Message

From: Jeffrey H Birk [jeffrey.birk@basf.com]
Sent: 10/27/2020 7:28:23 PM
To: Hathaway, Margaret [Hathaway.Margaret@epa.gov]; Dixon Monty USGR [monty.dixon@syngenta.com]
CC: Echeverria, Marietta [Echeverria.Marietta@epa.gov]; Kenny, Daniel [Kenny.Dan@epa.gov]; Steven Callen [steven.callen@bayer.com]
Subject: RE: [EXT] RE: Concurrence Requested ASAP - Dicamba Bulletins Live Language

Meg,

To be clear, BASF concurs with the proposed BLT language.

Thanks,

Jeff

JEFFREY BIRK
Product Registration Manager

Phone: +1 919 547-2622, Mobile: +1-919-225-9220, Fax: +1 919 547-2850, Email: jeffrey.birk@basf.com
Postal Address: BASF Corporation, , 26 Davis Drive, 27709-3528 Research Triangle Park, United States

We create chemistry

BASF Corporation

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Tuesday, October 27, 2020 3:26 PM
To: Jeffrey H Birk <jeffrey.birk@basf.com>; Dixon Monty USGR <monty.dixon@syngenta.com>; George Sabbagh <george.sabbagh@bayer.com>
Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Steven Callen <steven.callen@bayer.com>
Subject: RE: [EXT] RE: Concurrence Requested ASAP - Dicamba Bulletins Live Language

Thank you, Jeff.

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: Jeffrey H Birk <jeffrey.birk@basf.com>
Sent: Tuesday, October 27, 2020 3:25 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; Dixon Monty USGR <monty.dixon@syngenta.com>; George Sabbagh <george.sabbagh@bayer.com>

Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Steven Callen <steven.callen@bayer.com>
Subject: RE: [EXT] RE: Concurrence Requested ASAP - Dicamba Bulletins Live Language

Hello Meg,

Not sure that you need to hear from BASF, but we understand the difference between the BLT and FIFRA language and concur.

Jeff

JEFFREY BIRK
Product Registration Manager

Phone: +1 919 547-2622, Mobile: +1-919-225-9220, Fax: +1 919 547-2850, Email: jeffrey.birk@basf.com
Postal Address: BASF Corporation, , 26 Davis Drive, 27709-3528 Research Triangle Park, United States

We create chemistry

BASF Corporation

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Tuesday, October 27, 2020 1:43 PM
To: Dixon Monty USGR <monty.dixon@syngenta.com>; George Sabbagh <george.sabbagh@bayer.com>
Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Steven Callen <steven.callen@bayer.com>; Jeffrey H Birk <jeffrey.birk@basf.com>
Subject: [EXT] RE: Concurrence Requested ASAP - Dicamba Bulletins Live Language

Thanks Monty for resending.

You are correct that the label statements and BLT language differs somewhat. This is purposeful. EFED did not perform an analysis to see if there are listed species on any fields except soy and cotton, and therefore EPA does not have an analysis to see if listed species could be on those fields if they were included in the buffers.

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

From: Dixon Monty USGR <monty.dixon@syngenta.com>
Sent: Tuesday, October 27, 2020 1:36 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; George Sabbagh <george.sabbagh@bayer.com>
Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Steven Callen <steven.callen@bayer.com>; Jeffrey H Birk <jeffrey.birk@basf.com>
Subject: RE: Concurrence Requested ASAP - Dicamba Bulletins Live Language

Hello Meg,

The text is:

The following areas may be included in the buffer distance calculation when adjacent to field edges:

- Roads, paved or gravel surfaces, mowed grass areas, and areas of bare ground from recent plowing or grading that are contiguous to the treated field.
- Planted agricultural fields containing: corn, dicamba-tolerant cotton, dicamba-tolerant soybeans, sorghum, proso millet, small grains and sugarcane. If the applicator intends to include such crops as dicamba-tolerant cotton and/or dicamba-tolerant soybeans in the buffer distance calculation, the applicator must confirm the crops are in fact dicamba-tolerant and not conventional cotton and/or soybeans.
- Agricultural fields that have been prepared for planting.
- Areas covered by the footprint of a building, silo, or other man-made structure with walls and/or roof.

We are supportive of this language but just want to ensure the Agency is aware that the proposed BLT language is organized differently.

Thanks
Monty

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Tuesday, October 27, 2020 1:33 PM
To: Dixon Monty USGR <monty.dixon@syngenta.com>; George Sabbagh <george.sabbagh@bayer.com>
Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Steven Callen <steven.callen@bayer.com>; Jeffrey H Birk <jeffrey.birk@basf.com>
Subject: RE: Concurrence Requested ASAP - Dicamba Bulletins Live Language

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Monty:
The image you included in your email appears to have been deleted by EPA's email server.

- Meg

From: Dixon Monty USGR <monty.dixon@syngenta.com>
Sent: Tuesday, October 27, 2020 1:28 PM
To: Hathaway, Margaret <Hathaway.Margaret@epa.gov>; George Sabbagh <george.sabbagh@bayer.com>
Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Steven Callen <steven.callen@bayer.com>; Jeffrey H Birk <jeffrey.birk@basf.com>
Subject: RE: Concurrence Requested ASAP - Dicamba Bulletins Live Language

Hello Meg,

Thanks....just to clarify before I respond. It is my understanding the labels reads as follows. Should the BLT language match?

Thanks
Monty

From: Hathaway, Margaret <Hathaway.Margaret@epa.gov>
Sent: Tuesday, October 27, 2020 1:19 PM
To: George Sabbagh <george.sabbagh@bayer.com>
Cc: Dixon Monty USGR <monty.dixon@syngenta.com>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Steven Callen <steven.callen@bayer.com>; Jeffrey H Birk <jeffrey.birk@basf.com>
Subject: Concurrence Requested ASAP - Dicamba Bulletins Live Language

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear George:
EPA requests concurrence asap with the following language regarding hooded sprayers for BLT language associated with the dicamba decision:

"To protect federally listed threatened and endangered species, both a 310-foot in-field wind-directional spray drift buffer and a 57-foot omnidirectional in-field buffer are required. **If applying with a qualified hooded sprayer**, both a 240-foot in-field wind-directional spray drift buffer and a 57-foot omnidirectional in-field buffer are required to protect federally listed threatened and endangered species. Please see **[URL]** for a list of qualified hooded sprayers.

The following areas may be included in the buffer distance composition when directly adjacent to the treated field edges:
• Roads, paved or gravel surfaces, mowed grassy areas adjacent to field, and areas of bare ground from recent plowing or grading that are contiguous with the treated field.
• Planted agricultural fields containing dicamba-resistant plantings of cotton and soybeans.
• Areas covered by the footprint of a building, silo, or other man made structure with walls and or roof."

Thank you,

Margaret Hathaway (Meg)
Senior Regulatory Specialist
U.S. Environmental Protection Agency
OCSPP: Office of Pesticide Programs
Registration Division – Herbicide Branch
hathaway.margaret@epa.gov
(703) 305-5076

ALL CONTENTS AND ATTACHMENTS TO THIS EMAIL CORRESPONDENCE ARE TO BE CONSIDERED DRAFT/INTERNAL/DELIBERATIVE ONLY, NOT TO BE SHARED UNLESS SPECIFICALLY AND EXPLICITLY STATED

This message may contain confidential information. If you are not the designated recipient, please notify the sender immediately, and delete the original and any copies. Any use of the message by you is prohibited. Syngenta seeks to preserve and promote competition and deter anticompetitive conduct. All our employees and partners are required to act in accordance with laws and Syngenta "Code of Conduct"