



Brian R. Leahy
Director

Edmund G. Brown Jr.
Governor

October 30, 2018

No. 18-05

AUTHORIZATION UNDER SECTION 18 OF THE FEDERAL INSECTICIDE,
FUNGICIDE, AND RODENTICIDE ACT (FIFRA) FOR PESTICIDE USES UNDER
SPECIFIC EXEMPTION FOR DISTRIBUTION AND USE ONLY WITHIN THE
CALIFORNIA COUNTIES LISTED.

Pursuant to authority granted under Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and Title 40, Code of Federal Regulations (40 CFR), Part 166, approval is granted to use the pesticide shown below to control specified emergency.

EPA File Symbol: 18-CA-05

Product: Sequoia Insecticide (EPA Reg. No. 62719-623)

Firm Name: Dow AgroSciences, LLC

Location: Fresno, Los Angeles, Madera, Merced, Monterey, Orange, Sacramento, San Benito, San Diego, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Ventura Counties

Crop/Site/Commodity: Strawberry

Target Pest/Problem: Western Tarnished Plant Bug (*Lygus* bugs), *Lygus spp.*

Method of Application: Foliar applications made by ground equipment.

Ground Application:

To prevent drift from ground boom applications, apply using a nozzle height of no more than 4 feet above the ground or crop canopy. Shut off the sprayer when turning at row ends. Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind directions are toward the aquatic area.

Rate of Application (in terms of active ingredient (a.i) and product):

Apply 2.75 - 4.50 ounces of product (0.043-0.07 lbs. a.i.) per acre per application

Frequency/Timing of Applications:

Applications may not begin before 7 pm and must be completed by 3 am.

Treat in accordance with local economic thresholds. Consult your Dow AgroSciences representative, cooperative extension service, certified crop advisor, or state agricultural experiment station for any additional local use recommendations for your area.

Frequency/Timing of Applications (continued):

Use higher rate in the rate range for heavy pest populations.

Allow a minimum of 7 days between applications

Maximum Number of Applications: 2 applications

Restricted Entry Interval (REI): 12 hours

Pre-harvest Interval (PHI): 1 day

Effective Date: October 30, 2018

Expiration Date: October 22, 2019

Other Requirements:

- Do not start applications before 7 pm and applications must be completed by 3 am local time.
- A maximum of 28,000 acres of strawberry fields may be treated in the following California counties: Fresno, Los Angeles, Madera, Merced, Monterey, Orange, Sacramento, San Benito, San Diego, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Ventura.
- To minimize spray drift and potential exposure of bees when foraging on plants adjacent to treated fields, apply using a nozzle height no more than 4 feet above the ground or crop canopy. Applications are prohibited when wind speeds are above 10 miles per hour (mph).
- Do not apply more than 4.50 oz/acre of Sequoia Insecticide (0.07 lbs ai/acre) per application.
- Do not make more than two applications per acre per year.
- Do not apply more than 9.0 oz/acre of Sequoia Insecticide (0.14 lbs ai/acre) per year.
- Mandatory notification of beekeepers located within 1 mile of treatment area and registered with the County Agricultural Commissioner (CAC): notification must be made 48 hours in advance in accordance with standard beekeeper notification procedures.

- **Environmental Hazards Statement:** This product is highly toxic to bees exposed through contact during spraying and while spray droplets are still wet. This product may be toxic to bees exposed to treated foliage for up to 3 hours following application. Toxicity is reduced when spray droplets are dry.

Risks to managed and native pollinators from contact with pesticide spray or residues can be minimized when applications are made before 3:00 am or after 7:00 pm local time or when the temperature is below 55 degrees Fahrenheit (°F) at the site of application.

Do not apply 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 wash waters.

- **Pollinator Statement:** Notifying known beekeepers within 1 mile of the treatment area 48 hours before the product is applied will allow them to take additional steps to protect bees. Growers are advised to refer to and, where feasible, observe the cooperative standards outlined by the CAC for additional guidance and bee conservation stewardship efforts.
- Use of this product may pose a hazard to endangered or threatened species. Before applying this product, applicators must obtain information regarding the proximity of endangered species habitats and follow any applicable use limitations. Contact your County Agricultural Commissioner or refer to the Department of Pesticide Regulation's PRESCRIBE Internet Database: <http://www.cdpr.ca.gov/docs/endspec/precint.htm> for details.
- Applications made in accordance with the above provisions are not expected to result in combined residues of sulfoxaflo, including its metabolites and degradates, in or on strawberry in excess of the following existing tolerance at 40 CFR at 180.668(a): Berry, low growing, subgroup 13-7G at 0.70 ppm. The Agency has determined that this level is adequate to protect the public health.
- A copy of the Section 18 Use Instructions (label) must be in the possession of the user at the time of application.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Applicators and other handlers (other than mixers and loaders) must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Protective eyewear

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

AGRICULTURAL USE REQUIREMENTS: Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for protection of agricultural workers on farms, forests, nurseries, and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours. PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Shoes plus socks

All applicable directions, restrictions, and precautions on the U.S. EPA registered label for Sequoia Insecticide (EPA Reg. No. 62719-623) and these use directions must be followed.

These use directions must be in the possession of the user at the time of pesticide application.

Tank mixing with other compatible pesticides, spray adjuvants and fertilizers is allowed as long as all labeling and regulatory requirements are met and tank mixing is not otherwise prohibited.

The Department of Pesticide Regulation (DPR), Pesticide Registration Branch, shall be immediately informed of any adverse effects resulting from the use of this exemption.

Please note: The United States Environmental Protection Agency (U.S. EPA) expects concerned growers or grower groups to work toward the registration of use patterns that may be needed on a continuing basis. It will, therefore, be necessary to require applicants wishing to renew emergency exemptions to provide a progress report on residue tolerance and registration along with request for re-issuance of an emergency exemption.

Without substantial progress in pursuing a tolerance and registration for the use in question, it will be difficult to obtain an emergency exemption for another season. The pesticide manufacturer or Western Region IR-4 may be contacted regarding the initiation of a pesticide petition for residue tolerance.

A final report must be submitted by the county agricultural commissioner to the Pesticide Registration Branch within 45 days of the expiration date of this exemption. This report must include the following information:

- a. Amount of product used.
- b. Units (i.e., acres, trees, cattle) treated.
- c. Number of applications.
- d. Estimate of effectiveness.
- e. Any adverse effects noted.

Prior to use under this exemption, a permit must be obtained from the county agricultural commissioner. The permit shall state the maximum number of acres to be treated, maximum amount of product that may be applied, and dealer from which the product may be purchased. The purchaser (permittee) or purchaser's (permittee's) agent must provide the seller, or person delivering the restricted material, a copy of the permit on the date the restricted material is delivered. The dealer shall maintain a record of each sale, which shall be made available to representatives of DPR or county agricultural commissioner upon request. Such records shall include the date of sale or delivery, permit number, identity and amount of product purchased, and the name of the purchaser.

All applications of this material shall be made by or under the supervision of a certified applicator certified for this category of pest control.

Agricultural pest control businesses shall submit a pesticide use report to the county agricultural commissioner within seven days of each treatment. Growers who apply this material shall submit a pesticide use report to the county agricultural commissioner by the 10th day of the month following the month in which the applications are made. The county agricultural commissioner in cooperation with the Pesticide Registration Branch will monitor the use of the product under this exemption and will prepare a written report describing any unusual or adverse effects attributable to this use.

This exemption does not constitute a recommendation of DPR and will not prevent quarantine action if illegal residues are found in or on any crop.

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To the extent consistent with applicable law, neither DPR nor the county agricultural commissioner, manufacturer or formulator makes any warranty of merchantability, fitness of purpose, or otherwise, expressed or implied, concerning the use of a pesticide in accordance with these provisions. The user and/or grower acknowledge the preceding disclaimer.

Sincerely,

A handwritten signature in cursive script that reads "Margaret Reiff".

Margaret Reiff
Environmental Program Manager I (Supervisory)
Pesticide Registration Branch
916-445-5977
<Margaret.Reiff@cdpr.ca.gov>