



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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

MAR - 8 2011

Mr. Lester Spell, Jr., D.V.M., Commissioner
Mississippi Department of Agriculture
625 Robert Street North
St. Paul, Minnesota 55155-2538

Date Issued: MAR - 8 2011
Expiration Date: December 31, 2011
Report Due: June 30, 2012
File symbol: 11-MS-04

Attn: Tommy McDaniel

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 Mississippi Department of Agriculture for the use of potassium salt of hop beta acids (HopGuard®) in honeybee colonies to control varroa mites. 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 Mississippi Department of Agriculture 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(b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and to the EPA Region 4 office within 6 months of the expiration of this exemption or prior to requesting another specific exemption for this use.
- 2) The unregistered product, HopGuard®, assigned product code, (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 product label submitted with your application must be followed.
- 3) A maximum of 135,000 strips treated with potassium salt of hop beta acids may be used.
- 4) 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.

- 5) For control of varroa mites, a maximum of three applications per year (6 strips or approximately 11.52 grams of potassium salt of hop beta acids) per ten frame colony may be placed in the brood chamber. Strips are to be placed only in the brood chamber (not in the honey super). The folded strips must be opened and hung over a center brood frame with one-half of the strip on each side of the frame. Apply at a rate of one strip per five deep combs covered with bees in each brood chamber. 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 three times per year. Application timing (usually during spring, summer or fall) should be based on the levels of varroa mites observed in the colony.
- 6) Applicators must wear protective (chemical-resistant) gloves when handling treated strips.
- 7) 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.
- 8) Honey should not be harvested from the brood chamber. Users may only harvest honey from the honey supers.
- 9) 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.
- 10) HopGuard® treatments can be made until December 31, 2011.
- 11) In accordance with 40 CFR 166.32(a), the EPA Headquarters and EPA Region 4 offices shall immediately be informed of any adverse effects resulting from use of this pesticide in connection with this exemption.
- 12) This is the first year that an exemption has been requested for this use. 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 C.F.R. 166.20(b)(5) in 2011.

Any future correspondence in connection with this authorization shall refer to file symbol 11-MS-04.

If you or your staff has any questions with respect to this authorization, please contact Emergency Response Team member, Stacey Groce (703-305-2505, groce.stacey@epa.gov).

Lois Rossi

Lois Rossi, Director
Registration Division
Office of Pesticide Programs

Date: March 8, 2011

cc: EPA Region 4, Lora Lee Schroeder