

## APPLICATION FOR SECTION 18 EMERGENCY EXEMPTION

The following information is required for an emergency exemption request based on the revised United States Environmental Protection Agency (USEPA) Code of Federal Regulations, Title 40, Part 166 concerning Section 18 requests. Requests which are incomplete will be denied by the USEPA without review. In order to comply with these requirements, the information listed below must be provided. **Use additional pages if necessary.** Please note that the more complete the questionnaire, the better your chances are of obtaining the exemption.

Check box if this is a reissuance request. (Year \_\_)

### TYPE OF EXEMPTION BEING REQUESTED (check one)

- SPECIFIC  
 QUARANTINE  
 PUBLIC HEALTH

### DESCRIPTION OF PESTICIDE REQUESTED

**Common Chemical Name**

(Active Ingredient): \_\_\_\_\_

**Trade Name/Brand Name:** \_\_\_\_\_

**U.S. EPA Reg. No.:** \_\_\_\_\_

**Formulation:** \_\_\_\_\_ **% Active Ingredient:** \_\_\_\_\_%

**Manufacturer:** \_\_\_\_\_

**CONTACT PERSON(S) AND QUALIFIED EXPERT(S)**

**APPLICANT:**

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Telephone:** \_\_\_\_\_ **FAX #** \_\_\_\_\_

**E-Mail:** \_\_\_\_\_

**QUALIFIED EXPERT(S)**

**Name:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Name:** \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_

**DESCRIPTION OF PROPOSED USE**

**Sites to be Treated:** (i.e. crops, structures, etc.)

**Statewide or County Specific (list counties):**

**Method of Application:**

**Rate of Application (in terms of a.i. and product):**  
(Include dilution rate)

**Frequency/Timing of Application:**

**Maximum Number of Applications:**

**Total Acreage (or other units) Planted and to be Treated:**

**Total Amount of Pesticide to be used (in terms of a.i. and product):**

**Use Season (period of time for which use of chemical is requested):**

**Date First Application Needed:**

**Date Last Application Needed:**

**Restricted Entry Interval (REI):**

**Preharvest Interval (PHI):**

**Earliest Harvest Date:**

**Additional Restrictions, User Precautions and Requirements, Qualifications of Applicators, etc.:**

**EXPECTED RESIDUE LEVELS IN FOOD**  
(Residue data included as separate attachment)

**ALTERNATIVE METHODS OF CONTROL**  
(Efficacy data and/or other information included as a separate attachment)

**Registered Alternative Pesticides:**

**Alternative Control Practices:**

**EFFICACY OF USE PROPOSED UNDER SECTION 18**  
(Efficacy data and/or other information included as a separate attachment)

(Efficacy data should include statistical data on comparative California registered products. This data should also compare the California registered products to the proposed product. Effects on crop yield and quality should also be documented.)

**COORDINATION WITH OTHER AFFECTED FEDERAL,  
STATE, and LOCAL AGENCIES**

The appropriate state agencies are also being notified of this specific exemption request through routine weekly notices which the Department of Pesticide Regulation distributes. Comments received after the submission of this request will be forwarded to the United States Environmental Protection Agency (USEPA).

## NOTIFICATION OF REGISTRANT

**A Letter of Authorization from the Registrant and copy of product label (included as separate attachment).**

### REPEAT USES (Interim Use Report)

The interim use report must address the following:

1. Amount of product used
2. Acreage treated
3. Number of permits issued
4. Estimate of effectiveness
5. Any adverse effects - Includes subjects such as: worker injuries, water contamination, effects on fish, wildlife, honeybees, and domestic animals and damage to nontarget plants resulting from drift.

The above information can be obtained from the Agricultural Commissioner's office from the county or counties that used the Section 18.

### PROGRESS TOWARDS REGISTRATION (Information from registrant concerning the current status) (Not required for Request for a Quarantine Exemption (Check All That Apply))

- NO APPLICATION FOR REGISTRATION OF THE USE IS UNDER REVIEW BY USEPA.
- USEPA IS REVIEWING AN APPLICATION FOR REGISTRATION OF THIS USE (TYPE OF REGISTRATION \_\_\_\_\_).
- AN IR-4 PETITION FOR TOLERANCE IS BEING DEVELOPED OR IS UNDER REVIEW BY USEPA. PETITION # \_\_\_\_\_.
- A PETITION FOR TOLERANCE HAS BEEN SUBMITTED TO USEPA BY THE MANUFACTURER. PETITION # \_\_\_\_\_.
- A PETITION FOR TOLERANCE OR AN APPLICATION FOR REGISTRATION HAS BEEN DENIED (INDICATE THE CIRCUMSTANCES \_\_\_\_\_).

IF THIS USE PATTERN WILL BE NEEDED FOR MORE THAN ONE SEASON, A PERMANENT

TOLERANCE SHOULD BE PURSUED IMMEDIATELY. CONTACT THE MANUFACTURER OR IR-4 TO INITIATE THE ESTABLISHMENT OF A PERMANENT TOLERANCE.

**NAME OF PEST**

**Scientific Name:**

**Common Name:**

Include a detailed description on such things as the pest biology.

**DISCUSSION OF EVENTS OR CIRCUMSTANCES WHICH BROUGHT ABOUT THE EMERGENCY CONDITION  
(Use separate attachment if necessary)**

If this use is for a crop, include a detailed description on such things as the crop biology, crop threshold level to the pest, etc..

**SIGNIFICANT ECONOMIC LOSS (SEL)  
(Criteria for determining SEL)**

**Use of three-tier approach to determine if SEL has occurred or will occur. An SEL can be justified if :**

**A. Tier 1 - Yield loss of at least 20%:**

- Compare expected yield under pest emergency with non-emergency three-year average yield.
- Yield under pest emergency estimated using the most effective available alternative control (chemical or non-chemical).
- Average yield loss per acre for crop, not worse case scenario. Data from economic injury studies or comparative efficacy studies taken on yield. Industry field trials can be used.
- Efficacy data to support expected yield loss using available pest control alternatives.

Example Table for Documenting Tier 1 Yield Loss

Treatment	Percent Control of Pest (efficacy)	Percent Crop Injury	Yield per Acre	Percent Change Compared to Three-year Average Yield
Requested chemical	-----	-----	-----	-----
Registered alternative	-----	-----	-----	-----
Registered alternative	-----	-----	-----	-----
Registered alternative	-----	-----	-----	-----
Untreated	-----	-----	-----	-----

**If Tier 1 criteria not meet, then Tier 2 criteria can be considered:**

**B. Tier 2 - Loss of at least 20% of gross revenue:**

- Compare gross revenue from crop grown under normal conditions versus gross revenue under emergency conditions when the best alternative chemical is used to control pest.
- Pest emergency crop revenue determined as crop average revenue, not the worse-case scenario.
- Supporting information- Yield loss from Tier 1 evaluation **and**
- Baseline yield, Price (by end market), and losses to gross revenue due to quality (shift in grade or price reduction) and/or added production costs (e.g., sorting or repacking costs, additional pest control costs).
- Information from national or state Agricultural Statistics Services (NASS or SASS) reports, crop reports, market surveys, futures market, university crop production costs analysis, can be used.

Example Table for Documenting Tier 2 Gross Revenue Loss

Crop	Baseline- average yield without pest emergency	Pest Emergency- average yield with best alternative control measure	Difference Between Baseline & Emergency	Percent Change
yield/acre	----	----	----	----
Price per unit	----	----	----	----
Gross revenue	----	----	----	----

**If Tier 1 and Tier 2 criteria not meet, then Tier 3 criteria can be considered:**

**C. Tier 3 - Loss of at least 50% of Net Operating Revenue:**

- Compare the Net Operating Revenue expected with the pest emergency using the best control alternative and average loss for the crop to the non-emergency Net Operating Revenue.
- Net Operating Revenue = Gross Revenue - Variable Operating Costs.
- Variable Operating Costs - Includes annual purchased inputs: hired labor, fertilizer, fuel, pesticides, seed, other materials, etc.  
Does not include cost of or depreciation of machinery, land costs, taxes, other overhead.
- Information from grower surveys, university crop production costs analysis, etc. can be used.

Example Table for Documenting Tier 3 Percent Loss of Net Operating Revenue

Crop	Baseline- average yield without pest emergency	Pest Emergency- average yield with best control alternative	Difference Between Baseline & Emergency	Percent Change
Yield/acre	----	----	----	----
Price per unit	----	----	----	----
Gross Revenue	----	----	----	----
Costs (\$/acre)	----	----	----	----
seed, fertilizer	----	----	----	----
other inputs	----	----	----	----
harvest costs	----	----	----	----
Total Operating Costs (\$/acre)	----	----	----	----
Net Operating Revenue (\$/acre)	----	----	----	----

**FOOD QUALITY PROTECTION ACT OF 1996**  
(Use separate attachment if necessary)

To avoid unnecessary delays in processing your Section 18 request, the U.S. EPA recommends that you fully address the following questions:

1. Is there a possibility that the chemical may transfer to or be found in drinking water? Based on available information, the discussion should include, but not be limited to, information indicating if the pesticide is persistent and/or mobile, relevant product chemistry, and available modeling. Further, information concerning State drinking water monitoring programs should be provided (i.e. Does the State routinely monitor for the pesticide? Has it been detected? What are the detection limits? etc.).
2. Are there any residential uses of the chemical? If so, please provide information on these uses, including, but not limited to application sites, rates, and formulations used.
3. Is there any information for this pesticide regarding a common mode of action with other pesticides?
4. When will the crop be harvested?

If any of the aforementioned information is not readily available, you should contact the manufacturer of the chemical. In most cases, the information is available and can be accessed by the company and submitted to the State.

**DISCUSSION OF ANTICIPATED RISKS TO ENDANGERED OR THREATENED SPECIES, BENEFICIAL ORGANISMS, OR THE ENVIRONMENT**

PLEASE ADD ANY ADDITIONAL INFORMATION THAT MAY AFFECT THIS PROGRAM.  
INDICATE ANY SPECIAL CONCERNS WHICH YOU FEEL JUSTIFY THIS EXEMPTION REQUEST.  
USE ADDITIONAL PAGES IF NECESSARY.

SIGNATURE OF COUNTY AGRICULTURAL COMMISSIONER

\_\_\_\_\_ Date:

Please return this completed form to: **Department of Pesticide Regulation**  
**Pesticide Registration Branch**  
**1001 I Street, P.O. Box 4015**  
**Sacramento, California 95812-4015**

If you have any questions regarding this form, contact David Haskell at (916) 445-4207 or by e-mail at [dhaskell@cdpr.ca.gov](mailto:dhaskell@cdpr.ca.gov).