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 Desmedipham (Betanex 1.3 EC, EPA Reg. No. 264-620) for Postemergence Control of Broadleaf Weeds in Red Beets 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.

Currently registered post-emergent herbicides for use against select broadleaf weeds in Red Beets include Ro-Neet, Pyramin, Spin-Aid and Stinger. Spin-Aid controls very small stages of common lambsquarters and ragweed. Stinger can control later growth stages of ragweed and various nightshades. Neither of these products can provide adequate control of other broadleaf weeds found increasingly in beet fields, such as hairy galinsoga, redroot pigweed, wild mustard and velvetleaf. Ro-Neet and Pyramin often fail to provide adequate control of troublesome broadleaf weeds due to their dependency on rainfall for activation. The lack of control, coupled with the inability to eliminate in-row weeds with cultivation, results in the majority of beets requiring expensive chopping at harvest to remove weeds. Insufficient weed control is the major reason for abandonment of beet fields in New York State. Despite integration of these control practices, red beet yields are routinely reduced by weed competition.

Studies have consistently shown that Betanex provides good to excellent control of many important broadleaf weeds including hairy galinsoga, common lambsquarters, common ragweed and redroot pigweed. The use of up to three applications of Betanex per season is requested. The first application will be made at 0.125 to 0.25 lbs ai/acre when the red beets are in the cotyledon to two-leaf stage (i.e., late cotyledon stage, not fully expanded two-leaf stage),
followed by 0.25 to 0.38 lb ai/acre and 0.25 to 0.50 lbs ai/acre in the two- to four- and four- to six-leaf stages, respectively. The final application will not be made later than 50 days prior to harvest. It is estimated that approximately 2,800 acres will be planted to red beets in 2006 and the 2,500 acres (90%) will need to be treated with the requested material.

Following the United States Environmental Protection Agency’s (USEPA) request for endangered species information, research into federally endangered and federally threatened species of plants in New York State yielded one species of potential impact. *Oligoneuron houghtonii*, or Houghton’s goldenrod, is located in one red beet producing county, Genesee. It is found only along marshlands near the Great Lakes shoreline. To mitigate exposure to this species, a 50-foot, treatment free, setback from all water sources (to include rivers, streams, tidal estuaries, bay frontage, and marshlands) will be required for growers in Genesee County.

The Department is aware that this is the 11th year that we are requesting desmedipham (Betanex 1.3 EC, EPA Reg. No. 264-620) for emergency use to control broadleaf weeds in the major red beet production areas of New York State. The 2003 exemption, file #03-NY-04, discussed USEPA’s concerns about progress toward a section 3 registration, due to the fact that desmedipham is an aryl carbamate. However, the time-limited tolerance originally established in 1998 was recently extended until June 30, 2008, well past the end of the next anticipated use season. Because this tolerance was extended specifically for red beets grown in New York, we are requesting that the emergency exemption be granted for the 2006 growing season.

Bayer Crop Science, the manufacturer of Betanex 1.3 EC, fully supports our efforts to obtain an emergency exemption for the use of Betanex on red beets in New York State.

The anticipated use season for desmedipham on red beets in New York State will fall between May 15 and August 15, 2006. Processing red beets are planted from May 1 to June 30 and emerge from the soil in seven to 14 days, and are ready to harvest 90 to 110 days later.

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. & Mktts.