The Environmental Protection Agency (EPA) 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 State Department of Environmental Conservation for the use of desmedipham on red (table) beets to control several important broadleaf weeds, including hairy galinsoga, common ragweed, redroot pigweed, common lambsquarters, velvetleaf, nightshade spp. and wild mustard. This specific exemption is subject to the conditions and restrictions set forth in your application, as well as the following:

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 CFR 166.32(b). This information must be submitted to EPA headquarters and the EPA regional office within six months of the expiration date of this exemption. In accordance with 40 CFR 166.32(a) these offices shall also be immediately informed of any adverse effects resulting from the use of this pesticide in connection with this exemption.

ANY FUTURE CORRESPONDENCE IN CONNECTION WITH THIS EXEMPTION MUST REFER TO FILE SYMBOL: 06-NY-02

2. The product, Betanex Herbicide (EPA Reg. No. 264-620), manufactured by Bayer CropScience LP, may be applied. All applicable directions, restrictions, and precautions on the
EPA-registered label must be followed unless otherwise modified in this authorization document. The Use Directions which you submitted January 24, 2006, may also be used.

3. Desmedipham may be applied at a rate of 0.25 to 0.50 lb. a.i./acre with ground equipment using 20 to 50 gallons of water per acre as a broadcast treatment, or 5 to 10 gallons banded over the row. Three applications may be made, by ground equipment only. A 50-day pre-harvest interval (PHI) is required.

4. A maximum of 2,500 acres of red (table) beets may be treated.

5. Time-limited tolerances for residues of desmedipham on red beet roots at 0.2 ppm and in red beet tops at 15 ppm have been established for previous emergency programs for this use. See the Federal Register of August 29, 1997. These time-limited tolerances were subsequently extended and now expire on June 30, 2008.

6. This specific exemption expires August 15, 2006.

This is the eleventh year that this use of desmedipham on garden beets has been requested under section 18 of FIFRA. IR-4 has recently submitted a tolerance petition to EPA for this use. Progress toward registration is deemed adequate with that submission.

/s/

James Jones

James J. Jones, Director
Office of Pesticide Programs

Date: 2/1/06

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