

**EMERGENCY AUTHORISATION FOR A PLANT PROTECTION
PRODUCT**

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

Product name: Exirel 10SE

Active ingredient: 100 g / l cyantraniliprole

MAFF number: 00000

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

Marketing company: FMC Agro Limited

This Emergency Authorisation starts: 18 May 2020

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: 30 September 2020
- (c) for storage and disposal of stocks: 31 October 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This Emergency Authorisation will be withdrawn or amended before its end date if a decision is taken to withdraw or amend this Emergency Authorisation under Regulation (EC) No 1107/2009 on any other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 Emergency Authorisation: United Kingdom



Signed by: rachel.brown@hse.gov.uk
Signing time: Thursday, May 14 2020, 12:10:51 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: 14 May 2020

EXPLANATORY NOTES

1. This is Emergency authorisation number 1272 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 2019/02370
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.

Total reliance on one pesticide will hasten the development of resistance. Pesticides of different chemical types or alternative control measures should be included in the planned programme. Alternating with different modes of action is a recognised anti-resistance strategy.

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 14 day interval between applications must be observed.

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 2020 for use on cherry (outdoor including temporary rain covers) and will not be renewed unless the following information is submitted:

- When supporting emergency applications, applicants should submit realistic typical spray programmes, to include all the insecticides used on the crop,

showing targets and timing of use and indicating where the requested emergency use fits within that programme. This programme should also include other emergency applications made for the same crop or pest.

- Appropriate robust data and evidence on the effects on temperature and humidity from the use of SWD netting and its subsequent effect on cherry production.
- Monitoring information on the usage of the product in relation to SWD trap counts. Report from the monitoring of pest populations and movement around the UK that has been on-going since 2013. Including information from trapping work.
- A discussion should be submitted based on the areas treated to demonstrate how the levels of pest correlate with the usage of the product and details of how the requested area to be treated has been identified. This should clearly define any threshold used to justify treatment with appropriate justification for the use of that threshold.
- To support any application made for use in 2022 or beyond on protected cherry, including the use of rain covers, 8 protected residues trials conducted at the proposed GAP on cherry are required.

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: | Maximum number of treatments: (per year) | Latest time of application: |
|---|--|---------------------|--|-----------------------------|
| Outdoor with temporary rain covers cherry | 0.9 | - | 2 See 'Other Specific Restriction 4, 5' | 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) Broadcast air-assisted sprayers must be fitted with three star drift reduction technology for all uses.

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 15m 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.

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) 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.
- (5) To protect non target insects / arthropods respect an unsprayed buffer zone of 20m to non-crop land.

Other specific restrictions:

- (1) This product must only be applied for the control of spotted wing drosophila (*Drosophila suzukii*) in accordance with the terms of this Emergency Authorisation and product and/or leaflet.
- (2) This product must not be applied via hand held equipment.
- (3) The buffer zone is NOT eligible for buffer zone reduction under the LERAP scheme.
- (4) A minimum interval of 14 days must be observed between applications.
- (5) A maximum of one application must be observed after 31 July 2020.

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.