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

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OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

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

Effective Date:	May 1, 2017
Expiration Date:	May 1, 2018
Final Report Due Date:	November 1, 2018
File Symbol:	16TX03

Attn: Mr. Kevin Haack

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 (TDA) for the use of clothianidin on immature citrus trees in commercial groves to control the transmission of Huanglongbing (HLB) disease caused by the Asian citrus psyllid (ACP). This specific exemption is subject to the following conditions set forth in your request as well as the following conditions, modifications, and restrictions below:

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 CFR §166.32(b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and the EPA Regional 6 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: **16TX03**.

2. The registered product, Belay® Insecticide (EPA Reg. No. 59639-150, containing 23.6% clothianidin) manufactured by Valent U.S.A. Corporation may be applied. All applicable directions for use, restrictions, Worker Protection Standards, 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. Application rate by tree age and size categories are provided below:

   - Belay® Insecticide may be applied via soil drench at a single maximum application rate of 0.05 lb a.i./A (3.0 fl oz per acre) to immature citrus trees (New to 1 year-old, and less than 3 feet tall), with a maximum of 0.1 lb a.i./A (6.0 fl oz per acre) per 12-month period regardless of tree size, tree count per acre, or application method.

   - Belay® Insecticide may be applied via soil drench at a single maximum application rate of 0.1 lb a.i./A (6.0 fl oz per acre) to immature citrus trees (1 to 2 years old, 3 to 5 feet tall), with a maximum of 0.2 lb a.i./A (12.0 fl oz per acre) per 12-month period regardless of tree size, tree count per acre, or application method.

   - 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, 5 to 9 feet tall), 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 4,000 acres of immature citrus trees may be treated under this exemption in the following Texas counties: Brooks, Cameron, Hidalgo, Jim Hogg, Kenedy, Starr, Willacy, and Zapata.

5. A minimum 1-day preharvest interval (PHI) and 12-hour retreatment 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-year-old citrus may pose risks to honey bees that forage in the trees during the winter/spring bloom.
   - Additional use restrictions to protect pollinators include application of a low pressure, course spray to bare soil at the base of the tree that will minimize drift and potential for direct deposit of residues on the plant portions to be visited by pollinators in the crop.
   - 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 has been established in 40 CFR 180.668(b) for fruit, citrus group 10-10 to support this emergency use.

9. This specific exemption expires May 1, 2018.

This is the first year that a request for use of clothianidin on immature citrus trees to manage the transmission of Huanglongbing disease vectored by the Asian citrus psyllid has been requested by the Texas Department of Agriculture under section 18 of FIFRA. A registration application is pending with the Agency; therefore, progress toward registration is adequate at this time. In the event that TDA requests this use next year under an emergency exemption, EPA is making a preliminary determination that this use is eligible for the recertification program (40 CFR 166.20(b)(5)) in 2018.

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

Michael L. Goodis, P.E., Director
Registration Division
Office of Pesticide Programs

Date: February 7, 2017

cc: *USEPA Region 6, Jeffrey Lammers*
USEPA Region 6 Pesticide Tribal Coordinator, Elizabeth Reyes