



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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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 Mississippi Department of Agriculture & Commerce (MDAC) for the use of propiconazole, formulated as the products Tilt, Propimax, and Bumper, on soybeans to control soybean rust. The MDAC 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 Mississippi as the MDAC 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 Mississippi Department of Agriculture & Commerce 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, **Tilt** (EPA Reg. No. 100-617) manufactured by Syngenta, **Propimax** (EPA Reg. No 62719-346) manufactured by Dow Agrosiences, and **Bumper** (EPA Reg. No. 66222-42), manufactured by Makhteshim-Agan, may be applied. All applicable directions, restrictions, and precautions on the submitted section 18 use directions (as modified below) as well as the EPA-registered product labels must be followed.

Tilt: To be consistent with your request as well as with the two other products authorized under this exemption, the use rate should be modified from 4 fl oz/A to 4-8 fl oz/A, and use should be limited to a maximum of 2 applications. Additionally, the section 18 request includes a 28-day pre-harvest interval (PHI). In the field trials evaluated by the Agency, propiconazole was applied at growth stage R3 (beginning pod), with a second application approximately 21 days later at growth stage R5 (pod fill). The resulting PHIs from this treatment regime ranged from 46 to 99 days after the last treatment. Therefore, rather than a PHI, the use directions should specify the latest soybean growth stage - R5 - at which propiconazole may be applied.

Propimax: To be consistent with your request as well as with the two other products authorized under this exemption, use should be limited to a maximum of 2 applications and a total of 12 oz of product per acre per year. Also, for the same reasons stated above, the 28-day PHI must be modified to instead specify the latest soybean growth stage - R5 - at which propiconazole may be applied. Finally, the use directions must be modified by removing any reference to “Supplemental Labeling.” In the future, please follow the “General Guidance for Preparation of Use Directions/ Labeling in Connection with Emergency Exemptions” document.

Bumper: To be consistent with your request as well as with the two other products authorized under this exemption, the use rate should be modified from 4 fl oz/A to 4-8 fl oz/A, and use should be limited to a maximum of 2 applications. Also, for the same reasons stated above, instead of a 28-day PHI, the use directions must specify the latest soybean growth stage - R5 - at which propiconazole may be applied.

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 have been approved or may be approved for use at a later date.

Should growers include propiconazole in their treatment program, a maximum of two applications of Tilt, PropiMax EC and/or Bumper may be made by ground or air at a rate of 4 to 8 fluid ounces of product per acre (0.113 - 0.225 pounds of a.i./acre). Do not apply more than 12 fluid ounces of product per acre per season. Propiconazole may be applied no later than soybean growth stage R5.

4. A restricted entry interval (REI) of 24 hours will be observed.
5. A maximum of 1 million acres of soybeans may be treated in Mississippi under the soybean rust emergency exemption.
6. This use of propiconazole on soybean is not expected to adversely affect human health. The available data support time-limited tolerances of 0.5 ppm in soybeans, 8 ppm in soybean forage and 25 ppm in soybean hay. Time-limited tolerances will be established at these levels.
7. The proposed use is not expected to pose an unreasonable risk of adverse effects to avian and mammalian wildlife, fish or aquatic invertebrates, or to non-target plant species in Mississippi. No Federally-listed threatened or endangered species in the state are likely to be adversely affected by this use.

Any future correspondence in connection with this exemption should refer to file symbol 04-MS-17.

/Signed/ (Betty Shackleford for)
Lois Rossi, Director
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Date: July 27, 2004

cc: U.S. EPA Region 4
Lora Lee Schroeder

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