



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

California Department of Pesticide Regulation
1001 I Street
P.O. Box 4015
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Date Issued: June 13, 2024

Expiration Date: October 31, 2024

Final Report Due Date: April 30, 2025

File Symbol: 24CA02

Attn: Morgan Thai

The 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 California Department of Pesticide Regulation (CDPR) for the use of afidopyropen on field-grown strawberries to control lygus bugs. This specific exemption is subject to the conditions set forth in your request and draft use directions dated June 5, 2024, as well as the following conditions, modifications, and restrictions:

1. The CDPR is responsible for ensuring that all provisions including enforcement of this specific exemption are met. CDPR is responsible for providing the information listed in 40 CFR 166.32(b), including (but not limited to) the total acreage, amount of commodity or other unit treated, and the total quantity of the pesticide used. Accordingly, 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 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.
2. The product, Sefina[®] Inscalis[®] Insecticide (EPA Reg. No. 7969-391, containing 4.89% afidopyropen), manufactured by BASF Corporation may be applied. All applicable directions for use, restrictions, and precautions on the registered product label, the draft use directions of the emergency exemption label dated June 5, 2024, and as outlined in this authorization must be followed.
3. Two applications of Sefina[®] Inscalis[®] Insecticide may be made, at least 7 days apart, with ground application equipment, at a single application rate of 14 fl. oz. product (0.045 lb. a.i.) per acre. A 0-day pre-harvest interval (PHI) may be observed.
4. A maximum of two applications, and a maximum of 24 fl. oz. product (0.09 lb. a.i.) per acre may be made per calendar year inclusive of the use authorized under the previously authorized crisis

exemption and this specific exemption (i.e. if one application was made under the crisis exemption, only one additional application can be made under this specific exemption).

5. The following restrictions must also be followed:
 - a. DO NOT apply through any type of irrigation system or by aircraft.
 - b. DO NOT apply when wind velocity exceeds 15 mph and avoid gusty and windless conditions.
 - c. DO NOT apply when conditions favor drift from target area.
 - d. DO NOT apply using ultra-low volume (ULV) applications.
 - e. DO NOT apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.
 - f. DO NOT apply within 25 feet of freshwater bodies (such as, but not limited to, lakes, reservoirs, rivers, permanent streams, marshes, and natural ponds).
 - g. DO NOT apply within 100 feet of estuarine/marine habitats.
6. Applicators and other handlers must wear the following personal protective equipment (PPE): Long-sleeve shirt, long pants, shoes plus socks, and chemical-resistant gloves made of barrier laminate, butyl rubber \geq 14 mils, nitrile rubber \geq 14 mils, neoprene rubber \geq 14 mils, polyvinyl chloride (PVC) \geq 14 mils, or viton \geq 14 mils. Mixer/Loaders must wear coveralls in addition to this listed PPE.
7. Do not allow worker entry into the treated areas during a 12-hour restricted entry interval (REI) without the required PPE. Coveralls in addition to the PPE listed in (6) is required for early entry to treated areas permitted under the Worker Protection Standard that involves contact with anything that has been treated, such as plants, soil, or water.
8. A maximum of 17,000 acres of field-grown strawberries may be treated in the following California counties: Monterey, Orange, San Benito, San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, and Ventura counties.
9. This exemption expires on October 31, 2024, and a final report summarizing the results of this exemption must be submitted to EPA Headquarters and Region 9 offices by April 30, 2025, or prior to submitting a repeat emergency exemption request for this use.
10. Applications made in accordance with the above provisions are not expected to exceed residues of afidopyropen, including its metabolites and degradates, in or on strawberry at 0.3 ppm. The Agency has determined this level is adequate to protect public health. EPA will establish a time-limited tolerance in 40 CFR §180.700(b) in or on “strawberry” at 0.3 ppm to support this emergency use.
11. This is the first year that CDA has requested an emergency exemption under Section 18 of FIFRA for use of afidopyropen on field-grown strawberries to control lygus bug. The registrant, BASF, supported this emergency exemption use and has expressed interest in pursuing registration of this use under section 3 of FIFRA. Since this is the first year for an emergency exemption request, progress toward registration is considered adequate. However, any future exemption requests for this use must provide an update on progress that has been made toward registration of this use.

12. In the event the CDPR requests an emergency exemption for this use next year, EPA has made a preliminary determination that this use is not eligible for a streamlined application under the recertification program (40 CFR 166.20(b)(5)), because the finding of an emergency was based, in part, upon unusual contributing weather patterns which may not necessarily continue next year. Future correspondence in connection with this exemption should refer to file symbol: 24CA02.

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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cc: USEPA Region 9: Fabiola Estrada, Manager, Pesticides Section