

**FIFRA SECTION 18 EMERGENCY EXEMPTION
FOR THE USE OF BELAY® INSECTICIDE FOR
SUPPRESSION OF HUANGLONGBING DISEASE
TRANSMISSION BY ASIAN CITRUS PSYLLID**



FOR DISTRIBUTION AND USE ONLY IN THE STATE OF FLORIDA

**BELAY®
INSECTICIDE**

(EPA Reg. No. 59639-150)

**FOR SUPPRESSION OF HUANGLONGBING DISEASE TRANSMISSION BY
ASIAN CITRUS PSYLLID IN FLORIDA CITRUS**

**Effective Date: September 28, 2022
Expiration Date: September 28, 2023
Final Report Due Date: March 28, 2024
File Symbol: 22FL01**

Active Ingredient	By Wt
Clothianidin ((E)-1-(2-chloro-1,3-thiazol-5-ylmethyl)-3-methyl-2-nitroguanidine).....	23.0%
Other Ingredients.....	77.0%
Total	100.0%

Belay® Insecticide contains 2.13 pounds of the active ingredient clothianidin per gallon.

For use in connection with an emergency exemption authorized under the provisions of Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This section 18 label contains directions for use that do not appear on the EPA registered label of *Belay* Insecticide. Please refer to the production label for additional information.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Always read and follow all label directions, restrictions and precautions when using any pesticide alone or in tank mix combinations. The most restrictive labeling applies when using a tank mix.

Applicable directions, restrictions and precautions on the registered product label for *Belay* Insecticide (EPA Registration No. 59639-150) must be followed.

CITRUS FRUIT

Australian Desert Lime; Australian Finger-Lime; Australian Round Lime; Brown River Finger Lime; Calamondin; Citron; Citrus Hybrids; Grapefruit; Japanese Summer Grapefruit; Kumquat; Lemon; Lime; Mediterranean Mandarin; Mount White Lime; New Guinea Wild Lime; Orange, Sour; Orange, Sweet; Pummelo; Russell River Lime; Satsuma Mandarin; Sweet Lime; Tachibana Orange; Tahiti Lime; Tangelo; Tangerine (Mandarin); Tangor; Trifoliolate Orange; Uniq Fruit; Cultivars, Varieties, and/or Hybrids of these

Soil Drench Application Method: Based on tree size, mix required dose in water and apply 8-12 fl oz of solution uniformly around the base of each tree, directed at the root zone. For optimal uptake and performance, keep soil moist for 7 days following application via irrigation or rainfall. To ensure efficacy, the application site around the base of the tree should be as weed-free as possible.

SOIL DRENCH APPLICATION			
Disease Suppressed		Pests Controlled	
Huanglongbing Disease Transmission by Asian Citrus Psyllid		Asian Citrus Psyllid	
Soil Drench Rate Chart Based on Tree Height			
Tree Size	<i>Belay</i> Insecticide Rate/Acre	<i>Belay</i> Insecticide Rate/Tree ¹	Application Restrictions
Three to five year old trees, 5 to 9 feet tall	12.0 fl oz/acre (0.2 lb ai/acre)	0.08 fl oz/tree (0.0013 lb ai/tree)	<ul style="list-style-type: none"> • Allow a minimum of 4 months between <i>Belay</i> insecticide applications. • Do not apply more than two applications per tree per 12 month period. • Do not apply <i>Belay</i> Insecticide from November 1st through the end of the following bloom period. • Pre-harvest Interval (PHI) = 1 day

¹Applications rates per tree are based on a population of 150 trees/acre.

Do not apply more than 12.0 fl oz per acre of *Belay* Insecticide or exceed 0.2 lb active ingredient clothianidin per application per acre regardless of tree size, tree count per acre, or application method.

Do not apply more than 24.0 fl oz per acre of *Belay* Insecticide or exceed 0.4 lb active ingredient clothianidin per acre per 12 months regardless of tree size, tree count per acre, or application method.

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not apply directly 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 washwaters or rinsate.

This product is toxic to bees exposed to treatment and for more than 5 days following treatment. Do not apply this product to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period. Fall soil application of 3-5 year old citrus may pose risks to honey bees that forage in the trees during the winter/spring bloom. Applicators are advised to help mitigate such risks by cooperating with the Florida Department of Agriculture and Consumer Services in its efforts to communicate hive location/placement options with local bee keepers. For further information, see <https://www.fdacs.gov/Agriculture-Industry/Bees-Apiary/Honey-Bee-Protection-in-Florida>.

In the State of Florida: The properties of this chemical suggest it may leach into ground water if used in areas where soils are permeable and where the water table is very shallow. Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, estuaries or commercial fish farm ponds.

This labeling must be in possession of the user at the time of pesticide application.

Please contact Valent U.S.A. LLC at 1-800-6-VALENT (682-5368) if you have questions regarding use of this product.

Registrant: Valent U.S.A. LLC
P.O. Box 5075
San Ramon, CA 94583

Belay is a registered trademark of Valent U.S.A. LLC.

DIVISION OF AGRICULTURAL
ENVIRONMENTAL SERVICES
BUREAU OF SCIENTIFIC EVALUATION
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THE CONNER BUILDING, No. 6
3125 CONNER BOULEVARD
TALLAHASSEE, FLORIDA 32399-1650

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER NICOLE "NIKKI" FRIED

October 6, 2022

Mr. Michael J. Aerts
Vice President, Science and Regulatory Affairs
Florida Fruit and Vegetable Association
Post Office Box 948153
Maitland, Florida 32794-8153

Dear Mr. Aerts:

I am pleased to report that the United States Environmental Protection Agency (EPA), under the provisions of section 18 of FIFRA, has issued a specific exemption for the use of Belay® Insecticide (clothianidin), EPA Registration Number 59639-150, to manage the transmission of Huanglongbing disease in citrus trees. This disease is vectored by the Asian citrus psyllid, a non-native insect species. This emergency exemption (File Symbol 22FL01) will expire September 28, 2023.

Enclosed is a copy of the letter from the EPA dated September 28, 2022, which details the conditions, restrictions, and precautions for this specific exemption. A final report must be submitted to the Environmental Protection Agency by March 28, 2024. The following information will be required for the report:

1. Total acreage treated and the total quantity of Belay® Insecticide used.
2. A brief discussion of the effectiveness of Belay® Insecticide in dealing with the emergency.
3. A description of any unexpected adverse effects which may have resulted from the use of Belay® Insecticide under this exemption.

Mr. Michael J. Aerts
October 6, 2022
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Please forward this information to Dr. Rashmi Singh thirty days prior to the due date stated in the enclosed letter to allow adequate time for preparation and submission to the EPA. Dr. Singh may be reached at: Rashmi Singh, Environmental Administrator, Bureau of Scientific Evaluation and Technical Assistance, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650, phone (850) 617-7929, E-mail: Rashmi.Singh@FDACS.gov.

I look forward to your continued cooperation concerning this matter.

Sincerely,

**Amy N.
Brown**

Digitally signed by Amy N. Brown
DN: cn=Amy N. Brown, o=FDACS,
ou=AES,
email=Amy.Brown@FDACS.gov,
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Amy N. Brown
Chief, Bureau of Scientific Evaluation and
Technical Assistance

ANB/lr

Enclosure

Mr. Michael J. Aerts

October 6, 2022

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cc: Mr. Alan Edwards
Mr. Randy Dominy
Dr. Jason Ferrell
Dr. Jeanna Mastrodicasa
Dr. Janine Spies
Ms. Jaime Jerrels
Ms. Kelly Friend
Ms. Courtney Frazier
Dr. James Cooper
Ms. Gerald Everton
Mr. Neil Richmond
Ms. Patty Lucas
Ms. Teresa Rygiel
Mr. Michael Thompson
Dr. Trevor Smith
Dr. Greg Hodges
Mr. Mike Joyner
Mr. Rick Dantzler
Dr. Michael Rogers
Mr. Matt Joyner
Dr. Rashmi Singh
Ms. Laura Ritchie
Ms. Sue-Chi Shen



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Florida Department of Agriculture and Consumer Services
Division of Agricultural Environmental Services
Bureau of Scientific Evaluation and Technical Assistance
The Conner Building, No. 6
3125 Conner Boulevard
Tallahassee, Florida 32399-1650

Date Issued: September 28, 2022
Expiration Date: September 28, 2023
Report Due Date: March 28, 2024
File Symbol: 22FL01

Attn: Ms. Amy Brown

The Environmental Protection Agency hereby issues a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, to the Florida Department of Agriculture and Consumer Services (FDACS) for the use of clothianidin on immature (3-5 years old) citrus trees to manage the transmission of Huanglongbing (HLB) disease vectored by the Asian Citrus Psyllid (ACP).

In a reauthorization letter dated December 3, 2021, the FDACS identified that an emergency condition exists and that there were no changes to the use directions as approved in the last authorization letter dated December 23, 2020, including the use rates and type of application. This specific exemption is subject to the conditions set forth in your request as well as the following conditions, modifications, and restrictions below:

1. The Florida Department of Agriculture and Consumer Services (FDACS) is responsible for ensuring that all provisions of this specific exemption are met. FDACS is also responsible for providing information in accordance with 40 C.F.R. § 166.32(b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and EPA Region 4 within 6 months following the expiration of this exemption or prior to requesting another specific exemption for this use. In accordance with 40 C.F.R. § 166.32(a), FDACS must also immediately inform these offices of any adverse effects resulting from the use of this pesticide in connection with this exemption. Any future correspondence in connection with this exemption should refer to file symbol: **22FL01**.
2. The registered product, Belay® Insecticide (EPA Reg. No. 59639-150, containing 23.0% clothianidin) manufactured by Valent U.S.A. Corporation may be applied. Except as modified by this authorization document, applicators must follow all applicable use

directions, restrictions, Worker Protection Standard (WPS) requirements, and precautions on (a) the EPA-registered product label for that product, and (b) the Section 18 use directions submitted in support of your application.

3. Belay® Insecticide may be applied via soil drench to immature citrus trees (3-to 5-years old) at a single maximum application rate of 0.2 lb a.i./A (12.0 fl oz per acre) and a 12-month maximum application rate of 0.4 lb a.i./A (24.0 fl oz per acre), regardless of tree size, tree count per acre, or application method.
4. A maximum of 125,376 acres of young citrus trees may be treated under this exemption.
5. Do not apply more than 2 applications per tree per 12-month period. Allow a minimum of 4 months between applications. A minimum 24-hour pre-harvest interval (PHI) and a 12-hour restricted entry interval (REI) must be observed.
6. To minimize exposure to pollinators, the following statements on the application timing must be observed: “Do not apply this product until after petal fall” and “Do not apply product from November 1 through the end of the following bloom period.” Applications also cannot be made to trees in full bloom.
7. In addition, the following environmental hazard statements on the Section 18 label must be followed:
 - This product is toxic to aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean highwater mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.
 - This product is toxic to bees exposed to treatment and for more than 5 days following treatment. Do not apply this product to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period. Fall soil application of 3-5 years old citrus may pose risks to honeybees that forage in the trees during the winter/spring bloom.
 - In the state of Florida: The properties of this chemical suggest it may leach into ground water if used in areas where soils are permeable and where the water table is very shallow. Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, estuaries, or commercial fish farm ponds.
8. EPA completed effects determinations for listed species and their designated critical habitats for the use of clothianidin soil drench applications on young citrus trees in Florida to control ACP. EPA determined that a total of 56 listed species and three critical habitats overlap with the proposed action area. EPA made No Effect (NE) determinations for six of the listed species that are within the proposed action area. Further, EPA made May Affect (MA) but Not Likely to Adversely Affect (NLAA) determinations for the other 50 listed species and the three designated critical habitats within the proposed action area. Based on these conclusions, EPA informally consulted with FWS and received a letter of concurrence from FWS.

9. A time-limited tolerance in connection with this action has been established in 40 C.F.R. § 180.586(b) for fruit, citrus, group 10-10 to support this emergency use.

This is the ninth year that FDACS has requested the use of clothianidin on immature citrus trees to manage the transmission of HLB disease vectored by the Asian Citrus Psyllid under FIFRA Section 18. In the event that FDACS requests an exemption for this use next year, EPA is making a preliminary determination that this use is not eligible for a streamlined application under the recertification program. *See* 40 C.F.R. § 166.20(b)(5)(iii). Any future request for an exemption to address this pest situation must, among other things, include a discussion on the research and feasibility of use of newly registered alternative pesticides as pest control options.

If you have any questions regarding this authorization, please contact Emergency Response Team member, Stacey Groce (groce.stacey@epa.gov, 202- 566-4715) or the Emergency Response Team Acting Senior Regulatory Specialist, David Lieu (lieu.david@epa.gov, 202-566-2815).

MICHAEL
GOODIS

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MICHAEL GOODIS
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Ed Messina Esq., Director
Office of Pesticide Programs

cc: *USEPA Region 4, Randy Dominy*
USEPA Region 4 Pesticide Tribal Coordinator, Patricia Livingston