OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION
WASHINGTON, D.C. 20460

Robert M. Baca, Assistant Director
Compliance and Environmental Coordination
Plant Protection and Quarantine
Animal and Plant Health Inspection Service
United States Department of Agriculture
4700 River Road
Riverdale, MD 20737

**Date:** December 21, 2023
**Effective Date:** January 1, 2024
**Expiration Date:** January 1, 2027
**Interim Reports Due:** January 1, 2025
January 1, 2026
**Final Report Due Dates:** July 1, 2027
**File Symbol:** 23DA08

**Attn:** Helen Hull-Sanders, APHIS/PPQ FIFRA Coordinator

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 United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS) for the use of spinosad (CAS# 168316-95-8) incorporated into a wax coating matrix on bait stations for control of non-native tephritid fruit flies. This quarantine exemption is subject to the conditions set forth in your request, as revised, and draft label, dated December 20, 2023, as well as the following:

1. The USDA-APHIS is responsible for ensuring that all provisions of this quarantine exemption are met. USDA is also responsible for providing the information listed in 40 CFR 166.32(b). Accordingly, annual interim reports and a final report, including the information in 40 CFR 166.32(b) and summarizing the results of pesticide use under this program, must be submitted to EPA headquarters and the EPA regional offices within 6 months following the expiration of this exemption, or prior to requesting another quarantine 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.
2. The unregistered product, USDA Fruit Fly Bait (with a wax coating containing 1.8% spinosad), manufactured by the MOSCAMED Program, Guatemala City, Guatemala may be used. All directions for use, restrictions, and precautions on the draft label, dated December 20, 2023, as well as those outlined in this document must be followed.

3. EPA's authorization of this emergency exemption under section 18 of FIFRA allows importing of the unregistered product to the United States for the sole purposes of use allowed by this quarantine emergency exemption.
4. Use may take place in urban or rural residential areas only by or under the direct supervision of USDA-APHIS Plant Protection and Quarantine (PPQ) personnel and cooperators involved in the control of invasive fruit fly species.
5. Upon detection of invasive fruit fly species, the bait stations may initially be placed at up to 50 baits per acre. Two months following initial placement, the lure is to be replenished in the original bait stations and an additional bait station placed opposite the first (for a maximum of up to 100 bait stations per acre).
6. Servicing and replacement of the baits will occur at 2-month intervals as outlined in the use directions of the draft label.
7. All handlers must wear long-sleeved shirt and long pants, shoes and socks, and chemical-resistant gloves.
8. The following restrictions must also be followed:
    - Bait stations may be used for outdoor non-crop use only.
    - DO NOT use in enclosed areas.
    - DO NOT install bait stations at a height of less than 2 meters (6.5 ft) from the ground.
9. This exemption expires three years from the date of authorization. Interim use reports are to be submitted annually, and a final report submitted within 6 months following the expiration. Future correspondence in connection with this exemption should refer to file symbol: 23DA08.

If you have any questions with respect to this authorization, please contact Emergency Response Team member Andrea Conrath (conrath.andrea@epa.gov, 202-566-2568) or the Emergency Response Team Senior Regulatory Specialist Jennifer Gaines (gaines.jennifer@epa.gov, 202-566-2658

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Ed Messina, Esq., Director
Office of Pesticide Programs
U.S. Environmental Protection Agency

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***cc**: USEPA Region 1: Andrea Szylvian*
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