



State of Oklahoma
Department of Agriculture, Food, and Forestry

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Governor

Terry L. Peach
Secretary and Commissioner

June 9, 2008

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Subject: Crisis Exemption for Diquat Bromide (Reglone Desiccant EPA Reg. No. 100-1061) as a harvest aid on Canola grown in Oklahoma. File Symbol 08OK002

Pursuant to the requirements of 40 CFR 166.43(a)(1), you are hereby notified that the Oklahoma Department of Agriculture, Food and Forestry (ODAFF) has issued a Crisis Exemption that authorizes the use of Diquat (Reglone Desiccant), (EPA Reg. No. 100-1061) as a harvest aid on Canola grown in Oklahoma. This action was taken following consultation between ODAFF staff person Bill R. Taylor and U.S. EPA staff Anthony Britten on June 5, 2008. The requirements of 40 CFR 166.43(b) is addressed below. Oklahoma will not be submitting a specific exemption request along with this crisis exemption for use beyond the fifteen (15) day window allowed under a crisis exemption.

Use of this pesticide is authorized to begin on June 9, 2008, and all use will discontinue after June 23, 2008.

The major canola production area of Oklahoma is North Central with Enid being somewhat in the center of the area. Much of this area received repeated rain showers at the end of May and early June. Many of the Mesonet locations reported rainfall six or

more days of the last 10 days of May. This rain stimulated secondary bloom resulting in different maturity of the pods. This causes green seed pods to be present with ripe pods and delays harvest because these green pods must dry down before a combine can be used. During this dry down time the older pods open and shatter – releasing the seeds to the ground resulting in major yield loss. Equipment for swathed canola is not widely available in most of the Oklahoma canola production areas. Rainfall accumulations resulted in wet fields and re-growth of the canola delaying harvest and exposing the crop to increased shattering if the secondary growth is not contained.

All restrictions and requirements concerning the proposed use and the qualifications of applicators using Diquat (Reglone Desiccant) herbicide are as follows:

All applicable directions, restrictions, and precautions on the EPA label must be followed unless otherwise modified in this authorization document. **Use of this pesticide is authorized to begin on June 9, 2008, and all use will discontinue after June 23, 2008.**

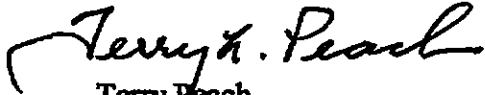
- Apply 24-30 fl. Oz/A by ground or air. Use higher rates when very dense canopy and/or weedy crop is treated. For ground application use a minimum spray volume of 20 gal./A and by air a minimum spray volume of 5 gal./A.
- Always add a nonionic surfactant (NIS) containing 75% or greater surface active agent at 0.06-0.5% v/v (1/2-4 pts. Per 100 gals.) of the finished spray volume.
- Observe a PHI (pre-harvest interval) of 7 days.
- Use Reglone only on Argentine varieties.
- Spray only when the crop is at the 60-75% seed turn (green to brown) stage. Do not apply when the crop is before or past the recommended stage of maturity.
- Do not swath the crop for later harvest if Reglone Desiccant is used.
- Yield losses can occur due to pod drop and pod shatter from handling or if unfavorable weather conditions occur.
- To minimize seed loss and to maintain seed quality, harvest of the desiccated crop should commence as soon as seed moisture reaches the level for normal harvest.
- Adverse weather conditions such as rainfall, cool temperatures and high humidity will slow plant desiccation and keep seed moisture levels high. When those conditions prevail after Reglone Desiccant application, begin harvest when plant material is dry and seed moisture level allows efficient harvesting.
- It is recommended to combine no later than 14 days after application to avoid excessive pod shatter and/or seed loss.
- Any adverse effects resulting from the use of Reglone Desiccant under this Crisis exemption must be immediately reported to ODAFF.
- Do not allow spray drift to adjacent crops.

The ODAFF is responsible for ensuring that all provisions of this exemption are met. ODAFF is also responsible for providing information in accordance with 40 CFR 166.50(b) and will report any adverse effects resulting from the use of this pesticide in connection with this action.

Diquat (Reglone Desiccant) shall be applied only by certified applicators, licensed applicators or by persons under the direct supervision of a licensed applicator. The licensed applicator must be certified in the category applicable to the application of pesticides in field crops.

This product must not be used directly adjacent to native habitat where any endangered species occur. This is the first year this request has been submitted. The optimal use period for this product will be within the fifteen (15) day window.

Sincerely,



Terry Peach
Secretary of Agriculture
Oklahoma Department of Agriculture, Food & Forestry

cc: Jerry Collins, EPA Region VI

Attachments:

June 5, 2008, letter from Dr. Jim Criswell, Oklahoma State University
June 2, 2008, letter from Syngenta
Diquat Feeding Study
OK Reglone Exemption Label
Diquat Canola Residue
Reglone Canadian Label
Great Plains Canola Exemption Request



Section 18 Emergency Exemption

SECTION 18 CRISIS EXEMPTION FOR THE USE OF REGLONE® DESICCANT AS PREHARVEST TREATMENT ON CANOLA IN THE STATE OF OKLAHOMA

EFFECTIVE: June 9, 2008 through June 23, 2008

REGLONE® DESICCANT

EPA File Symbol No. 08-OK- 002

For Preharvest Desiccation of Canola

KEEP OUT OF REACH OF CHILDREN.

WARNING / AVISO

**Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)**

**FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY
RESULT IN POOR DISEASE CONTROL, CROP INJURY, OR ILLEGAL RESIDUES.**

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the EPA-registered Reglone Desiccant label (EPA Reg. No. 100-1061).

This label must be in the possession of the user at the time of application.

General Information

Reglone Desiccant is an effective desiccant for seed and commercial canola production. Reglone Desiccant also kills most weeds present at the time of application and thus speeds up harvest eliminating the need to swath, thus facilitating straight combining of the standing crop. Pod and stem kill takes place in 7-10 days after application. Germination of seed is not affected by Reglone desiccation.

Crop Use Directions

Apply 24-30 fl. oz/A by ground or air. Use higher rates when very dense canopy and/or weedy crop is treated. For ground application use a minimum spray volume of 20 gal./A and by air a minimum spray volume of 5 gal./A.

Always add a nonionic surfactant (NIS) containing 75% or greater surface active agent at 0.06-0.5% v/v (1/4-4 pts. per 100 gals.) of the finished spray volume.

Restrictions and Precautions

- Observe a PHI (pre-harvest interval) of 7 days
- Use Reglone only on Argentine varieties.
- Spray only when the crop is at the 60-75% seed turn (green to brown) stage. Do not apply when the crop is before or past the recommended stage of maturity.
- Do not swath the crop for later harvest if Reglone Desiccant is used
- Yield losses can occur due to pod drop and pod shatter from handling or if unfavorable weather conditions occur.
- To minimize seed loss and to maintain seed quality, harvest of the desiccated crop should commence as soon as seed moisture reaches the level for normal harvest.
- Adverse weather conditions such as rainfall, cool temperatures and high humidity will slow plant desiccation and keep seed moisture levels high. When those conditions prevail after Reglone Desiccant application, begin harvest when plant material is dry and seed moisture level allows efficient harvesting.
- It is recommended to combine no later than 14 days after application to avoid excessive pod shatter and/or seed loss.

Any adverse effects resulting from the use of Reglone Desiccant under this Crisis exemption must be immediately reported to the Oklahoma Department of Agriculture, Food, and Forestry

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