I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed at the end of the emergency exemption.

B. How can I get copies of this document and other related information?

The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2012–0019, is available at http://www.regulations.gov or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at http://www.epa.gov/dockets.

II. Background

EPA has granted emergency exemptions to the following State and Federal agencies. The emergency exemptions may take the following forms: crisis, public health, quarantine, or specific.

Under FIFRA section 18, EPA can authorize the use of a pesticide when emergency conditions exist. Authorizations (commonly called emergency exemptions) are granted to State and Federal agencies and are of four types:

1. A “specific exemption” authorizes use of a pesticide against specific pests on a limited acreage in a particular State. Most emergency exemptions are specific exemptions.

2. A “crisis” exemption is initiated by a State or Federal agency (and is confirmed by EPA) when there is insufficient time to request and obtain EPA permission for use of a pesticide in an emergency.

EPA may deny an emergency exemption: If the State or Federal agency cannot demonstrate that an emergency exists, if the use poses unacceptable risks to the environment, etc.
or if EPA cannot reach a conclusion that the proposed pesticide use is likely to result in "a reasonable certainty of no harm" to human health, including exposure of residues of the pesticide to infants and children.

If the emergency use of the pesticide on a food or feed commodity would result in pesticide chemical residues, EPA establishes a time-limited tolerance meeting the "reasonable certainty of no harm standard" of the Federal Food, Drug, and Cosmetic Act (FFDCA).

In this document: EPA identifies the State or Federal agency granted the exemption, the type of exemption, the pesticide authorized and the pests, the crop or use for which authorized, and the duration of the exemption.

III. Emergency Exemptions

A. U.S. States and Territories

Alabama
Department of Agriculture and Industries

Specific exemption: EPA authorized the use of cyazofamid on greenhouse grown basil to control downy mildew; May 15, 2012 to December 31, 2012. Contact: Debra Rate.

EPA authorized the use of mandipropamid on greenhouse grown basil to control downy mildew; May 15, 2012 to December 31, 2012. Contact: Debra Rate.

Arkansas
State Plant Board

Specific exemptions: EPA authorized the use of hop beta acids in beehives to control varroa mite; April 13, 2012 to December 31, 2012. Contact: Stacey Groce.

EPA authorized the use of fluridone on cotton to control glyphosate-resistant Palmer amaranth; April 17, 2012 to August 1, 2012. Contact: Keri Grinstead.

EPA authorized the use of sulfoxaflor on cotton grown in river delta counties to control tarnished plant bug, (Lygus lineolaris), June 1, 2012 to September 30, 2012. This request was granted because adequate control of plant bugs with registered alternatives is not achievable. The situation is being exacerbated by the mild winter and warm, wet spring resulting in greater initial populations moving from wild hosts into cotton. Since this request proposed use of a new chemical, a notice of receipt published in the Federal Register on June 8, 2011 with the public comment period closing on June 23, 2011. Contact: Libby Pemberton.

California
Department of Pesticide Registration

Specific exemptions: EPA authorized the use of propiconazole on peach and nectarine to control sour rot; April 6, 2012, to November 30, 2012. Contact: Andrea Conrath.

EPA authorized the use of cyazofamid on greenhouse and shadehouse grown basil to control downy mildew; May 21, 2012, to May 20, 2013. Contact: Debra Rate.

EPA authorized the use of thia bendazole on mushroom to control green mold (Trichoderma aggressivum); May 31, 2012 to January 13, 2013. Contact: Andrea Conrath.

Delaware
Department of Agriculture

Specific exemption: EPA authorized the use of dinofl oxuron on pome and stone fruit to control brown marmorated stink bug; June 21, 2012 to October 15, 2012. Contact: Andrea Conrath.

Hawaii
Department of Agriculture

Specific exemption: EPA authorized the use of fludioxonil on pineapple to control post-harvest development of surface molds; May 21, 2012 to May 21, 2013. Contact: Andrea Conrath.

Illinois
Department of Agriculture

Specific exemptions: EPA authorized the use of cyazofamid on basil to control downy mildew; April 26, 2012 to October 15, 2012. Contact: Debra Rate.

Iowa
Department of Agriculture

Specific exemption: EPA authorized the use of dinofl oxuron on rice to control rice stink bug (Oebalus pugnax); May 2, 2012 to October 30, 2012. Contact: Libby Pemberton.

EPA authorized the use of fluxapyroxad on rice in the vicinity of Mowata to control sheath blight; May 11, 2012 to August 1, 2012. Contact: Debra Rate.

EPA authorized the use of sulfoxaflor on cotton grown in river delta counties to control tarnished plant bug, (Lygus lineolaris), June 1, 2012 to September 30, 2012. This request was granted because adequate control of plant bugs with registered alternatives is not achievable. The situation is being exacerbated by the mild winter and warm, wet spring resulting in greater initial populations moving from wild hosts into cotton. Since this request proposed use of a new chemical, a notice of receipt published in the Federal Register on
June 8, 2011 with the public comment period closing on June 23, 2011. Contact: Libby Pemberton.

Montana
Department of Agriculture

Specific exemption: EPA authorized the use of Bacillus mycoides isolate J on seed potato grown in Montana to control tuber infections caused by Potato Virus Y (PVY), June 14, 2012, to August 15, 2012. This request was granted because there are no registered alternatives to control PVY and adequate control of aphids which vector PVY with registered alternatives is not achievable. Since this request proposed use of a new, unregistered chemical, a notice of receipt published in the Federal Register on June 6, 2012 (77 FR 33455) (FRL–9351–2) with the public comment period closing on June 11, 2012. Contact: Debra Rate.

New Jersey
Department of Environmental Protection

Specific exemptions: EPA authorized the use of quinclorac on cranberries to control dodder (Cuscuta gronovi); April 3, 2012 to December 15, 2012. Contact: Marcel Howard.

EPA authorized the use of dinotefuran on pome and stone fruit to control brown marmorated stink bug; June 21, 2012 to October 15, 2012. Contact: Andrea Conrath.

South Carolina
Department of Pesticide Regulation

Specific exemption: EPA authorized the use of the hop beta acids in beehives to control varroa mite; April 5, 2012 to December 31, 2012. Contact: Stacey Groce.

Tennessee
Department of Agriculture

Specific exemption: EPA authorized the use of sulfoxaflor on cotton grown in river delta counties to control tarnished plant bug, (Lygus lineolaris), June 1, 2012, to September 30, 2012. This request was granted because adequate control of plant bugs with registered alternatives is not achievable. The situation is being exacerbated by the mild winter and warm, wet spring resulting in greater initial populations moving from wild hosts into cotton. Since this request proposed use of a new chemical, a notice of receipt published in the Federal Register on June 8, 2011 with the public comment period closing on June 23, 2011. Contact: Libby Pemberton.

Texas
Department of Agriculture

Specific exemptions: EPA authorized the use of cyazofamid on greenhouse grown basil to control downy mildew; June 22, 2012 to June 22, 2013. Contact: Debra Rate.

EPA authorized the use of mandipropamid on greenhouse grown basil to control downy mildew; June 22, 2012 to June 22, 2013. Contact: Debra Rate.

Virginia
Department of Agriculture and Consumer Services

Specific exemption: EPA authorized the use of dinotefuran on pome and stone fruit to control brown marmorated stink bug; June 21, 2012 to October 15, 2012. Contact: Andrea Conrath.

Oregon
Department of Agriculture

Specific exemption: EPA authorized the use of hop beta acids in beehives to control varroa mite; April 3, 2012 to December 31, 2012. Contact: Stacey Groce.

Pennsylvania
Department of Agriculture

Specific exemption: EPA authorized the use of dinotefuran on pome and stone fruit to control brown marmorated stink bug; June 21, 2012 to October 15, 2012. Contact: Andrea Conrath.

South Dakota
Department of Agriculture

Specific exemption: EPA authorized the use of the hop beta acids in beehives to control varroa mite; April 5, 2012 to December 31, 2012. Contact: Stacey Groce.

West Virginia
Department of Agriculture

Specific exemption: EPA authorized the use of dinotefuran on pome and stone fruit to control brown marmorated stink bug; June 21, 2012 to October 15, 2012. Contact: Andrea Conrath.

Wisconsin
Department of Agriculture, Trade, and Consumer Protection

Specific exemptions: EPA authorized the use of spirotetramat on dry bulb onions to control thrips; April 5, 2012 to September 15, 2012. Contact: Keri Grinstead.

EPA authorized the use of hop beta acids in beehives to control varroa mite; April 10, 2012 to December 31, 2012. Contact: Stacey Groce.

Wyoming
Department of Agriculture

Specific exemption: EPA authorized the use of diflubenzuron on alfalfa to control Mormon cricket and various grasshopper species; May 22, 2012 to October 31, 2012. Contact: Andrea Conrath.

B. Federal Departments and Agencies

Defense Department

Quarantine exemption: EPA authorized the use of paraformaldehyde in or on containment areas and equipment to control infectious agents; May 15, 2012 to May 15, 2015. Contact: Princess Campbell.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: October 18, 2012.

Lois Rossi,
Director, Registration Division, Office of Pesticide Programs.

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ENVIRONMENTAL PROTECTION AGENCY


Notice of Receipt of Pesticide Products; Registration Applications

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register pesticide products containing an active ingredient not included in any currently registered pesticide products. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act