



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Tennessee Department of Agriculture
440 Hogan Road
P.O. Box 40627
Nashville, Tennessee 37220

JUN 07 2016

Authorization Date:
Expiration Date: October 31, 2016
Report Due: April 30, 2017
File Symbol: 16TN01

Attn: John Ewell

The U.S. Environmental Protection Agency hereby issues a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the Tennessee Department of Agriculture for the use of sulfoxaflor (CAS Reg. No. 946578-00-3) on cotton to control tarnished plant bug (*Lygus lineolaris*) in Tennessee. This specific exemption is subject to the conditions set forth in your request dated April 4, 2016, as well as the following conditions, modifications and restrictions:

1. The Tennessee 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 Region 4 office within 6 months following the expiration of this exemption or prior to requesting another specific exemption for this use in the following year. 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, Transform[®] WG (50% a.i. sulfoxaflor), manufactured by Dow AgroSciences, may be applied. All applicable directions, restrictions, and precautions outlined in the Section 18 use directions submitted to the Agency on April 4, 2016 and revised on June 1, 2016 must be followed except as modified in this authorization document.

3. Foliar applications may be made by ground or air at a rate of 1.5-2.25 oz. of product (0.047-0.071 lb a.i.) per acre. A maximum of 4 applications may be made per year, resulting in a seasonal maximum application rate of 8.5 oz of product (0.266 lb a.i.) per acre per year.
4. To minimize spray drift and potential exposure of bees when foraging on plants adjacent to treated fields, applications are prohibited above wind speeds of 10 miles per hour (mph).
5. Retreatments are prohibited within 5 days of application. A restricted entry interval (REI) of 24 hours applies to all applications.
6. Pre-harvest interval (PHI): Do not apply within 14 days of harvest.
7. A maximum of 168,750 acres of cotton fields may be treated in Tennessee.
8. **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 7:00 am or after 7:00 pm local time or when the temperature is below 55 degrees Fahrenheit (°F) at the site of application.”
9. **Advisory 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. If known apiaries are within one mile of cotton fields intended for treatment, applications should be made within three hours of sunset during the flowering period. Prior to use of Transform WG, growers and the beekeepers hosted on their farm are advised to implement cooperative standards outlined in the Tennessee Conservation Program.”
10. This specific exemption expires October 31, 2016.
11. Applications made in accordance with the above provisions are not expected to result in combined residues of sulfoxaflor, including its metabolites and degradates, in or on cotton commodities in excess of the following existing tolerances: cottonseed subgroup 20C at 0.20 ppm; cotton, gin byproducts at 6.0 ppm; cotton, hulls at 0.35 ppm. The Agency has determined that these levels are adequate to protect the public health. Tolerances in connection with a previous action have been established in the 40 CFR at 180.668(a).
12. Following the expiration of this emergency exemption, any unused unregistered product must be either returned to the manufacturer or distributor in unopened containers or disposed of in accordance with the Resource Conservation Recovery Act.

13. This is the third year that a Section 18 has been requested for the use of sulfoxaflor on cotton to control tarnished plant bug. Due to the potential for this emergency to continue into the 2017 growing season, EPA has determined that this use is eligible for a streamlined review next year under the re-certification program (40 CFR 166.20(b)(5)).

Any future correspondence regarding this exemption should refer to file symbol 16TN01.

If you have any questions regarding this authorization, please contact Emergency Response Team member Tamica Cain (703-347-8110; cain.tamica@epa.gov) or the Emergency Response Team Leader, Tawanda Maignan (703-308-8050; maignan.tawanda@epa.gov).

By Jack E. Housenger, Director
Office of Pesticide Programs

Date: 7 JUNE 2016

cc: Phillip Beard, USEPA Region 4
Patricia Livingston, USEPA Region 4 Pesticide Tribal Coordinator