UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Missouri Department of Agriculture
P.O. Box 630
Jefferson, Missouri 65102

Authorization Date: MAY 11 2016
Expiration Date: April 8, 2017
Report Due: October 8, 2017
File Symbol: 16MO01

Attn: Melissa May

The U.S. Environmental Protection Agency hereby issues a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the Missouri Department of Agriculture for the use of sulfoxaflor (CAS Reg. No. 946578-00-3) on sorghum to control sugarcane aphid (*Melanaphis sacchari*) in Missouri. This specific exemption is subject to the conditions set forth in your request dated May 6, 2016, as well as the following conditions, modifications and restrictions:

1. The Missouri Department of Agriculture (MDA) is responsible for ensuring that all provisions of this specific exemption are met. MDA 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 Region 7 office within 6 months following the expiration of this exemption or prior to requesting another specific exemption for this use in the following year. 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.

2. The unregistered product, Transform™ WG (50% a.i. sulfoxaflor), manufactured by Dow AgroSciences, may be applied. All applicable directions, restrictions, and precautions outlined in the Section 18 use directions submitted to the Agency by Dow AgroSciences on May 6, 2016 must be followed except as modified in this authorization document.

3. Foliar applications may be made by ground or air at a rate of 0.75-1.5 oz of product (0.023-0.047 lb a.i.) per acre. A maximum of 2 applications may be made per year, resulting in a seasonal maximum application rate of 3.0 oz of product (0.09 lb a.i.) per acre per year.

4. Do not apply product ≤ 3 days pre-bloom or until after seed set.

5. To minimize spray drift and potential exposure of bees when foraging on plants adjacent to treated fields:

   - Applications are prohibited above wind speeds of 10 miles per hour (mph).
   - Applications must be made with medium to course spray nozzles (i.e., with median droplet size of 341 μm or greater).

6. Retreatments are prohibited within 14 days of application. A restricted entry interval (REI) of 24 hours applies to all applications.

7. Pre-harvest interval (PHI): Do not apply within 14 days of grain or straw harvest or within 7 days of grazing, or forage, fodder, or hay harvest.

8. A maximum of 85,000 acres of sorghum fields (grain and forage) may be treated in Missouri.

9. **Environmental Hazards Statement**:
   "This product is highly toxic to bees exposed through contact during spraying and while spray droplets are still wet. This product may be toxic to bees exposed to treated foliage for up to 3 hours following application. Toxicity is reduced when spray droplets are dry. Risks to pollinators from contact with pesticide spray or residues can be minimized when applications are made before 7:00 am or after 7:00 pm local time or when the temperature is below 55 degrees Fahrenheit (°F) at the site of application."

10. This specific exemption expires April 8, 2017.

11. Applications made in accordance with the above provisions are not expected to result in combined residues of sulfoxaflor, including its metabolites and degradates, in or on sorghum commodities in excess of the following time-limited tolerances: sorghum, forage at 0.40 ppm; sorghum, grain at 0.30 ppm; and sorghum, stover at 0.90 ppm; and the established permanent tolerance for aspirated grain fractions at 20 ppm. The Agency has determined that these levels are adequate to protect the public health. Time-limited tolerances in connection with this action have been established in 40 CFR 180.668(b).

12. Following the expiration of this emergency exemption, any unused unregistered product must be either returned to the manufacturer or distributor in unopened containers or disposed of in accordance with the Resource Conservation Recovery Act.

13. This is the third year that MDA has requested an exemption for this use. Due to the introduction of this invasive pest in sorghum, EPA has determined that for next year, this use is eligible for the streamlined review under the re-certification program (40 CFR 166.20(b)(5)).

    Any future correspondence regarding this exemption should refer to file symbol 16MO01.

If you have any questions regarding this authorization, please contact Emergency Response Team member Stacey Groce (703-305-2505; groce.stacey@epa.gov) or the Emergency Response Team Leader, Tawanda Maignan (703-308-8050; maignan.tawanda@epa.gov).

(for)

Susan Lewis, Director
Registration Division
Office of Pesticide Programs

Date: 5/11/2016

cc: Royan Teter, USEPA Region 7
Jamie Green, USEPA Region 7 Pesticide Tribal Coordinator