFS on the <u>may effect finding (17 ESUs)</u> .
<b>Bentazon</b>		X				Herbicide – corn, dry and succulent beans, corn and sorghum, peppermint and spearmint, peas, peanuts, rice, soybeans, potatoes, rice, sugarcane	<b>Wash Toxics:</b> <u>No effect decision made 5/28/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</u>
<b>Bromacil</b>	X					Herbicide – pineapples, citrus, annual and perennial weeds	<b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 11/12/03.
<b>Bromoxynil</b>		X				Herbicide – broadleaf weeds, barley, oats, rye, corn	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>Captan</b>		X	X			Fungicide – almonds, fruit (apples, apricots, blueberries, cherries, grapes, nectarines, peaches, plums, prunes, strawberries), ornamentals (azaleas, begonias, camellias, carnations, chrysanthemum, dichondra, gladiolus, grasses, roses)	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Carbaryl</b>	X	X	X			Insecticide – asparagus, leafy vegetables (broccoli, Brussels sprouts, cauliflower, cabbage, collards, kale, kohlrabi, mustard greens) field corn and popcorn, grain sorghum, rice, sweet corn, wheat, cotton, cucurbit vegetables (cucumbers, melons, pumpkins, squash), flax, alfalfa, clovers, birdsfoot trefoil, fruiting vegetables (tomatoes, peppers, eggplant) leafy vegetables (celery, dandelion, endive, lettuce, parsley, spinach, swiss chard) legume vegetables (soybeans, fresh and dried beans, fresh and dried peas, lentils, cowpeas, southern peas), peanuts, root and tuber crops (garden beets, carrots, horseradish, parsnips, radishes, rutabagas, salsify, potatoes) sugar beets, sweet potatoes, small fruits and berries (caneberries, blueberries, cranberries, grapes, strawberries), sunflowers, tobacco, citrus fruits, olives, pome fruits (apples, pears, loquats, crabapples, oriental pears), stone fruits (apricots, cherries, nectarines, peaches, plums, prunes), pistachios, tree nuts (almonds, chestnuts, filberts, pecans, walnuts), pasture and grasses grown for seed, rangeland, non-cropland (ditches, roadsides)	<p><b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i></p> <p><b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 5/16/03.</p> <p>Identified on EPA’s “Candidate List” for possible determination in CATS and Wash Toxics cases by 7/1/03</p>
<b>Carbofuran</b>		X				Insecticide – alfalfa, field corn, popcorn, sweet corn, ornamentals, pines seedlings, small grains (wheat, oats, barley), sunflowers, tobacco, cotton, potatoes, soybean, sugarcane	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>
<b>Chloropicrin</b>			X			Fungicide/Insecticide – warning agent to control nematodes, soil borne diseases in field crops, vegetable crops, pineapples, strawberries	

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Chlorothalonil</b>		X	X			Fungicide –field and row crops (dry beans, cabbage, cauliflower, broccoli, Brussels sprouts, carrots, celery, corn, cranberry, cucumber, cantaloupe, muskmelon, honeydew, watermelon, squash, pumpkin, grasses grown for seed, mint, onion, leek, shallot, papaya, parsnip, passion fruit, peanut, potato, soybean, tomato), tree and orchard crops (peach, nectarine, apricot, cherry, plum, prune), conifers	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>Chlorpyrifos</b>	X	X	X			Insecticide – alfalfa, cotton, corn, wheat, soybean, tobacco, citrus fruit (grapefruit, lemons, oranges), cranberries, apples, pears, plums, prunes, nuts (almonds, filberts, walnuts), vegetables (cauliflower, Brussels sprouts, cabbage, collards, kale, kohlrabi, turnips, radishes, rutabagas)	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*  <b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 5/16/03.  Identified on EPA’s “Candidate List” for possible determination in CATS and Wash Toxics cases by 7/1/03
<b>Coumaphos</b>		X				Miticide- beehives	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>Cyanazine</b>			X			Herbicide – corn, cotton <b>REGISTRATION CANCELLED IN US</b>	
<b>Def (Tribufos)</b>			X			Defoliant- cotton only	

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Diazinon</b>	X	X	X			Insecticide – fruit and nut crops (almonds, apples, apricots, blackberries, blueberries, boysenberries, cherries, cranberries, dewberries, grapes, nectarines, peaches, loganberries, pears, pineapple, plums, prunes, raspberries, strawberries, walnuts), vegetable crops (beans, beets, broccoli, Brussels sprouts, cabbage, cantaloupes, carrots, casabas, cauliflower, mustard, collards, crenshaws, cucumbers, endive, honeydew melons, kale, lettuce, muskmelons, onions, parsley, parsnips, peas, peppers, potatoes, radishes, rutabagas, spinach, squash, corn, sweet potatoes, Swiss chard, tomatoes, turnips, watermelons), mushrooms, field crops (hops, sugar beets), ornamentals, tobacco	<p><b>Wash Toxics:</b>  <i>May effect 22 of the 26 ESUs; May effect, but is not likely to adversely effect the remaining 4 ESUs. OPP must now request concurrences from NMFS on the not likely to adversely effect finding (4 ESUs), and a biological opinion from NMFS on the may effect finding (22 ESUs).</i></p> <p><b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 5/16/03.</p>
<b>Dicamba</b>		X				Herbicide – field, grass seed crops , popcorn, silage corn, sorghum, sugarcane, small grains (wheat, barley, and oats), annual grass and broadleaf weeds	<p><b>Wash Toxics:</b> <i>No effect decision made 3/27/03 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i></p> <p>Identified on EPA’s “Candidate List” for possible determination in Wash Toxics case by 7/1/03</p>
<b>Dichlobenil</b>		X				Herbicide – woody ornamentals, fruit (apples, blueberries, cherries, grapes, pears, filberts, blackberries, raspberries, cranberries)	<p><b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i></p> <p>Identified on EPA’s “Candidate List” for possible determination in Wash Toxics case by 7/1/03</p>
<b>Dicofol</b>			X			Acaricide – vegetable and field crops (beans, mint, hops, peppers, tomatoes), fruits and nuts (grapefruit, kumquats, lemons, limes, oranges, tangelos, tangerines, pecans, walnuts)	

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
Diflubenzuron		X				Insecticide – trees and shrubs, ornamentals, commercial fish ponds and tanks, mushrooms, soybeans, cotton, rice, citrus	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
Dimethoate		X	X			Insecticide – fruit (apples, pears, citrus, grapefruit, lemons, oranges, tangerines, grapes), nuts (pecans), vegetable crops (beans, broccoli, cauliflower, cabbage, lettuce, celery, spinach, collards, kale, turnip, mustard greens, Swiss chard, endive, lentils, lupine, melons, peas, pepper, potatoes, tomatoes), field crops (alfalfa, field corn, cotton, safflower, sorghum, soybeans, wheat), seed crops (alfalfa), ornamentals (hackberry, honeysuckle, pines, azaleas, birch, boxwood, carnations, camellias, cedar, Christmas trees, cypress, daylilies, euonymus, ficus, gardenias, gerberas, gladiolus, hemlock, holly, juniper, oak, poinsettia, roses, taxus)	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
Disulfoton		X				Insecticide –field crops (barley, cotton, peanuts, sorghum, soybeans, tobacco, wheat), fruit (coffee, apples, apricots, cherries, peaches, pears, plums, prunes, strawberries, raspberries), nuts (pecans), vegetables (beans, Brussels sprouts, broccoli, cauliflower, cabbage, peas, lentils, peppers, potatoes), ornamentals (flowers and groundcover, shrubs, trees)	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Diuron</b>	X	X	X			Herbicide – alfalfa, apples, artichoke, asparagus, banana and plantain, barley, birdsfoot trefoil, blueberry, caneberry, gooseberry, citrus, corn, cotton, grape, grass and seed cops, macadamia nut, oats, olive, papaya, peas, peach, pear, pecan, peppermint, pineapple, red clover, sorghum, sugarcane, tree plantings, walnut, wheat, non-crop weed control	<p><b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i></p> <p><b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 11/12/03.</p> <p>Identified on EPA’s “Candidate List” for possible determination in CATS and Wash Toxics cases by 7/1/03</p>
<b>Endosulfan</b>			X			Insecticide – tobacco, apples, apricots, nectarines, peaches, barley, oats, wheat, rye, beans, peas, blueberries, broccoli, Brussels sprouts, cabbage, cauliflower, carrots, celery, cherries, peaches, plums, prunes, citrus, collards, cotton, cucumbers, melons, pumpkins, squash, eggplants, grapes, kale, lettuce, mustard greens, pears, peas, pecans, peppers, pineapple, potatoes, spinach, strawberries, sweet corn, sweet potatoes, tomatoes, walnuts, ornamentals (fern, dogwood, lilac, Douglas fir, pines, shade trees except birch, spruce, taxus)	
<b>Ethoprop</b>		X				Insecticide – banana and plantain, beans, cabbage, corn, cucumbers, peanut, potatoes, sugarcane, sweet potatoes, tobacco	<p><b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i></p>
<b>Ethyl Parathion</b>			X			Insecticide <b>REGISTRATION CANCELLED IN US</b>	
<b>Fenamiphos</b>		X	X			Nematicide – field crops (cotton, peanuts), vegetables (bok choy, cabbage, Brussels sprouts, eggplant, garlic, okra, non-bell peppers), fruit (strawberries, pineapple)	<p><b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i></p>

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Fenbutatin-oxide</b>		X				Acaracide – apples, pear, grape, citrus, nectarines, peaches, plum, prune, cherry, papaya, almond, pecan, walnut, strawberry, eggplant, raspberries, Christmas tree	<b>Wash Toxics:</b> 11/29/02 determination of <u>No effect</u> for 2 of the 26 ESUs; <u>May effect, but is not likely to adversely effect</u> 1 ESU; <u>May effect</u> 23 ESUs. For the latter 23 ESUs, OPP recommends implementing protective measures to avoid adverse effect to the ESUs. OPP must now request concurrence from NMFS on the <u>not likely to adversely effect</u> finding (1 ESU), and a biological opinion from NMFS on the <u>may effect</u> finding (23 ESUs).
<b>Fenthion</b>				X		Insecticide – cereals, cotton, orchard fruits, rice, vegetables, and forest. <b>REGISTERED ONLY IN FLORIDA AND LOUISIANA</b>	

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
Glyphosate	X		X			Herbicide – annual & perennial grasses & broadleaves, woody brush & trees, ornamentals & Christmas trees, turf grasses & grasses for seed production, row crops (corn, cotton, peanuts, sorghum, soybeans, sugarcane) cereal grass (barley, buckwheat, millet, oats, rice, rye, triticale, wheat, wild rice), citrus (calamondin, chironja, citron, grapefruit, kumquat, lemon, lime, orange, pummelo, tangelo, tangerine, tangors), tree nuts (almond, beechnut, brazil nut, butternut, cashew, chestnut, chinquapin, filbert, hazelnut, hickory nut, macadamia, pecan, pistachio, walnut), vine crops (kiwi, grapes), tree fruits (apples, apricots, cherry, loquat, nectarine, olive, peach, pear, plum/prune, quince), vegetables (artichoke, asparagus, beans, beets, broccoli, Brussels sprouts, cabbage, cantaloupe, carrot, cauliflower, all melons, celery Swiss chard, chicory, collards, cucumber, eggplants, endive, garlic, gourds, cherry, honeydew melon, horseradish, kale, kohlrabi, leek, lentils, lettuce, mango, mustard greens, okra, onion, rape greens, parsley, parsnips, peas, pepper, potato, pumpkin, radish, rhubarb, rutabaga, spinach, squash, tomatillo, tomato, turnip, watercress, yams), small fruit and berries (blackberries, blueberries, boysenberries, cranberries, currant, dewberry, elderberry, gooseberry, huckleberry, loganberry, olallieberry, raspberry), forage crops and legumes (alfalfa), tropical crops (acerola, atemoya, avocado, banana/plantains, breadfruit, canistel, carambola, cherimoya, cocoa beans, coffee, dates, figs, genip, guava, jaboticaba, jackfruit, longan, lychee, mango, mayhaw, papaya, passion fruit, persimmons, pineapple, pomegranate, sapodilla, sapote, soursop, tamarind, tea)	<p><b>CATS:</b> <i>(Forest plants) EPA must seek concurrence of FWS no later than 1/16/03.</i></p> <p><i>(Specific listed salmonid ESUs)- EPA must request formal consultation with NMFS no later than 10/7/04.</i></p> <p>Identified on EPA’s “Candidate List” for possible determination in CATS case by 7/1/03</p>

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
Hexazinone	X		X			Herbicide – Christmas trees, woody plants, sugarcane, alfalfa, blueberries, pineapple	<p><b>CATS:</b> (Forest plants) EPA must seek concurrence of FWS no later than 1/16/03. (Specific listed salmonid ESUs)- EPA must request formal consultation with NMFS no later than 10/7/04.</p> <p>Identified on EPA’s “Candidate List” for possible determination in CATS case by 7/1/03</p>
Imazapyr	X		X			Herbicide – Industrial sites (no crops)	<p><b>CATS:</b> (Forest plants)-EPA must seek concurrence of FWS no later than 1/16/03. (Salmonids &amp; critical habitat)- EPA must seek concurrence of NMFS on no later than 1/16/03.</p> <p>Identified on EPA’s “Candidate List” for possible determination in CATS case by 7/1/03</p>
Iprodione		X	X			Fungicide – field and row crops (cotton, peanuts, rice), fruit trees and nuts (almonds, stone fruits, apricots, cherries, nectarines, peaches, plums, prunes, ginseng), small fruit (berries, grapes, strawberries), vegetables (beans, broccoli, carrots, Chinese mustards, onions, garlic, lettuce, potatoes)	<p><b>Wash Toxics:</b> *See schedule for effects determination in endnote*</p>
Lindane & Lindane (gamma-BHC & HCH) Note these are the same product		X Listed as two separate products in case				Insecticide – Seed crop use, corn, beans	<p><b>Wash Toxics:</b> *See schedule for effects determination in endnote*</p>
Linuron		X	X			Herbicide – broadleaf weeds and grasses, sorghum, wheat, cotton, soybean, corn, potatoes, celery, poplar, parsley, parsnip	<p><b>Wash Toxics:</b> *See schedule for effects determination in endnote*</p>

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Malathion</b>		X	X			Insecticide – beans, leafy vegetables (broccoli, turnips, Brussels sprouts, cabbage, collard dandelion, kale kohlrabi, mustard green, Swiss chard, watercress, harlequin, parsley), vegetables (celery, lettuce, spinach, corn, cucumber, endive, squash, eggplant, cotton, mint, rice, tomato, vetch), alfalfa, clover, vetch, grass crops, grain crops (barley, wheat, oat, rye), garlic, leek, shallot, lentil, mushroom, onion, pea, okra, pepper, potato, beet, horseradish, parsnip, radish, rutabaga, sweet potato), fruits (apricot, avocado, cherry, grapefruit, lemon, lime, orange, tangerine, tangelo, kumquat, fig, nectarine, peach, blackberry, boysenberry, dewberry, Loganberry, raspberry, blueberry, strawberry), ornamental flowering and woody plants	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>
<b>Mancozeb</b>			X			Fungicide – pomegranates (apples, pears, quince), fruits (bananas, cranberries, grapes, papayas, plantains), vegetables (asparagus, corn, cucumbers, gourds, fennel, melon, onions, garlic, shallots, potatoes, seed piece, squash, tomatoes, watermelons), field crops (barley, cotton, oats, peanuts, rye, sugar beets, wheat, triticale, flax, rice, safflower, sorghum, tomatoes)	
<b>Maneb</b>			X			Fungicide – fruits and nuts (almonds, apples, bananas, cranberries, grapes, figs, papaya), field and vegetable crops (bean, broccoli, Brussels sprouts, cauliflower, cabbage, kohlrabi, collards, corn, cucumber, eggplant, garlic, kale, lettuce, melons, mustard greens, onions, peppers, potatoes, pumpkin, squash, sugar beet, tomato, turnip), seed treatments (barley, cotton, flax, oat, peanut, rice, sorghum, safflower, rye, wheat), grasses	

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
Metam Sodium			X			Insecticide- orchards, vineyards, tobacco. Herbicide, and Fungicide – mint, peanuts, tomatoes, potatoes, small grains, tobacco, tree fruits Soil fumigant for all crops	
Methamidophos		X				Insecticide – potatoes, cotton	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
Methidathion		X	X			Insecticide – cotton, citrus, alfalfa, almonds, apples, apricots, artichokes, carambola, cherries, clover, kiwi, longan, mangoes, nectarines, nursery stock, olives, peaches, pears, pecans, plums, prunes, safflower, sunflower, walnuts	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
Methomyl		X	X			Insecticide – alfalfa, anise, asparagus, barley, beans, broccoli, Brussels sprouts, cabbage, carrot, cauliflower, celery, collards, corn, cotton, cucumber, lettuce, melons, mint, oats, peanuts, peas, peppermint, peppers, potato, rye, soybeans, spinach, sugar beat, summer squash, wheat, cotton, ornamentals	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*  Identified on EPA’s “Candidate List” for possible determination in Wash Toxics case by 7/1/03
Methyl Bromide			X			Fumigant – insect and rodent control	
Methyl Parathion		X	X			Insecticide – corn, cotton, beans, onions, rice, soybean, wheat, apples, pasture/rangeland	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
Metolachlor		X	X			Herbicide - corn, cotton, grain, sorghum, peanuts, pod crops, safflower, potatoes, soybean, woody ornamentals	<b>Wash Toxics:</b> 11/29/02 determination of <u>No effect</u> for 6 of the 26 ESUs; <u>May effect, but is not likely to adversely effect</u> 5 ESU; <u>May effect</u> 15 ESUs. For the latter 15 ESUs, OPP recommends implementing protective measures to avoid adverse effect to the ESUs. OPP must now request concurrences from NMFS on the <u>not likely to adversely effect finding</u> (5 ESU), and a biological opinion from NMFS on the <u>may effect finding</u> (15 ESUs).

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Metribuzin</b>		X				Herbicide – potatoes, alfalfa, asparagus, carrots, potatoes, sugarcane, soy and garbanzo beans, wheat, barley, and weed and grass control	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>Molinate</b>	X	X	X			Herbicide – rice only	<b>Wash Toxics:</b> <i>No effect decision made 8/1/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i> <b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 5/10/04.
<b>Naled</b>		X	X			Insecticide – almonds, peas, beans, broccoli, cauliflower, Brussels sprouts, kale, cabbage, melons, hops, cotton, eggplants, pepper, grapes, oranges, lemons, grapefruit, tangerines, peaches, safflower, strawberries, sugar beets, summer squash, alfalfa, turnip greens, walnuts, forest and shade ornamentals, flowering plants	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>Norflurazon</b>		X				Herbicide – cotton, peanuts, cranberries, asparagus, soybeans, alfalfa, weed control in tree, nuts, and vine crops	<b>Wash Toxics:</b> <i>No effect decision made 3/27/03 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i>  Identified on EPA’s “Candidate List” for possible determination in Wash Toxics case by 7/1/03
<b>Oryzalin</b>	X	X	X			Herbicide – annual grasses and broadleaf weeds in bearing & nonbearing fruit trees, nut trees, vineyards, Bermuda grass turf, & ornamentals	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*  <b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 5/10/04.  Identified on EPA’s “Candidate List” for possible determination in CATS and Wash Toxics cases by 7/1/03

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Oxydemeton-methyl</b>			X			Insecticide – for the control of aphids and suckling insects in Vegetables and fruit crops (corn, mint, sugar beets, alfalfa, beans), cotton, ornamentals	
<b>Oxyfluorfen</b>	X	X	X			Herbicide – artichoke, avocado, broccoli, cabbage, cauliflower, citrus, sage, coffee, conifers, corn, cotton, cottonwood, fallow bed, feijoa, grapes, guava, horseradish, jojoba, kiwi, macadamia, mayhaw, mint, noncrop, nuts, olives, onion, papaya, persimmon, taro, tree fruits	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>  <b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 10/7/04.
<b>Paraquat Dichloride</b>		X	X			Herbicide - fruit orchards, shade trees, ornamentals, cotton, soybeans, sugarcane, guar, sunflowers, alfalfa, clover, potato, rubber plantations, coffee, coconuts, citrus	<b>Wash Toxics:</b> <i>No effect determination made 12/23/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i>
<b>Pebulate</b>		X				Herbicide – sugar beets, tobacco, tomatoes	<b>Wash Toxics:</b> <i>No effect decision made 5/30/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i>
<b>Pendimethalin</b>		X	X			Herbicide – cotton, onions and shallots, beans, corn, legumes, garlic, sorghum, nonbearing fruit, nut crops, vineyards, peanuts, potatoes, rice, soybeans, sugarcane, sunflowers, sweet lupines, small grain cereals, tobacco, ornamentals	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>
<b>Permethrin</b>			X			Insecticide – Almonds, apples, asparagus, avocado, bell peppers, broccoli, cabbage, Brussels sprouts, cauliflower, celery, cherries, chrysanthemums, cole crops, collards, conifers, corn, cotton, eggplants, filberts, garlic, lettuce, horseradish, leafy vegetables, mushrooms, onions, ornamentals, papayas, peaches, pears, pines seed orchards, pistachios, potatoes, pumpkins, range grass, roses, soybeans, spinach, tomatoes, turnips, walnuts, ornamentals	

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
Phorate		X	X			Insecticide – wheat, sugarcane, soybeans, beans, corn, cotton, peanuts, potatoes, sorghum, sugar beets	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
Phosmet		X	X			Insecticide – alfalfa, almonds, apples, apricots, blueberries, cherries, citrus, corn, cotton, cranberries, grapes, kiwi, nectarines, peaches, plums, pears, peas, pecans, pistachios, plums, potatoes, prunes, walnuts, shade and ornamentals, woody evergreens, Christmas trees	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*  Identified on EPA’s “Candidate List” for possible determination in Wash Toxics case by 7/1/03
Prometryn		X				Herbicide – cotton, celery	<b>Wash Toxics:</b> 11/29/02 determination of <i>No effect</i> for 17 of the 26 ESUs; <i>May effect</i> 9 ESUs. For the latter 9 ESUs, OPP recommends implementing protective measures to avoid adverse effect to the ESUs. OPP must now request concurrences from NMFS on the <i>not likely to adversely effect</i> finding (17 ESU) [NOTE: THIS MAY BE A TYPO IN OPPs LETTER, SINCE FINDING WAS "NO MAY EFFECT" (WHICH DOES NOT REQUIRE CONCURRENCE) RATHER THAN "MAY EFFECT, BUT NOT LIKELY TO ADVERSELY EFFECT" (WHICH DOES REQUIRE CONCURRENCE)], and a biological opinion from NMFS on the <i>may effect</i> finding (9 ESUs).

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Propargite</b>		X	X			Acaricide – almonds, beans, carrots, Christmas trees, conifers, clover, corn, cotton, grapefruit, grapes, hops, lemons, mint, nectarines, ornamentals, ranges, peanuts, potatoes, roses, sorghum, sugar beets, walnuts, cherries, citrus, apples, apricots, avocados, peaches, plums, pears, prunes, strawberries, jojoba	<b>Wash Toxics:</b> <i>May Effect 7 of 26 Pacific Salmon &amp; Steelhead ESUs determination made 8/1/02; now subject to formal consultation with NMFS.</i>
<b>Simazine</b>	X	X	X			Herbicide – alfalfa, apples, asparagus, bermudagrass, caneberries, cherries, citrus, corn, cranberries, grapes, nuts, peaches, pears, ornamentals, berry fruit, orchards, field lupines, roses, vineyards	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>  <b>CATS:</b> (Specific listed salmonid ESUs)-EPA must request formal consultation with NMFS no later than 11/12/03.  Identified on EPA’s “Candidate List” for possible determination in CATS and Wash Toxics cases by 7/1/03
<b>Sulfometuron-methyl</b>	X					Herbicide – forests, grassland, conifers, hardwoods, bermudagrass, bahiagrass, wheatgrass	<b>CATS:</b> (Forest plants) EPA must seek concurrence of FWS no later than 1/16/03. (Salmonids & critical habitat)-EPA must seek concurrence of NMFS on no later than 1/16/03.  Identified on EPA’s “Candidate List” for possible determination in CATS case by 7/1/03
<b>Tebuthiuron</b>		X				Herbicide – industrial sites (no crops)	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>
<b>Telone</b>			X			Insecticide – vegetable crops, field crops, fruit and nut crops, (strawberries, nursery crops, and mint) Soil Fungicide and Nematocide	
<b>Terbacil</b>		X				Herbicide – sugarcane, alfalfa, apples, blueberries, mint, peaches	<b>Wash Toxics:</b> <i>*See schedule for effects determination in endnote*</i>

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Thiobencarb</b>		X	X			Herbicide – rice only	<b>Wash Toxics:</b> <i>No effect decision made on 8/1/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i>
<b>Thiodicarb</b>		X				Insecticide – corn, cotton, leafy vegetables, soybeans	<b>Wash Toxics:</b> <i>*No effect decision made on 3/13/03 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i>  Identified on EPA’s “Candidate List” for possible determination in Wash Toxics suit by 7/1/03
<b>Triclopyr</b> (general name that includes “Triclopyr Butoxyethyl Ester” and “Triclopyr Triethylammonium”)		X	X			Herbicide – grass pastures, forests, industrial sites	<b>Wash Toxics:</b> <i>No effect determination made 11/30/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i>
<b>Triclopyr Butoxyethyl Ester (BEE ester)</b> (subcategory of “Triclopyr”)	X					Herbicide – grass pastures, forests, industrial sites	<b>CATS:</b> <i>(Forest plants) EPA must seek concurrence of FWS no later than 1/16/03. (Specific listed salmonid ESUs)- EPA must request formal consultation with NMFS no later than 5/10/04</i>  Identified on EPA’s “Candidate List” for possible determination in CATS case by 7/1/03  <b>Wash Toxics:</b> <i>No effect determination made 11/30/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit.</i>

Active ingredient	CATS	Washington Toxics	Frog	Florida Birds	Klamath Basin (2 lawsuits)	Crops	Status and Deadlines
<b>Triclopyr Triethylammonium</b> (TEA salt) (subcategory of “Triclopyr”)	X					Herbicide- rice	<p><b>CATS:</b> (<i>Forest plants</i>) EPA must seek concurrence of FWS no later than 1/16/03. (<i>Salmonids &amp; critical habitat</i>)- EPA must seek concurrence of NMFS on no later than 1/16/03.</p> <p>Identified on EPA’s “Candidate List” for possible determination in CATS case by 7/1/03</p> <p><b>Wash Toxics:</b> <i>No effect</i> determination made 11/30/02 for the 26 ESUs of Pacific Anadromous Salmonids identified in the lawsuit</p>
<b>Trifluralin</b>		X	X			Herbicide – alfalfa, almond, apricot, asparagus, barley, beans, broccoli, Brussels sprouts, cabbage, cantaloupe, carrot, cauliflower, celery, collard, corn, cotton, cucumber, grain sorghum, grapefruit, grapevines, hops, kale, lemon, mungbean, mustard, nectarine, okra, orange, peach, peanuts, peas, pecan, peppers, plum, potato, prune, safflower, soybeans, sugar beat, sugarcane, sunflower, tangelo, tangerine, tomatoes, turnip green, walnut, watermelon, wheat, cotton, ornamentals	<b>Wash Toxics:</b> *See schedule for effects determination in endnote*
<b>Ziram</b>			X			Fungicide – almonds, peaches, nectarines, cherries, apples, pears, pecans, grapes, vegetables, tomatoes, ornamental crops	

Sources:

**CATS:** Proposed Consent Decree, *Californians for Alternatives to Toxics v. EPA*, No. C00-3150 CW (N.D. Cal. Apr. 19, 2002) – relating to 7 ESUs of threatened and endangered species of steelhead and salmon, and threatened and endangered plants that occur in, adjacent to or near forests

**Washington Toxics:** *Washington Toxics Coalition v. EPA*, No. C01-132C, Order at 14 n.22 (W.D. Wash. July 2, 2002) – regarding 26 ESUs of threatened or endangered species of steelhead and salmon

**Frog:** *Center for Biological Diversity v. Whitman*, No. C02-1580 CW (U.S. Dist. Ct. N.D. Cal.), Plaintiff's First Amended Complaint for Declaratory and Injunctive Relief ¶¶ 37-87 (July 2, 2002) – regarding the threatened red-legged frog

**Florida Birds:** Various news reports

**Klamath Basin:** Oregon Natural Resources Council, et. al. v. Bureau of Reclamation (U.S. Dist. Ct. OR), Plaintiff's Complaint (October 21, 2002)

**Crops:** *Farm Chemicals Handbook: Global Guide to Crop Protection 2002*. Meister Publishing Company, 2001.  
*2002 Crop Protection Reference*. Chemical & Pharmaceutical Press, Inc., 2002.  
*1999 Crop Protection Reference*. Chemical & Pharmaceutical Press, Inc., 1999.

---

<sup>i</sup> (**Washington Toxics**) Schedule for EPA consultation with NMFS regarding effects of pesticide-registrations on threatened and endangered salmonids:

- EPA shall make effects determinations and consult, as appropriate, for 3 pesticides by July 15, 2002.
- EPA shall make effects determinations and consult, as appropriate, for 3 additional pesticides by August 1, 2002.
- EPA shall make effects determinations and consult, as appropriate, for 7 additional pesticides by December 1, 2002.
- EPA shall make effects determinations and consult, as appropriate, for 7 additional pesticides by April 1, 2003.
- EPA shall make effects determinations and consult, as appropriate, for 7 additional pesticides by August 1, 2003.
- EPA shall make effects determinations and consult, as appropriate, for 7 additional pesticides by December 1, 2003.
- EPA shall make effects determinations and consult, as appropriate, for 7 additional pesticides by April 1, 2004.
- EPA shall make effects determinations and consult, as appropriate, for 7 additional pesticides by August 1, 2004.
- EPA shall make effects determinations and consult, as appropriate, for 7 additional pesticides by December 1, 2004.

L:\DEPTS\LEGAL\Water Issues\ESA\Active Ingredients Subject to Litigation.DOC