

A decorative graphic on the left side of the slide, consisting of a vertical black line intersecting a horizontal black line. To the left of the vertical line are three overlapping squares: a blue one at the top, a red one in the middle, and a yellow one at the bottom.

EPA's Emergency Exemption Program and Difficult Pest Management Cases



Section 18 Program

- Section 18 of Federal Insecticide, Fungicide, and Rodenticide Act authorizes EPA to allow an unregistered use of a pesticide for a limited time if an emergency condition exists.
- Emergency conditions generally involve:
 - Highly Damaging Pest, and
 - No Alternative Control



Section 18 Trends

- Over the past 10 years, the number of emergency exemptions submitted to the Agency has declined.

Number of Emergency Exemption Applications Received by the Agency per fiscal year

FY98	FY99	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08
705	577	653	617	574	505	602	486	432	314	171



Section 18 Trends

- Over the past 7 years, the number of Section 18s negated due to registration decisions has been strong and steady.

Number of Section 18s negated due to Section 3 registration decisions per fiscal year

FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08
56	66	120	71	67	146	125	96



Section 18 Critical Pest Management Gaps

- Section 18 program developed a list of Critical Pest Management Gaps. The list consists of the following:
 - 1) long-running 18s,
 - 2) new pests,
 - 3) chemicals with uncertain registration status, and
 - 4) Pest management situations with limited tool boxes.



Critical Pest Management Gaps

FY08 Synopsis of Critical Pest Management Gaps – Based on Emergency Exemption Applications to EPA (long-running 18s, limited toolboxes, new pests, etc.)

Crop/Site	Pest	States or Regions	Comments
All RACs	Exotic pests on imported foods, Fumigation use pattern**	National***	Very long running 18. USDA fumigant use – required by quarantine regulations. No clear path to registration for preferred fumigant.
All RACs and residential areas	Light brown apple moth	CA, with potential to spread***	New invasive pest to the continental U.S. with up to 250 plant hosts. Potential for high economic impact.
Alfalfa	Grasshopper, mormon crickets	USDA	Most of the grasshopper and cricket control products may impact pollinators.
Almond	Alternaria blight	CA	Difficult pest for producers. Resistance issues.
Apple	Fireblight**	PNW and MI, but potentially all apple growing states***	Fireblight is a serious bacterial disease that can kill infected trees, resulting in multi-year crop losses. Antibiotic materials will control bacteria, but aren't easily registerable. Concerns about resistance transfer to human pathogens.
Beehives	Varroa mite**	National***	Raised honeybees are increasingly critical for pollinating services for fruits and vegetables. National concerns as varroa mites are becoming resistant to available products.
Belgian endive	Sclerotinia	CA	Emergency confirmation pending.

Red Text*: new or previously confirmed pest emergency, but no exemption granted because of chemical risk issues.

Orange Text:** long-running pest emergency with exemptions granted, but continued exemptions problematic because of uncertain registration status, or perhaps a challenging risk assessment or regulatory issues facing the controlling chemical or the inadequacy of newly registered chemicals. Also, sector may be a chronic challenge due to resistance issues.

Blue Text*:** pest problem with potential for affects across an entire crop group and/or be of national concern. May be in addition to the red*, orange** or black font entries for Crop/Site.



Critical Pest Management Gaps

Crop/Site	Pest	States or Regions	Comments
Bermuda grass pastures and hayfields	Sand bur spp.	OK and TX	Emergency confirmation pending.
Blueberry	Variety of fungal pathogens: Phomopsis twig blight, Canker (Phomopsis vaccinii), Fusicoccum canker (Fusicoccum putrefaciens), Botryosphaeria blight (Monilinia vaccinii-corymbosi), Anthracnose fruit rot (Colletotrichum acutatum)**	Primarily MI and NJ	Previously granted Sec 18 has uncertain registration progress based on new, preliminary risk assessments.
Brussel sprout, seed	Phome lingam (blackleg)**	WA	
Cabbage, seed	Phome lingam (blackleg)**	WA	
Canola	Harvest aid	KY and OK	Expanding crop system into new growing area.
Cantaloupe, watermelon, cucumber	Gummy stem blight**	DE, GA, and MD	Difficult pest for producers. Resistance issues.
Cauliflower, seed	Phome lingam (blackleg)**	WA	
Citrus	Post-bloom fruit rot (Colletotrichum acutatum) and Stem-End rot (Lasiodiplodia theobromae)**	FL	Previously granted Sec 18 has uncertain registration progress based on new, preliminary risk assessments.

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Critical Pest Management Gaps

Crop/Site	Pest	States or Regions	Comments
Corn	Mites	TX	Resistance issues.
Corn, seed treatment	Sandhill crane	MI, MN, TX, and WI	Replacement needed for cancelled OP seed treatment products.
	Black bird species, crows, grackles, and ring-necked pheasant	MS, SD, and TN	Emergency confirmation pending.
	Corn earworm	IL, IN, OH, MN, PA, and WI	Resistance issues.
Cotton	Fusarium hardlock**	FL	Previously granted Sec 18 has uncertain registration progress based on new, preliminary risk assessments.
	Aphids**	Regions 4, 6 and 9; potentially all cotton growing states***	Most of the available aphid products belong to one class of chemistry, neonicotinoids. Over-use will result in pest resistance.
	Tarnished plant bugs*	MS with potential to spread other cotton states.	Confirmed emergency. During the 2007 season, no Sec 18 issued. New resistance problem.
Cranberry	Dodder*	MA, NJ, RI	Denied Sec 18 for 2008 season based on risk cup issues.
Flax	Kochia	ND	
Fruiting Vegetables	Timber rot and White mold (Sclerotinia sclerotiorum)**	FL, OH, VA, and NJ	Previously granted Sec 18 has uncertain progress toward registration based on new, preliminary risk assessments.

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Critical Pest Management Gaps

Crop/Site	Pest	States or Regions	Comments
Ginseng	Phytophthora blight, Botrytis cinerea and alternaria blight**	Primarily MI and WI	Long-running Sec 18 for multiple fungicides that have uncertain registration progress based on new, preliminary risk assessments. Cultivation practices makes crop susceptible.
	Grubs**	Primarily MI and WI	Replacement needed for cancelled OP granular product. State declared crisis during 2008 season.
Grasses grown for seed	Annual grass weeds	OR	Increased pest pressure related to changes in product formulation.
Greenhouse, ornamental	Liverwort*	Primarily PNW, but potential for all state greenhouse operations***	Confirmed emergency, no Sec 18 issued. The pest has recently become a more serious problem. Carry-over from EPA's 2007 Critical Pest Management list.
Hard non-porous surfaces	Foreign Animal Diseases**	National***	Items for livestock decontamination of foreign animal diseases; livestock, poultry, and research.
Irrigation canals	Weeds	ID	Significant limitations of alternatives.
Large lima bean	Spider mite	CA	Resistance issues.
Mushrooms	Green mold (Trichoderma aggressivum)**	PA, CA, VA	Previously granted Sec 18 has uncertain registration progress based on new, preliminary risk assessments. Carry-over from EPA's 2007 Critical Pest Management list.
Nectarine	Sour rot	CA	New pest (California). Carry-over from EPA's 2007 Critical Pest Management list.
Onion	Thrips**	All onion growing states***	Thrips also vector a serious onion disease, Iris Yellowspot Virus. Carry-over from EPA's 2007 Critical Pest Management list.
	Onion and seed corn maggot	OR and CA growers tracking; potentially all onion growing States***	Carry-over from EPA's 2007 Critical Pest Management list.

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Critical Pest Management Gaps

Crop/Site	Pest	States or Regions	Comments
Orchard grass	Orchardgrass billbug	OR	Resistance issues.
Outside structures 10 ft out and 3 ft up	Caribbean crazy ant**	TX, potential to invade other states***	New pest.
Peach	Sour rot	CA	New pest. Carry-over from EPA's 2007 Critical Pest Management list.
Raisin and wine grapes	Vine mealybug	CA	New pest.
Raspberry	Nematodes*	OR	Confirmed emergency. No Sec 18 issued.
Rice	Panicle mite	AR, TX	New invasive pest identified in Texas and Arkansas. Carry-over from EPA's 2007 Critical Pest Management list.
	Rice stink bug	TX, potential for other rice producing states.	Resistance issues. Carry-over from EPA's 2007 Critical Pest Management list.
	Rice water weevil	AR, LA, MO, MS, and TX	Pest developed resistance to pyrethroids.
Rutabaga, seed	Cabbage maggot	Primarily OR and PNW concern.	The issued 18 has uncertain registration progress. Carry-over from EPA's 2007 Critical Pest Management list.
Sorghum	Southwestern corn borer, sugarcane borer	LA	Pest infestations migrated to sorghum growing regions.
Starfruit/Carambola	Dithiorella fruit rot	FL	Carry-over from EPA's 2007 Critical Pest Management list.
Strawberry	Broadleaf weeds	OR, WA	Long-running 18. Carry-over from EPA's 2007 Critical Pest Management list.
Sugar cane	Rust	LA, FL	New pest. Carry-over from EPA's 2007 Critical Pest Management list.

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Timothy	Banks grass mite	NV	Resistance issues.
Turnip, seed	Cabbage maggot	Primarily OR and PNW concern.	The issued 18 has uncertain registration progress. Carry-over from EPA's 2007 Critical Pest Management list.
Vegetable, brassica, leafy, group 5	Diamondback moth**	GA	Intensive cropping practices and resistance-prone pest have rendered a long list of section 18 and registered products non-efficacious. Carry-over from EPA's 2007 Critical Pest Management list.
Walnut	Walnut blight**	CA	Long-running 18. Uncertain progress toward registration. Carry-over from EPA's 2007 Critical Pest Management list.
Wheat	Burndown of stunted wheat	AR	Growers in the State have sought a pesticide that has risk issues, and are not satisfied that currently registered or possible Sec 18s provide viable, economic burndown. Carry-over from EPA's 2007 Critical Pest Management list.
Wild rice	Rice worm	MN	New pest for specific cultivars.
Woodlots	Emerald ash borer	MI and potential for other infested States***	Sec 18 only addresses the adult. The larvae are the pest of concern.

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