



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Texas Department of Agriculture
P.O. Box 12847
Austin Texas, 78711

DATE: APRIL 1, 2016
EXPIRATION DATE: APRIL 1, 2019
ANNUAL REPORTS DUE: APRIL 1, 2017 AND APRIL 1, 2018
FINAL REPORT DUE: OCTOBER 1, 2019
FILE SYMBOL: 16TX01

Attn: Dale R. Scott

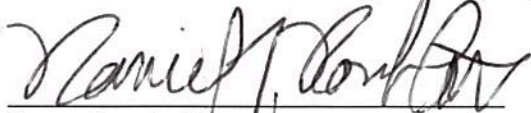
The Environmental Protection Agency hereby issues a quarantine exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to the Texas Department of Agriculture for expanded use of fipronil to control an invasive crazy ant species (commonly referred to as the Tawny Crazy Ant) around the outside of manmade structures, in counties where the ant has been confirmed. This exemption is subject to the conditions and restrictions specified in the request submitted to the EPA, as well as the following, outlined below:

1. The Texas Department of Agriculture (TDA) is responsible for ensuring that all provisions of this quarantine exemption are met. TDA is also responsible for providing information in accordance with 40 Code of Federal Regulations (CFR) §166.32 (b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and the EPA Regional office annually, and within 6 months following the expiration of these exemptions, or prior to requesting subsequent specific exemptions for these uses. 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 regarding this exemption should refer to file symbol 16TX01.
2. The registered product, Termidor[®] SC Termiticide/Insecticide (9.1% fipronil), EPA Reg. No. 7969-210, manufactured by BASF Corporation, may be applied. All applicable directions, restrictions, and precautions on the EPA-registered label must be followed, as well as those on the section 18 use directions submitted to EPA with your emergency exemption request dated November 17, 2015.
3. Termidor[®] SC Termiticide/Insecticide must be applied only by certified pest control operators (PCOs) certified in a category applicable to the application of this product. Only protected applicators wearing personal protective equipment as required by this product's EPA-registered container label may be in the area during application.
4. Termidor SC[®] Termiticide/Insecticide may be applied as detailed on the EPA-registered label for outdoor perimeter pest control, in counties where positive identification has been made by Texas A&M entomologists, with the following revisions:

4. (cont'd)

- a. Treatments may be made to structure exteriors as a low-pressure general surface spray (coarse flat fan), exterior crack and crevice spray or wall void application, where ants enter the structure, trail around the exterior of the structure, or where they crawl and hide. For exterior perimeter treatments, apply 0.06% Termidor[®] SC finished dilution to exterior surfaces up to, but not to exceed, 3 ft. up and 10 ft. of sod out from the foundation. Mounds or nests can be treated directly.
 - b. Treatment may be made up to 10 feet around the exterior of areas where ants are found associated with utility wires (electrical, telephone or cable). Foam treatments may be made to exterior structural voids where ants may enter, trail or nest.
5. Treatments may be made 2 times per year per structure at intervals of 60 days.
 6. To date, the tawny crazy ant has been identified in the following Texas counties: Bexar, Brazoria, Brazos, Cameron, Chambers, Comal, Fayette, Fort Bend, Galveston, Hardin, Harris, Hays, Hidalgo, Jefferson, Jim Hogg, Liberty, Matagorda, Montgomery, Nueces, Orange, Polk, San Augustine, Travis, Victoria, Walker, Wharton, and Williamson. Use may be expanded by TDA permission to additional counties when positive identification of the presence of the tawny crazy ant is confirmed. If TDA determines that such expansion is needed, TDA must notify EPA prior to expanding into other counties, and ensure that the Agency has no objections to the expansion.
 7. This exemption expires three (3) years from the date of issuance, as given above. A final report summarizing the results of this program is due within 6 months of the expiration of this exemption, and an annual report must be submitted one year from the date of issuance, given above. The report must contain information in accordance with 40 CFR §166.32 (b). In addition, the report should contain updated information about the current range of this species and any expansion observed.
 8. EPA encourages you to cooperate with other interested parties to develop an integrated sustainable approach to mitigate this pest. For example, bait development and use, habitat management, and other measures should be explored. Any future requests for an exemption to address this pest situation must discuss progress related to such efforts to identify sustainable integrated techniques for responding to infestations of the tawny crazy ant.

If you have any questions with respect to this authorization, please contact Emergency Response Team member, Andrea Conrath at (703) 308-9356; conrath.andrea@epa.gov or the Emergency Response Team Leader, Tawanda Maignan at (703) 308-8050; maignan.tawanda@epa.gov.



Susan Lewis, Director
Registration Division
Office of Pesticide Programs

Date: 4/1/2016

cc: U.S. EPA Region 6
Jeffrey Lammers

US EPA Region 6 Tribal Coordinator
Elizabeth Reyes