UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

JAN 2 0 2012

Hawaii Department of Agriculture
Plant Industry Division
Pesticide Branch
1428 S. King Street
Honolulu, Hawaii 96814

Date Issued: January 20, 2012
Expiration Date: December 31, 2012
Report Due: June 30, 2013
File symbol: 12-HI-01

Attn: Christina Bauske

The Environmental Protection Agency hereby grants a specific exemption under the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act to the Hawaii Department of Agriculture for the use of potassium salt of hop beta acids (HopGuard®) in honeybee colonies to control varroa mites. Use of potassium salt of hop beta acids under this emergency exemption program also allows application to packaged bees prior to installation in colonies for bees that are used to start new honeybee colonies. This authorization is subject to the conditions and restrictions outlined below, as well as those specified in your request submitted to the EPA.

1) The Hawaii Department of Agriculture is responsible for ensuring that all provisions of this specific exemption are met. It is also responsible for providing information in accordance with 40 Code of Federal Regulations (CFR) §166.32(b). Accordingly, a report summarizing the results of this program must be submitted to EPA Headquarters and to the EPA Region 9 office within 6 months of the expiration of this exemption or prior to requesting another specific exemption for this use.

2) The unregistered product, HopGuard®, assigned product code, (EPA File Symbol 83623-R), containing 16% potassium salt of hop beta acids, manufactured by Beta Tec Hop Products, a subsidiary of John I. Haas, Inc., may be applied. All applicable directions, restrictions, and precautions on the container label submitted with your January 17, 2012 application must be followed.

3) A maximum of 144,720 strips treated with potassium salt of hop beta acids may be used.

4) HopGuard® applications may be made by inserting cardboard strips treated with hop beta acids between brood frames within the honeybee colony or applications may be made by inserting cardboard strips treated with hop beta acids into packages of adult worker bees prior to installation in a honeybee colony.

5) HopGuard® may be applied using treated cardboard strips at a rate of one strip (1.92 grams of potassium salt of hop beta acids/strip) per five deep combs covered with bees in each brood chamber. For example, two strips are needed for a 10-frame brood chamber when all the combs are covered with bees.

6) HopGuard® may also be applied using three half strips per package, with each half strip containing approximately 0.96 grams of hop beta acids.

7) A maximum of three treatments may be made per year (spring, summer and fall). Application timing should be based on the levels of varroa mite observed in the colony. This limit includes all applications to the package (if applicable) and to the colony.

8) Strips must be applied at the rate of one strip per five deep combs covered with bees in each brood super or for example, two strips per ten frame brood super (chamber) when all combs are covered with bees. Strips are to be placed only in the brood chamber (not in the honey super). Folded strips must be opened and hung over one of the center brood frames near the middle of the frame with one-half of the strip on each side of the frame. If using a second strip, apply it to an adjacent center frame about four inches away from the first strip. Do not lay the strips on top of the frames. Six strips or approximately 11.52 grams of potassium salt of hop beta acids (a maximum of three applications per year) per ten frame brood super (chamber) is allowed. As an advisory and for optimal results, apply HopGuard® when little or no brood is present in the hive

9) Applicators must wear protective (chemical-resistant) gloves when handling treated strips.

10) In consideration of the use directions and available exposure data, the application program will not result in any food residues. Residue data suggest that quantifiable levels of potassium salt of hop beta acids are not expected to be present in edible honey when the product is used according to these section 18 use directions. Therefore, a tolerance will not be established to support this section 18 use pattern.

11) Honey and wax should not be harvested from the brood chambers. Users may only harvest honey and wax from the honey supers.

12) Unused strips should be stored in a cool, dark area. Any unused, unregistered product must either be returned to the manufacturer or distributor in unopened containers or disposed of in accordance with the Resource Conservation Recovery Act following the expiration of this emergency exemption.

13) HopGuard® treatments can be made until December 31, 2012.

14) In accordance with 40 CFR 166.32(a), the EPA Headquarters and EPA Region 9 offices shall immediately be informed of any adverse effects resulting from use of this pesticide in connection with this exemption.

This is the second year that an exemption has been requested for this use. IR-4 and the registrant are working toward completing the requisite steps needed for full registration. Therefore, adequate progress toward registration is being made at this time.

In the event that an emergency exemption for this use is requested in the future, the Agency is making a preliminary determination that this program is eligible for the streamlined recertification application process under 40 CFR 166.20(b)(5) in 2013.

Any future correspondence in connection with this authorization shall refer to file symbol 12-HI-01.

If you or your staff has any questions with respect to this authorization, please contact Emergency Response Team member, Stacey Groce (703-305-2505, groce.stacey@epa.gov).

Lois Rossi

Lois Rossi, Director
Registration Division
Office of Pesticide Programs

Date: January 20, 2012

cc: EPA Region 9, Patti Tenbrook
EPA Region 9 Tribal Coordinator, Pamela Cooper