



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Maureen P. Serafini, Director
Bureau of Pesticides Management
New York Department of Environmental Conservation
50 Wolf Road
Albany, New York 12233-7257

Attn: Sam Jackling
Fax: (518)485-8990

Date Issued: JUN 10 2005
Date Effective: June 1, 2005
Expiration Date: August 31, 2005
Report Due: February 28, 2006
File symbols: 05-NY-07

The Environmental Protection Agency hereby grants a specific exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to the New York Department of Environmental Conservation for the use of lambda-cyhalothrin formulated as Warrior with Zeon Technology, on alfalfa/clover/grass mixed stands to control the potato leafhopper. This specific exemption is subject to the conditions and restrictions set forth in your request, as well as the following:

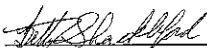
1. The New York Department of Environmental Conservation is responsible for ensuring that all provisions of this specific exemption are met. It is also responsible for providing information in accordance with 40 CFR 166.32. This information must be submitted to EPA Headquarters and to the EPA Regional Office.
2. The product, Warrior with Zeon Technology (EPA Reg. No. 100-1112) manufactured by Syngenta Crop Protection, Inc., may be applied. All applicable directions, restrictions, and precautions on the federal label and section 18 use directions submitted with your application must be followed.

3. Apply 1.92 - 3.2 fl oz (0.015 - 0.025 lbs a.i.) per acre of Warrior with Zeon Technology to control potato leafhoppers. Apply as required by scouting and when populations reach determined economic thresholds. A maximum of 0.24 pints (0.03 lbs a.i.) per acre may be applied per cutting; a total of 0.96 pints (0.12 lbs a.i.) per acre may be applied per season.
4. A maximum of 570,000 acres of alfalfa/clover/grass mixed stands may be treated in New York State.
5. Applications can be made using air or ground equipment using sufficient water to obtain full coverage of the foliage. Do not apply within one (1) day of harvest for forage or within seven (7) days of harvest for hay. A 24-hour restricted entry interval (REI) is in effect for treated areas.
6. Time-limited tolerances have been established for residues of lambda-cyhalothrin on clover forage at 5.0 ppm, clover hay at 6.0 ppm, grass forage at 5.0 ppm, and grass hay at 6.0 ppm. These time-limited tolerances are scheduled to expire on December 31, 2005.
7. Minimal adverse effects are expected for terrestrial animals, but that significant direct negative effects are expected for aquatic animals if lambda-cyhalothrin enters aquatic habitats via spray drift or run-off. Aquatic animals are extremely sensitive to this pyrethroid. The use directions had the following restrictions to mitigate concerns regarding bees and aquatic environments:
 - Avoid applications when bees are actively foraging by applying during the early morning or during the evening hours.
 - Do not apply by ground equipment within 25 feet, or by air within 150 feet of lakes, reservoirs, rivers, permanent streams, marshes, pot holes, or natural ponds. A 25 foot vegetated non-cropped buffer strip untraversed by drainage tiles must be maintained between a treated field and a coastal salt marsh or stream that drains into a coastal salt marsh for both aerial and ground application.

In addition, lambda-cyhalothrin is classified as a restricted use pesticide due to its toxicity to fish and aquatic organisms. It is for retail sale to and use only by Certified Applicators, or persons under their direct supervision, and only for those uses covered by the Certified Applicator's certification.

8. EPA shall be immediately informed of any adverse effects resulting from the use of this pesticide in connection with this exemption.
9. This specific exemption expires on August 31, 2005.
10. A report summarizing the results of this program must be submitted by February 28, 2006.

Any future correspondence in connection with this exemption should refer to file symbol 05-NY-07.



Lois Rossi, Director
Registration Division
Office of Pesticide Programs

Date: 6/10/05

cc: U.S. EPA Region II
Attn: Adrian Enache

U.S. Food & Drug Administration
Division of Field Science (HFC-141)
5600 Fishers Lane
Rockville, MD 20857
Attn: Ms. Donna Porter

U.S. Food & Drug Administration
Center for Food Safety and Applied Nutrition (CFSAN)
Case Processing Branch (HF5-607)
200 C Street, SW
Washington DC 20204
Attn: Ms. Sonia Delgado

ASTHO Representative
New York Department of Health
Corning Tower Building, Empire State Plaza
Rm 1482
Albany, NY 12237



Section 18 Emergency Exemption

RESTRICTED USE PESTICIDE

Due to Toxicity to Fish and Aquatic Organisms

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicators

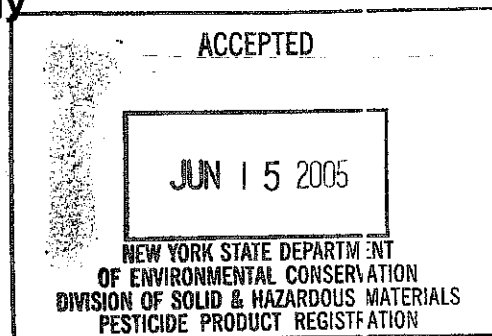
FOR DISTRIBUTION AND USE ON ALFALFA/CLOVER/GRASS MIXED STANDS IN THE STATE OF NEW YORK DURING 2005 EMERGENCY EXEMPTION PURSUANT TO SECTION 18 OF FIFRA, AS AMENDED.

WARRIOR® Insecticide with Zeon Technology

EFFECTIVE DATE: June 1, 2005

EXPIRATION DATE: August 31, 2005

EPA FILE SYMBOLS: 05-NY-07



DIRECTIONS FOR USE

Crops	Target Pests	Dosage/Acre Lbs. A.I. (Fl. oz./A)	Minimum Spray Volume Gallons/Acre
Alfalfa/Clover/Grass Mixed Stands	Potato Leaf Hopper	0.015-0.025 (1.92-3.2 fl. oz.)	Ground 10 Air 5

RESTRICTIONS

- Apply as required by scouting, usually at intervals of 5 or more days. Timing and frequency of applications should be based upon insect populations reaching locally determined economic thresholds.
- Do not apply more than 0.03 lb. ai (0.24 pts.)/A per cutting. Do not apply more than 0.12 lb. ai (0.96 pts.)/A per season.
- Applications may be made within one day of forage or seven days of harvest for hay.

- Time-limited tolerances have been established for residues of Lambda-cyhalothrin on clover forage at 5.0 ppm, clover hay at 6.0 ppm, grass forage at 5.0 ppm, and grass hay at 6.0 ppm. These time-limited tolerances are scheduled to expire on December 31, 2005.
- Avoid applications when bees are actively foraging by applying during the early morning or during the evening hours.
- Do not apply by ground within 25 feet, or by air within 150 feet of lakes, reservoirs, rivers, permanent streams, marshes, pot holes, or natural ponds. A 25 foot vegetated non-cropped buffer strip untraversed by drainage tiles must be maintained between a treated field and a coastal salt marsh or stream that drains into a coastal marsh for both aerial and ground application.

ENVIRONMENTAL PRECAUTIONS

This pesticide is extremely toxic to fish and aquatic organisms and toxic to wildlife. 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 apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters.

All applicable directions, restrictions, and precautions on the EPA-registered product label for Warrior with Zeon Technology (EPA Reg. No. 100-1112) are to be followed.

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

Any adverse effects resulting from the use of Warrior with Zeon Technology under this emergency exemption must be immediately reported to the New York Department of Environmental Conservation.

WARRIOR® is a trademark of Syngenta Crop Protection, Inc.

Label Code: NY1112019AB0605

