



EMERGENCY EXEMPTION USE DIRECTIONS

EPA FILE SYMBOL 13-NY-03

ACCEPTED

STATE: New York

CHEMICAL: Potassium Salt of Hop Beta Acids (HopGuard™)

CROP / SITE: Honey Bees / All counties in the state of New York

PEST: *Varroa destructor*

EFFECTIVE: February 15, 2013 to December 31, 2013

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| Feb 21, 2013 |
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New York State Department
of Environmental Conservation
Division of Materials Management
Pesticide Product Registration

PRECAUTIONARY STATEMENTS

Product may cause eye irritation – flood eyes with plenty of water if contact is made with eyes. Wearing protective eyewear when handling treated strips will reduce the potential for eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or smoking tobacco. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT

Applicators must wear chemical-resistant gloves when handling treated strips.

DIRECTIONS FOR USE

Package - Strips must be applied at the rate of three half strips per 2 lb. or 3 lb. package of adult worker bees. Cut strips in half and attach three half strips to the top of package so that the strips are hanging within the package. Place bees in the package after the strips are attached. The bees should remain in contact with the strips for at least 48 hours.

Colony - Strips must be applied at the rate of one strip per five deep combs covered with bees in each brood super or for example two strips per ten frame brood super (chamber) when all the combs are covered with bees. Strips are to be placed only in the brood chamber (not in the honey super). Folded strips must be opened and hung over one of the center brood frame with one-half of the strip on each side of the frame. If using a second strip, apply it to an adjacent center frame about four inches away from the first strip. Strips must be placed hanging between frames, and within the colony cluster, and not laid on top of the frames. Leave the strips in the colony for four weeks. Retreat, as necessary, up to six times per year.

A maximum of six (6) applications per year (twelve (12) strips or approximately 23.04 grams of potassium salt of hop beta acids) per ten frame brood super (chamber) is allowed. This limit includes all applications to the package (if applicable) and to the colony. Application timing (usually during spring, summer or fall) should be based on the levels of Varroa mites observed in the colony. Users may not take honey and wax from the brood chambers, only from the honey supers. For optimal results, apply HopGuard when little to no brood is present in the colony.

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

Any adverse effects resulting from the use of HopGuard™ under this emergency exemption must be immediately reported to the New York State Department of Environmental Conservation, Division of Materials Management, Bureau of Pest Management, 625 Broadway, 9th Floor, Albany, New York 12233-7257.

RESISTANCE MANAGEMENT

Using this product in rotation with another approved miticide with a different mode of action will decrease the potential for Varroa mites to develop resistance. If the strip remains in the hive more than 4 weeks remove.

Manufactured by: BetaTec Hop Products, Inc., A Division of John I. Haas, Inc., P.O. Box 1441, Yakima, WA 98907
efficient by nature™



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

FEB 15 2013

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Mr. Joe Martens, Commissioner
New York State Department of Environmental Conservation
Division of Materials Management
Bureau of Pest Management
Product Registration & Pest Management Alternatives Section
625 Broadway, 9th Floor
Albany, New York 12233-7257

Issue Date: FEB 15 2013
Expiration Date: December 31, 2013
Report Due: June 30, 2014
File symbol: 13-NY-03

Attn: Cynthia Crowley

The Environmental Protection Agency hereby grants a specific exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act to the New York State Department of Environmental Conservation for the use of potassium salt of hop beta acids (HopGuard[®]) in honeybee colonies to control varroa mites. Use of potassium salt of hop beta acids under this emergency exemption program also allows application to packaged bees prior to installation in colonies for bees that are used to start new honeybee colonies. This authorization is subject to the conditions and restrictions outlined below, as well as those specified in your request submitted to the EPA.

- 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(a). Accordingly, EPA headquarters and the EPA Region 2 office shall be immediately informed of any adverse effects resulting from use of this chemical in connection with this exemption. In accordance with 40 CFR §166.32(b), a final report summarizing the results of this program must be submitted to EPA within 6 months following the expiration of this exemption or prior to requesting another specific exemption for this use.
- 2) The unregistered product, HopGuard[®], assigned (EPA File Symbol 83623-R), containing 16% potassium salt of hop beta acids, manufactured by Beta Tec Hop Products, a subsidiary of John I. Haas, Inc., may be applied. All applicable directions, restrictions, and precautions on the container label as well as the section 18 use directions submitted with your February 5, 2013 application must be followed.
- 3) A maximum of 1,680,000 strips treated with potassium salt of hop beta acids may be used.

- 4) HopGuard[®] applications may be made by inserting cardboard strips treated with potassium salt of hop beta acids between brood frames within the honeybee colony or applications may be made by inserting cardboard strips treated with potassium salt of hop beta acids into packages of adult worker bees prior to installation in a honey bee colony.
- 5) HopGuard[®] may be applied using treated cardboard strips at a rate of one strip (1.92 grams of potassium salt of hop beta acids/strip) per five deep combs covered with bees in each brood chamber. For example, two strips are needed for a 10-frame brood chamber when all the combs are covered with bees.
- 6) For packaged beehives, HopGuard[®] may also be applied using three half strips per package, with each half strip containing approximately 0.96 grams of potassium salt of hop beta acids.
- 7) A maximum of six treatments may be made per year (spring, summer or fall). Application timing should be based on the levels of varroa mite observed in the colony. This limit includes all applications to the package (if applicable) and to the colony.
- 8) Strips must be applied at the rate of one strip per five deep combs covered with bees in each brood super or for example, two strips per ten frame brood super (chamber) when all combs are covered with bees. Strips are to be placed only in the brood chamber (not in the honey super). Folded strips must be opened and hung over one of the center brood frames near the middle of the frame with one-half of the strip on each side of the frame. If using a second strip, apply it to an adjacent center frame about four inches away from the first strip. Do not lay the strips on top of the frames. Twelve strips or approximately 23.04 grams of potassium salt of hop beta acids (a maximum of six applications per year) per ten frame brood super (chamber) is allowed. As an advisory and for optimal results, apply HopGuard[®] when little or no brood is present in the hive.
- 9) Applicators must wear protective (chemical-resistant) gloves when handling treated strips.
- 10) In consideration of the use directions and available exposure data, the application program will not result in any food residues. Residue data suggest that quantifiable levels of potassium salt of hop beta acids are not expected to be present in edible honey when the product is used according to these section 18 use directions. Therefore, a tolerance will not be established to support this section 18 use pattern.
- 11) Honey and wax should not be harvested from the brood chambers. Users may only harvest honey and wax from the honey supers.
- 12) Unused strips should be stored in a cool, dark area. Any unused, unregistered product must either be returned to the manufacturer or distributor in unopened containers or disposed of in accordance with the Resource Conservation Recovery Act following the expiration of this emergency exemption.

This is the first year that the New York State Department of Environmental Conservation has requested an emergency exemption for this use under the FIFRA section 18 program. IR-4 and the registrant are working toward completing the requisite steps needed for full registration. Therefore, adequate progress toward registration is being made at this time.

In the event that an emergency exemption for this use is requested in the future, the Agency is making a preliminary determination that this program is eligible for the streamlined recertification application process under 40 CFR 166.20(b)(5).

Any future correspondence in connection with this authorization shall refer to file symbol 13-NY-03.

If you have any questions regarding this authorization, please contact Emergency Response Team member, Stacey Groce (703-305-2505, groce.stacey@epa.gov).



Lois Rossi, Director
Registration Division
Office of Pesticide Programs

Date: February 15, 2013

cc: USEPA Region 2, Adrian Enache