

EMERGENCY AUTHORISATION OF A PLANT PROTECTION PRODUCT

PLANT PROTECTION PRODUCTS REGULATION (EC) No. 1107/2009

Product name: Exirel 10SE

Active ingredient: 100g/l cyantraniliprole (as a suspo-emulsion formulation)

Product authorisation holder: FMC Agro Limited

Marketing company: FMC Agro Limited

This Emergency Authorisation starts: 29 May 2019

This Emergency Authorisation ends:

- (a) 25 September 2019 for sale and distribution of stocks
- (b) 30 September 2019 for use
- (c) 31 October 2019 for storage and disposal

This Emergency Authorisation will be withdrawn or amended before its end date if a decision is taken to withdraw or amend this Emergency Authorisation under Regulation (EC) No 1107/2009 on any other grounds.

Extent of Emergency Authorisation: United Kingdom

Alison Richardson Wednesday, 29 May, 2019
Health & Safety Executive 



HSE Digital Signature

This and the attached Appendices 1 and 2 are signed by the Health and Safety Executive (“HSE”) for and on behalf of the Secretary of State, the Welsh Ministers, the Scottish Ministers and the Department of Agriculture and Rural Development in Northern Ireland.

Date of issue: 29 May 2019

EXPLANATORY NOTES

1. This is Emergency Authorisation number 2387 of 2019.
2. This Emergency Authorisation will be published on the website of the Chemicals Regulation Directorate of the HSE.
3. Application reference number: COP 2018/02932.
4. Persons using the product to which this Emergency Authorisation applies should acquaint themselves with and observe all requirements contained in the Regulation (EC) No 1107/2009, including the duty on the holder of any Emergency Authorisation to notify information on potentially dangerous effects, a contravention of which is a criminal offence under those Regulations.
5. Neither the effectiveness nor the phytotoxicity of the product for which this Emergency Authorisation has been granted has been assessed and, as such, the user bears the risk in respect of failures concerning its effectiveness and phytotoxicity.
6. If the authorisation of any of the foreign plant protection product to be imported under this Emergency Authorisation is withdrawn, this Emergency Authorisation will only be valid for stock of the affected foreign product sold or supplied in the Member State of origin before the date on which the foreign authorisation ended. If the authorisation of the foreign product is withdrawn for safety or efficacy reasons, this Emergency Authorisation may be withdrawn.

ADVISORY INFORMATION

IMPORTANT: When applying this product under the terms of this Emergency Authorisation, comply with any resistance guidance or restrictions stated on the product label.

This Emergency Authorisation relates to the use of 'Exirel 10SE' as an insecticide for use on outdoor cherry (including rain cover) to control Spotted Wing Drosophila (*Drosophila suzukii*). Application is to be made by broadcast air-assisted sprayers / orchard sprayers in a minimum water volume of 1000 to 1200 litres/ha. A 10 day interval between applications must be observed.

If the grower intends to apply this product with an adjuvant they should use 0.25% spray solution 'Codacide' or other rapeseed triglycerides.

The relevant Department (Natural England, Scottish Natural Heritage, Natural Resources Wales or The Department of Agriculture, Environment and Rural Affairs (DAERA, Northern Ireland)) should be consulted prior to any application adjacent to designated sites, such as SSSI and NNR.

The Emergency Authorisation will expire on 30 September 2019 for use and will not be renewed unless the following information is submitted:

- A realistic and detailed spray programme for each crop and indicate where the requested product(s) fit within that programme. This could be based on the spray programmes used in the 2015 to 2019 seasons.
- Details of the area of crop which is outdoor and under protection for the separate production systems of: plum and damson, raspberry and blackberry, and blueberry should be required.
- Monitoring information on the usage of the product in relation to SWD trap counts.
- Information regarding the relative level of risk of attack by SWD based on the area of the crop affected in previous seasons. For example, how much of the protected crop and outdoor crop is grown in Scotland and the risk of infections so far North compared with the South East. Is the whole of the National crop at risk and why; based on suitable evidence.
- To support an emergency authorisation on protected cherry, information (data or justification) must be submitted to support the residues risk area.

• **APPENDIX 1: CONDITIONS OF EMERGENCY AUTHORISATION**

The conditions below are obligatory. They must be complied with when the use occurs. Failure to comply with the following conditions will result in the withdrawal or amendment of the Emergency Authorisation under Regulation (EC) No 1107/2009 and may result in other enforcement action, including prosecution.

Use:

Field of use: **ONLY AS AN INSECTICIDE**

User: Professional

Crops/situations:	Maximum individual dose: (litres product / ha)	Maximum total dose:	Maximum number of treatments: (per year)	Latest time of application:
Cherry (outdoor)	0.75	-	2	7 days before harvest

Operator protection:

- (1) Engineering control of operator exposure must be used where reasonably practicable in addition to the following personal protective equipment:
 - (a) Operators must wear suitable protective clothing (coveralls) and suitable protective gloves when handling the concentrate.
 - (b) Operators must wear suitable protective gloves when handling contaminated surfaces.
- (2) However, engineering controls may replace personal protective equipment if a COSHH assessment shows that they provide an equal or higher standard of protection

Environmental protection:

- (1) Since there is a risk to aquatic life from use, users not applying the statutory buffer zone must either themselves carry out or ensure that someone else has carried out a Local Environment Risk Assessment for Pesticides (LERAP) on their behalf before each spraying operation from a broadcast air-assisted sprayer. Users must not allow direct spray from such sprayers to fall within 30m of the top of the bank of any static or flowing waterbody or within 5m of a ditch which is dry at the time of application (these distances to be measured as set out in the

booklet 'Local Environment Risk Assessment for Pesticides - Broadcast Air-assisted Sprayers' - and any amendments that are made to it) unless:

- (a) The LERAP indicates that a narrower buffer zone will be sufficient; and
- (b) Any measures indicated by the LERAP as justifying the narrower buffer zone are complied with in full and in accordance with any conditions applicable to them.

Spray must be aimed away from water.

- (2) The results of the LERAP must be recorded in written form and must be available for a period of three years for inspection to any person entitled to exercise enforcement powers under or in connection with the Plant Protection Products Regulations 2011 or the Plant Protection Products (Sustainable Use) Regulations 2012. (An electronic record will satisfy the requirement for a written record, providing it is similarly available for inspection and can be copied).
- (3) Detailed guidance on LERAPs and how to conduct a LERAP are contained in the booklet 'Local Environment Risk Assessment for Pesticides - Broadcast Air-assisted Sprayers' (Ref: PB6533), available from HSE Chemicals Regulation Directorate's website. All LERAPs must be carried out in accordance with this Guidance and any amendments that are made to it.
- (4) Dangerous to bees. To protect bees and pollinating insects do not apply to crop plants when in flower. Do not use where bees are actively foraging. Do not apply when flowering weeds are present.

Other specific restrictions:

- (1) This product must only be applied in accordance with the terms of this Emergency Authorisation and the safety information provided by the authorisation holder.
- (2) Applications must be made in a minimum water volume of 1000 l/ha.
- (3) A maximum in use concentration of 7.5 g active substance/hectalitre must not be exceeded.
- (4) The best available application technique, which minimises off-target drift must be used to reduce effects on non-target insects or other arthropods.

- (5) This product qualifies for inclusion within the Local Environment Risk Assessment for Pesticides (LERAP) scheme for broadcast air-assisted sprayers. Before each spraying operation from a broadcast air-assisted sprayer, either a LERAP must be carried out in accordance with the 'Local Environment Risk Assessment for Pesticides Broadcast Air-Assisted Sprayers' booklet available from the HSE Chemicals Regulation Directorate's website or the statutory buffer zone must be maintained. The results of the LERAP must be recorded and kept available for three years.
- (6) This product must not be applied via hand held equipment.

APPENDIX 2: GENERAL CONDITIONS FOR AN EMERGENCY AUTHORISATION

Failure to comply with the following conditions will result in the withdrawal or amendment of the Emergency Authorisation under Regulation (EC) No 1107/2009 and may result in other enforcement action, including prosecution.

Adverse effects:

The authorisation holder must immediately notify the Secretary of State, the Scottish Ministers and the Department of Agriculture and Rural Development in Northern Ireland (care of the Health and Safety Executive), if they have any new information on the potentially adverse effects of the authorised product, or of residues of an active substance in that product when used in accordance with the conditions of this Emergency Authorisation. For those products authorised under Regulation (EC) No 1107/2009 authorisation holders must also tell the other relevant competent authorities of the EC Member States (a list of which is available from the Health and Safety Executive) and the EC Commission. Failure to comply with this requirement is an offence.

Provision of information:

The authorisation holder must comply with all requests for information required by, or on behalf of, the Secretary of State, the Scottish Ministers or the Department of Agriculture and Rural Development in Northern Ireland in accordance with Regulation (EC) No 1107/2009.