



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

DEC 31 2012

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Mr. Todd Staples, Commissioner
Texas Department of Agriculture
P.O. Box 12847
Austin, Texas 78711

Date Issued: December 31, 2012
Expiration Date: December 31, 2013
Report Due: June 30, 2014
File symbol: 13-TX-01

Attn: Dale Scott

The Environmental Protection Agency hereby grants a specific exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to the Texas Department of Agriculture for the use of amitraz strips (Apivar[®]) to control the varroa mite, (*Varroa destructor*) in honeybee colonies. This authorization is subject to the conditions and restrictions outlined below, as well as those specified in your request submitted to the EPA.

- 1) The Texas Department of Agriculture (TDA) is responsible for ensuring that all provisions of this specific exemption are met. TDA is also responsible for providing information in accordance with 40 Code of Federal Regulations (CFR) §166.32(a). Accordingly, EPA headquarters and the EPA Region 6 office shall be immediately informed of any adverse effects resulting from use of this chemical in connection with this exemption. In accordance with 40 CFR §166.32(b), a final report summarizing the results of this program must be submitted to EPA within 6 months following the expiration of this exemption. In the final report, document performance issues received by the Texas Department of Agriculture due to the development of amitraz resistance in the target pest.
- 2) Apivar[®] is an unregistered product (EPA File Symbol 87243-R) formulated as a sustained release plastic impregnated with 3.33% amitraz (0.5 g active ingredient (a.i.) per strip, manufactured by WYJOLAB for Veto-Pharma S.A. may be applied. All applicable directions, restrictions, and precautions on the product label as well as the section 18 use directions submitted with your December 14, 2012 application must be followed.
- 3) A maximum of 400,000 strips treated with amitraz may be used.

- 4) To control varroa mites, remove honey supers before application of Apivar[®]. Use 2 Apivar[®] strips per brood chamber. Separate the double strip and hang each strip between two comb frames inside the brood area or the bee cluster, with a minimum distance of two frames between strips. Suspend Apivar[®] strips in the brood chamber in such a way that the bees can walk on both sides of the strips. Leave strips inside the hive for 42 days, and then remove. In case of movement of bees inside the beehive away from the strips, reposition the strips into the bee cluster, and leave strips in place for 14 more days before removal. Strips must be removed after a maximum of 56 days. Do not re-use the strips.
- 5) A maximum of two treatments, one in the spring and/or one in the fall, may be made per year if varroa mite infestations reach treatment threshold. Apivar[®] strips may not be used when honey supers are present. Honey supers cannot be placed in hive until 14 days after strip removal.
- 6) Applicators must wear protective (chemical-resistant) gloves when handling treated strips.
- 7) Total residues of amitraz in honey and honeycomb (beeswax) are not expected to exceed 0.2 ppm and 9 ppm, respectively. A time-limited tolerance is in the process of being established to support this section 18 use pattern.
- 8) This exemption expires one year from date of authorization.
- 9) Unused strips should be stored in a cool, dark area. Any unused, unregistered product must either be returned to the manufacturer or distributor in unopened packaging or disposed of in accordance with the Resource Conservation Recovery Act following the expiration of this emergency exemption.

This is the first time an emergency exemption from the Texas Department of Agriculture has been granted for this use under the FIFRA section 18 program. A section 3 registration is currently under review. Therefore, progress toward registration is sufficient at this time.

Any future correspondence in connection with this authorization shall refer to file symbol 13-TX-01.

If you have any questions regarding this authorization, please contact Emergency Response Team member, Stacey Groce (703-305-2505, groce.stacey@epa.gov).

 (For)

Lois Rossi, Director
Registration Division
Office of Pesticide Programs

Date: 12/31/12

cc: EPA Region 6, Elizabeth Reyes