



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Maureen P. Serafini, Director  
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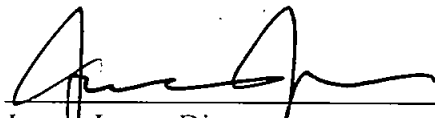
**Attn:** Cyndi Crowley

**Date Issued:** MAR 16 2006  
**Expiration Date:** June 30, 2006  
**Report Due:** December 30, 2006  
**File symbols:** 06-NY-01

The U.S. Environmental Protection Agency (EPA) hereby grants a specific exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, to the New York State Department of Environmental Conservation for the use of fenbuconazole to control mummy berry disease in blueberries. This specific exemption is subject to the following conditions and restrictions:

1. The New York State 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 Code of Federal Regulations (CFR) §166.32.
2. The product, Indar 75 WSP, EPA Reg. No. 62719-421 (formerly EPA Reg. No. 707-239), containing 75% fenbuconazole and manufactured by Dow AgroSciences LLC may be used. Existing stocks purchased from the previous registrant, Rohm and Haas, EPA Reg. No. 707-239, may also be used.
3. All applicable conditions and restrictions on the federally registered product label must be observed. The conditions set forth in your application, as well as the proposed section 18 use directions submitted with your application must also be observed.

4. Indar 75 WSP may be applied by ground at a maximum rate of 2 ounces of product (1.5 ounces of active ingredient) per acre. A maximum of 5 applications are permitted; do not apply more than 10 oz. of product (0.47 lbs. a.i.) per acre per growing season.
5. A maximum of 800 acres of blueberries in New York may be treated.
6. Do not apply Indar 75 WSP within 30 days of harvest.
7. Do not graze livestock in treated fields or offer treated material as a livestock feed item.
8. Applications are not permitted within 75 feet of streams, rivers, ponds, lakes, or reservoirs.
9. Applications made in accordance with the above provisions are not expected to result in residues of fenbuconazole in excess of 1.0 part per million (ppm) in blueberries. EPA has determined that exposure to fenbuconazole in accordance with the label instructions and restrictions is adequate to protect the public health. A time-limited tolerance in connection with the use of fenbuconazole on blueberries has been established and is effective through December 31, 2007.
10. The EPA Headquarters and Regional office shall be immediately informed of any adverse effects or misuse resulting from the use of this pesticide in connection with this exemption.
11. This specific exemption expires on June 30, 2006.
12. A final report summarizing the results of this program must be submitted to EPA Headquarters and the EPA Regional office by December 31, 2006 or prior to requesting another specific exemption for this use.

  
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James Jones, Director  
Office of Pesticide Programs

Date: 3/10/06

cc: EPA Region 2  
Adrian Enache

**Indar<sup>®</sup> 75WSP****Section 18 Specific Exemption****Control of Mummy Berry Disease in Blueberry****(For Distribution and Use Only Within the State of New York)****ATTENTION**

- **This specific exemption is effective March 16, 2006 through June 30, 2006.**
- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- The product Indar<sup>®</sup> 75WSP fungicide, EPA Reg. No. 62719-421 (formerly EPA Reg. No. 707-239), (containing 75% fenbuconazole) manufactured by Dow AgroSciences LLC may be used.
- All applicable conditions and restrictions on the federally registered product label for Indar 75WSP as well as the Section 18 use directions must be observed.

**Directions for Use**

Apply 2 oz of Indar 75WSP (1.5 oz active ingredient) per acre using ground equipment. Begin applications at early green tip stage of growth and make subsequent applications at 10- to 14-day intervals.

**Restrictions:**

- **Chemigation:** Do not apply through any type of irrigation system.
- **Preharvest Interval:** Do not apply within 30 days of harvest.
- Do not make more than 5 applications or apply more than 10 oz (0.47 lb active ingredient) per acre per year.
- Do not use any spray adjuvants with Indar 75WSP.
- Do not graze livestock in treated fields or offer treated material as a livestock feed item.
- Applications are not permitted within 75 feet of streams, rivers, ponds, lakes, or reservoirs.

Any adverse effects or misuse resulting from the use of Indar 75WSP in connection with this specific exemption must be immediately reported to the New York State Department of Environmental Conservation.

®Trademark of Dow AgroSciences LLC

R845-060

EPA File Symbol: 06-NY-01

Accepted: 03/16/06

Replaces: R845-026

Revisions: Renewal of Section 18 exemption for 2006.

