Mr. Dan Rosenblatt  
Team Leader  
USEPA/Office of Pesticide Programs  
Emergency Response Team (7505C)  
Document Processing Desk  
Crystal Mall 2–2nd Floor  
1801 Bell Street  
Arlington, Virginia 22202

Dear Mr. Rosenblatt:

Re: Specific Exemption Request for use of Fenbuconazole (Indar 75 WSP, EPA Reg. No. 707-239) to Control Mummyberry of Blueberry Crops in 2006

The New York State Department of Environmental Conservation, as the State lead agency for pesticide matters, hereby requests approval of the referenced application (see enclosure) under Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended. The enclosed application includes the information required in 40 CFR, Part 166, Subpart B (166.20). Also enclosed, is the use report from the 2005 Section 18 use (Appendix 5).

This is the fourth year that we are requesting fenbuconazole (Indar 75 WSP) for emergency use to control mummyberry on blueberries. Mummyberry is the most common fungal disease of blueberries in North America. Large crop losses can occur when weather is wet in the spring and control measures are not undertaken. Mummyberry has two distinct phases, shoot blight and fruit infection. Yield losses of ten percent from mummyberry are common if even a single fungicide application is missed or improperly timed. Losses of 25-56% are possible when no controls are applied.

Funginex (triforine) has been widely relied on in blueberry production in New York and nationwide for management of mummyberry disease. The cancellation of triforine has created a serious void since none of the currently labeled fungicides for blueberries are as effective against mummyberry as Funginex. Abound 2.08F (azoxystrobin) has been shown to have moderate activity when disease pressure is low, but is ineffective when disease pressure is high. Bravo (clorothalonil) does target both primary and secondary infection, but has poor efficacy against mummyberry.
Field trials with Indar have been conducted in New Jersey, Michigan, and Georgia, and highbush blueberry trials have been conducted in other states. The results demonstrate a high level of efficacy (see section #5 and Appendix 2).

The proposed tolerance (to be petitioned by IR4) for fenbuconazole and metabolites on raw blueberries is 0.3 ppm. A magnitude of residues study was completed (Appendix 3).

A maximum of five foliar applications, using ground equipment, of Indar 75 WSP per season is requested. The first application is to be made beginning at green tip and continued on seven- to ten-day intervals through petal fall. The recommended rate is 2.0 ounces of Indar 75 WSP/acre/application (1.5 oz ai/acre/application). It is estimated that all of the 800 acres of blueberry in bearing age may be treated. Nearly all of this acreage is contained within the following counties: Niagara, Ontario, Monroe, Wayne, Onondaga, Oswego, Cayuga, Seneca, Schuyler, Tompkins, Steuben, Chemung, Tioga, Schenectady, Albany, Saratoga, Dutchess, Columbia, and Ulster Counties. Therefore, if five applications are made to the total acreage of blueberries, 500 lbs of product or 375 lbs of active ingredient will be used. While this amount of product may be needed under a worse case scenario, it is expected that considerably less than 100% of the eligible acreage will be treated.

Dow Agrosciences, LLC, the manufacturer of Indar 75 WSP Fungicide, fully supports our efforts to obtain an emergency exemption for the use of Indar 75 on blueberries in New York State (see Appendix 4). The company, in conjunction with the IR-4 Project, continues to make progress toward new registrations with petitions pending at USEPA for the use of fenbuconazole on blueberries.

The anticipated use season for fenbuconazole on blueberries in New York State is from March 1-June 30, 2006. The suggested use pattern will restrict applications after petal fall. Therefore, a PHI of 30 days is requested. All applicable restrictions currently on the label would apply (see Appendix 1 for proposed label language).

Please contact Cyndi Crowley, of our Pesticide Product Registration Section, at (518) 402-8768, if you require further assistance on this request.

Sincerely,

Maureen P. Serafini
Director
Bureau of Pesticides Management

Enclosures

cc: w/enc. - A. Enache, USEPA Region II
cc: w/o enc. - W. Smith, Cornell University, PMEP
R. Zimmerman/R. Mungari, New York State Dept. of Ag. & Mkts.