

**EMERGENCY AUTHORISATION FOR A PLANT PROTECTION  
PRODUCT**

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

Product name: Benevia 100D

Active ingredient: 100 g / l cyantraniliprole

Product authorisation holder: FMC Agro Limited (Registered Company no.  
01973941)

Marketing company: FMC Agro Limited

This Emergency Authorisation, for the specific use set out in this notice, ends:

- (a) for placing on the market: 14 September 2020
- (b) for use: 31 October 2020
- (c) for storage and disposal of stocks: 30 November 2020

This Emergency Authorisation will be withdrawn or amended before its end date if a decision is taken to withdraw or amend this Emergency Authorisation under Regulation (EC) No 1107/2009 on any other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



Signed by: rachel.brown@hse.gov.uk  
Signing time: Monday, May 18 2020, 12:24:3 GMT  
Location: CRD York  
Reason to sign: For the Health and 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, Environment and Rural Affairs in Northern Ireland.

Date of issue: 18 May 2020

## **EXPLANATORY NOTES**

1. This is Emergency Authorisation number 1283 of 2020.
2. This Emergency Authorisation will be published on the website of the Chemicals Regulation Division of the HSE.
3. Application reference number: COP 2019/02608
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 efficacy 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 efficacy and phytotoxicity.

## **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 'Benevia 100D' as an insecticide for use on Oriental brassicas grown under protection and permanent protection with full enclosure to control flea beetle and cabbage stem flea beetle. Application is to be made by conventional hydraulic boom sprayers in 300 to 800 L water /ha. A 7 day interval between applications should be observed.

The Emergency Authorisation will expire on 14 September 2020 for use and will not be renewed.

Oriental brassicas treated with this product, or any commodity produced using these treated crops, must not be exported to EU Member States unless an appropriate statutory MRL is set under Regulation (EC) 396/2005.

To support the export restriction, the following stewardship arrangements are required:

- Record-keeping of the plant protection product use by growers;
- Recorded communication of the above restriction to growers, Oriental brassicas merchants, selling, processing or utilising the treated Oriental brassicas;
- Documentation accompanying the movement or sale of treated Oriental brassicas must include the above restriction;
- Traceability of treated Oriental brassicas, products and any commodity produced using these treated crops, along the supply chain.

To support any application made for use in 2022 or beyond 4 residues trials on protected Oriental brassicas conducted at the proposed GAP to support a use on Oriental brassicas (or 6 trials on protected kale to extrapolate to the whole leafy brassica subgroup) are required.

For any subsequent application the following are required:

- A typical, realistic spray programme to include all insecticides used on the crop, showing targets and timing of use which indicates where the request Article 53 use fits within that programme.
- Details of the information or factors used to determine when to apply the product e.g. numbers of flea beetles or other factors with corresponding details on usage in relation to the triggers to spray being met.

Research should be conducted to:

- Establish how the pest is entering the crop in a protected situation.
- Identify non-chemical methods of control.

## APPENDIX 1: CONDITIONS OF EMERGENCY AUTHORISATION

The conditions below are obligatory. They must be complied with when the Emergency Authorisation 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. For the purposes of this Emergency Authorisation only, the conditions and/or requirements shown below supersede any corresponding conditions and/or requirements set out on the label or otherwise provided for under the product authorisation **which would otherwise apply**.

### Use:

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

User: Professional

Crops/situations:	Maximum individual dose: (litres product / ha)	Maximum total dose: (litres product / ha / year)	Maximum number of treatments:	Latest time of application:
Protected Oriental brassicas	0.75	-	2 See 'Other Specific Restriction 2'	3 days prior to harvest
Permanent protection with full enclosure Oriental brassicas	0.75	-	2 See 'Other Specific Restriction 2'	3 days prior to harvest

The following Aquatic Buffer Zones must be observed:

Crops/situations:	Aquatic buffer zone distance (metres):	Comment:
Oriental brassicas	5	see Environmental Protection Phrase 1 and 'Other Specific Restriction 2'

Operator Protection:

- (1) Engineering control of operator exposure must be used where reasonably practicable in addition to the following personal protective equipment:

Operators must wear suitable protective clothing (coveralls) and suitable protective gloves when handling the concentrate.

- (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) Crops/situations with 5m buffer zone:

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 horizontal boom sprayer. Users must not allow direct spray from horizontal boom sprayers to fall within 5m of the top of the bank of any static or flowing waterbody or within 1m of a ditch which is dry at the time of application (these distances to be measured as set out in the guidance documents available from HSE Chemical Regulation Division's website and any amendments that are made to it)

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 Division's website. All LERAPs must be carried out in accordance with this Guidance and any amendments that are made to it.
- (4) Horizontal boom sprayers must be fitted with a minimum two star drift reduction technology for all uses

- (5) 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.
- (6) To protect non-target insects / arthropods respect an untreated buffer zone of 10 metres to non-crop land.

Other specific restrictions:

- (1) This product must only be applied for the control of Flea Beetle and cabbage Stem Flea Beetle in accordance with the terms of this Emergency Authorisation and product and/or leaflet.
- (2) Unless crops grown are grown under permanent protection with full enclosure the aquatic and non target arthropod buffer zones are applicable as stated above.
- (3) This product must not be applied via hand-held equipment.
- (4) The maximum total dose of 'Benevia 10OD' per crop must not be exceeded in any calendar year. Any land treated with 'Benevia 10OD' at the maximum total dose must not be treated with any other cyantraniliprole containing products in the same calendar year, including either foliar applications in the growing crop or drench treatments to transplants applied pre-planting

## **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, Environment and Rural Affairs 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, Environment and Rural Affairs in Northern Ireland in accordance with Regulation (EC) No 1107/2009.