



Pesticide Update

EPA's Office of Chemical Safety and Pollution Prevention

EPA Releases Draft Biological Opinion for Carbaryl for Public Comment

Today, the U.S. Environmental Protection Agency (EPA) is releasing and seeking public comment on the U.S. Fish and Wildlife Service's (FWS) draft biological opinion for the insecticide carbaryl. Carbaryl is a pesticide used on a variety of crops, including field vegetables and orchard crops.

Under the Endangered Species Act (ESA), EPA must ensure that its actions, including many pesticide registration actions, do not jeopardize federally listed endangered or threatened species, or adversely modify their designated critical habitats. When EPA determines in a biological evaluation that use of a pesticide product may affect these species or critical habitats, EPA must initiate formal consultation with FWS, the National Marine Fisheries Service (NMFS), or both (the Services). In response, the Service(s) may develop a biological opinion that determines whether the pesticide will jeopardize listed species or adversely modify critical habitats.

In March 2021, EPA completed its final biological evaluation for carbaryl. EPA's biological evaluation made "likely to adversely affect" determinations for 1,640 listed species and 736 designated critical habitats for carbaryl. A "likely to adversely affect" (LAA) determination means that EPA reasonably expects that at least one individual animal or plant of any listed species may be exposed to these pesticides at a sufficient level to have an adverse effect. This is the case even if a listed species is almost recovered to a point where it may no longer need to be listed.

EPA initiated formal consultation with the Services upon completing these biological evaluations and, in response, FWS has developed a draft biological opinion for carbaryl. In 2024, NMFS completed its final biological opinion for carbaryl. Later this year, EPA will complete implementation of the NMFS BiOp by approving new carbaryl labels reflecting mitigations from the BiOp and issuing Endangered Species Protection Bulletins that set geographically specific limitations on carbaryl use.

Biological opinion and next steps

FWS determined in the draft biological opinion that use of carbaryl is likely to jeopardize 78 listed species and adversely modify 14 critical habitats when used as currently registered.

The draft biological opinion proposes measures to avoid jeopardy and adverse modification as well as reduce risks on carbaryl use sites. These proposed measures include ground boom and aerial application restrictions, rain restrictions, and reductions in maximum annual amount and number of applications to various crops, ornamentals, and turf. FWS is also proposing to incorporate mitigation measures from EPA's Insecticide Strategy, once finalized later this year, and refine carbaryl label directions using geographic specific mitigation through Bulletins Live! Two.

After the 30-day public comment period, EPA will provide FWS with the comments received for consideration before FWS finalizes the biological opinion. Following the release of the final FWS biological opinion, EPA will implement the measures described in the FWS final biological opinion.

The FWS draft biological opinion is available for public comment for 30 days in docket [EPA-HQ-OPP-2024-0579](https://www.regulations.gov/docket/EPA-HQ-OPP-2024-0579) at www.regulations.gov.

[Read the Draft Biological Opinion for Carbaryl](#)