UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Florida Department of Agriculture and Consumer Services
Division of Agricultural Environmental Services
Bureau of Scientific Evaluation and Technical Assistance
The Conner Building, No. 6
3125 Conner Boulevard
Tallahassee, Florida 32399-1650

Date Issued:
Expiration Date:
Report Due Date:
File Symbol: 22FL01

Attn: Ms. Amy Brown

The Environmental Protection Agency hereby re-issues a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the Florida Department of Agriculture and Consumer Services (FDACS) for the use of clothianidin on immature (3-5 years old) citrus trees to manage the transmission of Huanglongbing (HLB) disease vectored by the Asian Citrus Psyllid (ACP).

In a letter dated December 3, 2021, the FDACS recertified that the emergency condition still exists and that there were no changes to the use directions as approved in the last authorization letter dated December 23, 2020, including the use rates and type of application. This specific exemption is subject to the conditions set forth in your request as well as the following conditions, modifications, and restrictions below:

1. The Florida Department of Agriculture and Consumer Services (FDACS) is responsible for ensuring that all provisions of this specific exemption are met. FDACS is also responsible for providing information in accordance with 40 CFR §166.32(b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and the EPA Regional 4 office within 6 months following the expiration of this exemption or prior to requesting another specific exemption for this use. In accordance with 40 CFR §166.32(a), these offices shall also be immediately informed of any adverse effects resulting from the use of this pesticide in connection with this exemption. Any future correspondence in connection with this exemption should refer to file symbol: **22FL01**.

2. The registered product, Belay® Insecticide (EPA Reg. No. 59639-150, containing 23.0% clothianidin) manufactured by Valent U.S.A. Corporation may be applied. All applicable use directions, restrictions, Worker Protection Standard (WPS) requirements, and

precautions on the EPA-registered product label, as well as those outlined on the Section 18 use directions, submitted in support of your application must be followed, except as modified by this authorization.

3. Belay® Insecticide may be applied via soil drench at a single maximum application rate of 0.2 lb a.i./A (12.0 fl oz per acre) to immature citrus trees (3- to 5-years-old), with a maximum of 0.4 lb a.i./A (24.0 fl oz per acre) per 12-month period regardless of tree size, tree count per acre, or application method.

4. A maximum of 125,376 acres of young citrus trees may be treated under this exemption.

5. A minimum 1-day pre-harvest interval (PHI) and a 12-hour restricted entry interval (REI) must be observed.

6. To minimize exposure to pollinators, the following statement on the application timing must be observed: **"Do not apply this product until after petal fall."**

7. The following environmental hazard statements on the Section 18 label must be followed:

    - This product is toxic to aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.
    - This product is toxic to bees exposed to treatment and for more than 5 days following treatment. Do not apply this product to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period. Fall soil application of 3-5 years old citrus may pose risks to honey bees that forage in the trees during the winter/spring bloom. Applicators are advised to help mitigate such risks by cooperating with the Florida Department of Agriculture and Consumer Services in its efforts to communicate hive location/placement options with local bee keepers (*sic*). For further information, see [HYPERLINK "http://www.FloridaBeeProtection.org"].
    - The properties of this chemical suggest it may leach into ground water if used in areas where soils are permeable and where the water table is very shallow. Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, estuaries, or commercial fish farm ponds.

8. Residues resulting from applications of Belay® Insecticide made in accordance with this exemption are not expected to result in residues of clothianidin, including its metabolites and degradates in or on citrus, in excess of 0.07 ppm. The Agency has determined this level is adequate to protect public health. A time-limited tolerance in connection with this action has been established in 40 CFR 180.586(b) for fruit, citrus group 10-10 to support this emergency use.

9. This specific exemption expires October 31, 2022.

This is the eighth year that FDACS has requested the use of clothianidin on immature citrus trees to manage the transmission of Huanglongbing disease vectored by the Asian Citrus Psyllid under Section 18 of FIFRA. In the event that FDACS requests an exemption for this use pattern next year, EPA is making a preliminary determination that this use is eligible for a streamlined application under the recertification program (40 CFR 166.20(b)(5)). In addition, EPA requires public notice of receipt of the recertification application in the Federal Register and a 15-day public comment period per the regulations (40 CFR 166.24(a)(7)(i)) since the clothianidin emergency exemption use has been requested in 5 or more previous years and is supported by the IR-4 program. Progress toward registration is adequate at this time.

If you have any questions regarding this authorization, please contact Emergency Response Team member, Stacey Groce at (202) 566-4715, or via e-mail at [HYPERLINK "mailto:groce.stacey@epa.gov"] or the Minor Use and Emergency Response Senior Regulatory Specialist, Ruthanne Louden at (202) 566-1849, or via e-mail at [HYPERLINK "mailto:louden.ruthanne@epa.gov"].

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Ed Messina Esq., Director
Office of Pesticide Programs

Date: _____

cc: *USEPA Region 4, Randy Dominy*
USEPA Region 4 Pesticide Tribal Coordinator, Patricia Livingston

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