



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Date Issued: April 21, 2006
Expiration Date: October 15, 2006
Report Due: April 15, 2006
File Symbol: 06-OR-12

Ms. Janet Fults, Pesticide Registration/Certification
& Fertilizer Program Manager
Pesticide Division
Oregon Department of Agriculture
635 Capitol Street NE
Salem, Oregon 97301-2532

Attn: Ms. Fults

The Environmental Protection Agency hereby reissues a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to the Oregon Department of Agriculture for the use of mesotrione to control bog St. John's wort (*Hypericum boreala*), rushes (*Juncus Canadensis*, *J. effuses*, *J. Bufonlus*, *J. Tenuis*), sedges spp. (*Carex* spp.), yellow loosestrife (*Lysimachia terrestris*), and silverleaf (*Potentilla pacifica*) in cranberries. In a letter dated February 17, 2006, the Oregon Department of Agriculture re-certified that the emergency condition still existed and that (with the exception of a change in the requested pre-harvest interval (PHI) and an editorial change by the registrant) there were no changes to the use directions as approved in last year's authorization dated April 18, 2005, including, but not limited to, the use rate, type of application, number of acres, geographical restrictions, etc.

The PHI of 45 days requested this year has been reviewed and current time-limited tolerances will support this reduction.

The Oregon Department of Agriculture is responsible for ensuring that all provisions of this specific exemption are met as specified in last year's authorization. It is also responsible for providing information in accordance with 40 CFR 166.32. This information must be submitted to EPA headquarters and the EPA regional office. The EPA shall immediately be informed of any adverse effects resulting from the use of this pesticide in connection with this exemption.

There are a variety of alternative herbicides labeled for cranberry. EPA has considered the limitations and grower experiences associated with these alternatives and concluded that the industry has difficult weed management issues and has supported this request based on the information submitted with your 2006 request. However, in order to better substantiate future requests for this use under section 18, EPA requests that industry researchers continue to perform comparative efficacy trials against the target weeds which involve mesotrione and the currently registered herbicides. These trials should evaluate whether the projected yield losses would occur even when the best available control options are used. Since the emergency is based on new weed species, such as bog St. John's wort (*Hypericum boreale*) and rushes (*Juncus Canadensis*, *J. effusus*, *J. Bufonlus*, *J. Tenuis*), these weeds should be evaluated.

This is the third year that the Agency has issued this exemption to the Oregon Department of Agriculture. For the 2007 season, this request continues to be eligible for re-certification.

/s/

Lois Rossi

Lois Rossi, Director
Registration Division
Office of Pesticide Programs

Date: 4/21/06

cc: Chad Schulze
EPA Region 10

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Section 18 Emergency Exemption

FOR DISTRIBUTION AND USE ON CRANBERRY IN OREGON
(CLATSOP, COOS, AND CURRY COUNTIES ONLY)

CALLISTO® Herbicide

Oregon Product ID No. 2006OR016

Effective Dates: April 21, 2006 to October 15, 2006

An Herbicide for the Control of Specific Susceptible Annual and Perennial Weeds when Applied Pre- and/or Post-Emergence on Cranberry

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

All applicable directions, restrictions and precautions on the registered product label for Callisto (EPA Registration No. 100-1131) must be followed.

These directions for use must be in the possession of the user at the time of application.

Failure to follow the use directions and precautions on this label may result in plant injury or poor weed control.

Specific Crop Use Directions

For the control of the following weed species: Bog St. John's Wort (*Hypericum boreala*), rushes (*Juncus canadensis*, *J. effuses*, *J. bufonlus*, *J. tenuis*), sedges spp. (*Carex* spp.), yellow loosestrife (*Lysimachia terrestris*) and silverleaf (*Potentilla pacifica*)

A maximum of 8.0 fluid ounces product per acre (0.25 lb ai/a) may be applied in a single application. A total of two (2) applications and not more than 16 fluid ounces product per acre (0.5 lb ai/a) can be applied per season. Sequential Callisto applications may not be applied within 14 days of each other. Do not apply Callisto within 45 days of cranberry harvest (45 day pre-harvest interval).

Callisto may be applied twice from between bud break and fruit set and at least 45 days prior to flooding for harvest or winter projection. For non-bearing beds, apply 45 days prior to fall or winter flooding. For use on non-bearing beds, do not harvest within 365 days of application. Callisto should be applied with a backpack sprayer or by ground applicator in 10 to 30 gallons per acre of spray volume with 1% (v/v) crop oil concentrate. Avoid using crop oils that are phytotoxic to cranberry leaves.

For bearing beds, the use period will be between bud break and fruit set (with a 45-day PHI). This is normally April 1 to July 15 (depending on harvest method).

For non-bearing beads, the use period will be between bud break and 90 days prior to fall or winter flooding. This is normally April 1 to October 15.

RESTRICTIONS: 1) Do not apply directly to water or areas where surface water is present. 2) Do not contaminate water when disposing of equipment wash water or rinsate. 3) Do not apply within 10 feet of surface water or where there is no buffer strip of vines between the treated area and any surface water. 4) Do not apply if temporary standing water is expected from a rain event. 5) Do not apply within 48 hours of expected rainfall. 6) Do not apply under conditions that may cause drift to nontarget areas. 7) Apply using 10 to 30 gallons per acre spray volume @ 35-40 PSI with 1% (v/v) crop oil concentrate. Avoid using crop oils that are phytotoxic to cranberry leaves. 8) Apply only to susceptible annual and perennial broadleaf weeds, grasses and sedges. 9) Application may be made only by certified applicators or persons directly under their supervision. 10) Do not apply by aircraft. 11) Do not spray to runoff. 12) Do not apply through any type of irrigation system. 13) Avoid spray drift by using coarse sprays with large droplets and low pressure and by applying when wind speed is less than 5 mph. 14) Spot treatment can be applied only through a calibrated boom to prevent misapplication. 15) Do not apply within 10 feet of any water moving off or through the cranberry field. 16) Do not apply to soils which have a rapidly permeable surface soil (sand) and no impermeable subsurface (clay or peat) and where the water table of the underlying aquifer is shallow, unless there is a high organic base present (i.e. peat or muck soils). Beds should be free of any surface water up to 45 days after application. 17) Avoid application to adjacent wetland plant species. 18) Application can be made only to target weed species viable at the time of application. 19) Application must be made within the counties in Oregon that contain commercial cranberry plantings. 20) Do not apply if rainfall or sprinkler irrigation for frost protection is expected within 48 hrs. 21) Do not enter or allow worker entry into treated areas during the restricted entry interval (12 hours). Applicators must wear personal protective clothing consisting of long-sleeved shirt and long pants, chemical-resistant gloves and shoes, plus socks. Follow manufacturer's instructions for cleaning/maintaining PPE.

ATTENTION

DO NOT spray when conditions favor drift beyond area intended for application. Conditions that may contribute to drift include thermal inversion, wind speed and direction, sprayer nozzle/pressure combinations, spray droplet size, etc. Contact your State extension agent for spray drift prevention guidelines in your area. **AVOIDING SPRAY DRIFT IS THE RESPONSIBILITY OF THE APPLICATOR.**

Any adverse effects resulting from this use of Callisto Herbicide under this Emergency Exemption must be immediately reported to the Oregon Department of Agriculture.

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