



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: Robin Hackett  
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**Date Issued: July 1, 2004**  
**Interim**  
**Reports Due: March 1, 2005**  
**March 1, 2006**  
**Final Report Due: September 1, 2007**  
**Expiration Date: March 1, 2007**  
**File Symbol: 04-NY-15**

The Environmental Protection Agency hereby grants a quarantine 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 (NYDEC) for the use of myclobutanil, formulated as the products Laredo EC and Laredo EW, on soybeans to control soybean rust. New York requested to be included in the lead exemption request submitted by the Minnesota and South Dakota Departments of Agriculture.

Use of this chemical under this quarantine exemption will not be allowed until the time that the fungal species *Phakopsora pachyrhizi* has been confirmed to be present in the continental United States or Puerto Rico by the United States Department of Agriculture/Animal and Plant Health Inspection Service (USDA/APHIS). The less aggressive fungal species known to cause soybean rust, *Phakopsora meibomia*, is already present in the Western Hemisphere, including Puerto Rico. Once USDA/APHIS has confirmed that *Phakopsora pachyrhizi* is present, all existing EPA-approved section 18s for soybean rust will be automatically released for implementation in New York as the NYDEC feels is appropriate. This quarantine exemption is subject to the conditions set forth in the lead request, as well as the following conditions and restrictions:

1. The New York Department of Environmental Conservation is responsible for ensuring that all provisions of this quarantine exemption are met. It is also responsible for providing a report about the results and effectiveness of this exemption on an annual basis in accordance with 40 CFR 166.32. This information must be submitted to EPA headquarters and the EPA regional office.
2. The registered products, Laredo EC (EPA Reg. No. 62719-412) and Laredo EW (EPA Reg. No. 62719-493), both manufactured by Dow Agrosciences, may be applied. All applicable directions, restrictions, and precautions on the submitted section 18 use directions as well as the EPA-registered product labels must be followed.
3. As stated in the lead request, a maximum of two total applications using approved section 18 products collectively will be made under this soybean rust section 18. This includes those products that may be approved for use at a later date.

Should growers include myclobutanil in their treatment program, a maximum of two applications may be made by ground or air at the following rates:

Laredo EC: 1.0 - 2.0 oz a.i./acre (4-8 ounces of product per acre)

Laredo EW: 1.0 - 2.0 oz a.i./acre (4.8-9.6 ounces of product per acre)

4. A restricted entry interval (REI) of 24 hours and a pre-harvest interval (PHI) of 28 days will be observed.
5. A maximum of 140,000 acres of soybeans may be treated in New York under the soybean rust emergency exemption.
6. A tolerance for indirect or inadvertent residues of myclobutanil on the legume vegetable group (of which soybeans are a part) is in place at 0.03 ppm. The magnitude of residues observed in residue field trials on soybeans directly do not exceed this level, and therefore, for purposes of this action, the existing tolerance level is adequate to cover the use of myclobutanil on soybeans as proposed in this exemption request.
7. The proposed use is not expected to pose significant risks to non-target organisms, including threatened and endangered species, or to the environment. Although this chemical is highly toxic to marine/estuarine invertebrates on an acute basis, the proposed use is not expected to result in exposure to this class of organism. Chronic and acute risks from the proposed use are not of concern for mammals, birds, and fish.
8. Because it is persistent and somewhat mobile, myclobutanil may be a potential threat to groundwater in vulnerable soils. To mitigate risk from ground water contamination, the following statements are required (and are present) on the section 18 use directions:

**Groundwater:** “This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.”

**Surface water:** “This chemical can contaminate surface water through spray drift. Under some conditions, this chemical may also have a high potential for runoff into surface water (primarily via dissolution in runoff water) for several months post-application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow groundwater, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas over-laying tile drainage systems that drain to surface water.”

Any future correspondence in connection with this exemption should refer to file symbol 04-NY-15.

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/Signed/

Lois Rossi, Director  
Registration Division  
Office of Pesticide Programs

Date: July 1, 2004

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

**Laredo<sup>®</sup> EW**

EPA Reg. No. 62719-493

**Section 18 Quarantine Exemption  
Control of Rust (*Phakopsora pachyrhizi*) in Soybean**

(For Use and Distribution Only in the State of New York)

**ATTENTION**

- **Section 18 Quarantine Exemption:** This use is authorized under EPA quarantine exemption pursuant to Section 18 of the Federal Insecticide Fungicide and Rodenticide Act as amended.
- **This quarantine exemption is effective upon USDA confirmation that soybean rust is present in the continental U.S. and expires March 1, 2007.**
- 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.
- Read the label affixed to the container for Laredo<sup>®</sup> EW fungicide before applying. Carefully follow all precautionary statements and applicable use directions.
- Use of Laredo EW according to this Section 18 labeling is subject to all use precautions and limitations imposed by the label affixed to the product container for Laredo EW.

**Directions for Use**

Apply 4.8 to 9.6 fl oz of Laredo EW (0.0625 to 0.125 lb myclobutanil) per acre, using ground or aerial equipment, in an adequate spray volume to achieve good coverage and canopy penetration (normally 15 to 20 gallons spray volume by ground). For aerial application, apply Laredo EW in a minimum spray volume of 5 gallons per acre. For best results apply as early as possible, at first sign of disease, and make subsequent applications (up to 2) at 10- to 14-day intervals. For established disease, use the higher rate in the rate range.

**Environmental Hazards**

**Groundwater:** This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

**Surface water:** This chemical can contaminate surface water through spray drift. Under some conditions, this chemical may also have a high potential for runoff into surface water (primarily via dissolution in runoff water) for several months post-application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow groundwater, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas overlaying tile drainage systems that drain to surface water.

**Specific Use Restrictions:**

- **Do not** allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.
- **Do not** feed soybean forage and hay to livestock.
- **Preharvest Interval:** **Do not** make applications within 28 days of harvest.
- **Do not** make more than 2 applications or apply more than 19.2 fl oz of Laredo EW (0.25 lb ai myclobutanil) per acre per year.
- A maximum of 2 total applications using approved Section 18 products collectively are allowed under this soybean rust Section 18.

- **Rotation Crops:** Fields treated with myclobutanil (Laredo, Nova<sup>®</sup> and Rally<sup>®</sup>) can be rotated at any time to crops that are listed on a registered myclobutanil label immediately after the last treatment. Do not plant other crops within 30 days after the last application of a product containing myclobutanil.

Any adverse effects resulting from the use of Laredo EW under this quarantine exemption must be immediately reported to the New York Department of Agriculture.

<sup>®</sup>Trademark of Dow AgroSciences LLC

R196-016

File Code: 04-NY-15

Accepted: 07/01/04

Initial printing.

**Laredo<sup>®</sup> EC**

Dow AgroSciences EPA Reg. No. 62719-412

**Section 18 Quarantine Exemption for  
Control of Rust (*Phakopsora pachyrhizi*) in Soybean**

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**ATTENTION**

- **Section 18 Quarantine Exemption:** This use is authorized under EPA quarantine exemption pursuant to Section 18 of the Federal Insecticide Fungicide and Rodenticide Act as amended.
- **This quarantine exemption is effective upon USDA confirmation that soybean rust is present in the continental U.S. and expires March 1, 2007.**
- 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.
- Read the label affixed to the container for Laredo<sup>®</sup> EC fungicide before applying. Carefully follow all precautionary statements and applicable use directions.
- Use of Laredo EC according to this Section 18 labeling is subject to all use precautions and limitations imposed by the label affixed to the product container for Laredo EC.

**Directions for Use**

Apply 4 to 8 fl oz of Laredo EC (0.0625 to 0.125 lb ai myclobutanil) per acre, using ground or aerial equipment, in an adequate spray volume to achieve good coverage and canopy penetration. For aerial application, apply Laredo EC in a minimum spray volume of 5 gallons per acre. For best results apply as early as possible, at first sign of disease, and make subsequent applications (up to 2) at 10- to 14-day intervals. For established disease, use the higher rate in the rate range.

**Environmental Hazards**

**Groundwater:** This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

**Surface water:** This chemical can contaminate surface water through spray drift. Under some conditions, this chemical may also have a high potential for runoff into surface water (primarily via dissolution in runoff water) for several months post-application. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, areas overlaying extremely shallow groundwater, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas overlaying tile drainage systems that drain to surface water.

**Specific Use Restrictions:**

- **Do not** allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.
- **Do not** feed soybean forage and hay to livestock.
- **Preharvest Interval:** **Do not** make applications within 28 days of harvest.
- **Do not** make more than 2 applications or apply more than 16 fl oz of Laredo EC (0.25 lb ai myclobutanil) per acre per year.
- A maximum of 2 total applications using approved Section 18 products collectively are allowed under this soybean rust Section 18.
- **Rotation Crops** – Fields treated with myclobutanil (Laredo, Nova<sup>®</sup> and Rally<sup>®</sup>) can be rotated at any time to crops that are listed on a registered myclobutanil label immediately after the last treatment. Do not plant other crops within 30 days after the last application of a product containing myclobutanil.