

## EMERGENCY AUTHORISATION OF A PLANT PROTECTION PRODUCT

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

Product name: Tracer

Active ingredient: 480 g / l spinosad

MAPP number: 12438

Product authorisation holder: Dow AgroSciences Limited (Registered  
Company no. 2381612)

Marketing company: Landseer Limited

This Emergency Authorisation starts: 27 May 2020

This Emergency Authorisation, for the specific use set out in this notice only, ends:

- (a) 23 September 2020 for placing the product on the market and use;
- (b) 22 October for storage and disposal of unused stocks.

This Emergency Authorisation will be withdrawn or amended before its end date if a decision is taken to withdraw or amend this Emergency Authorisation under Regulation (EC) No 1107/2009 on any other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: Wednesday, May 27 2020, 14:19:10 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: 27 May 2020

## EXPLANATORY NOTES

1. This is Emergency Authorisation number 1325 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 2020/00485
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.
6. If the authorisation of any of the foreign plant protection product to be imported under this Emergency Authorisation is withdrawn, this Emergency Authorisation will only be valid for stock of the affected foreign product sold or supplied in the Member State of origin before the date on which the foreign authorisation ended. If the authorisation of the foreign product is withdrawn for safety or efficacy reasons, this Emergency Authorisation may be withdrawn.
7. This Emergency Authorisation will expire on 23 September 2020.

## ADVISORY INFORMATION

This Emergency Authorisation relates to the use of 'Tracer' (M12438) on outdoor cherry for control of spotted wing drosophila [SWD] (*Drosophila suzukii*). Applications should be made by broadcast air-assisted sprayers in a water volume of 500-1200 litres of water per hectare. Cherries treated with this product may not be grown under protective rain covers due to the risk of a technical MRL exceedance.

**IMPORTANT:** When applying this product under the terms of this Emergency Authorisation Notice, 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.

Spinosad has a different mode of action from other insecticides and is most effective when applied in planned programmes with other insecticides with different modes of action.

Avoid use of the same active substance or mode of action on consecutive generations of insects. However, multiple applications to reduce a single generation are acceptable. If uncertain of the generation cycle, no more than three consecutive applications should be used nor should there be continuous use for more than 30 days. Do not use 'Tracer' or any product containing spinosad on consecutive generations for insects which show a high risk of resistance such as thrips species.

#### OUTDOOR CROPS

Applications should be targeted against early insect developmental stages whenever possible.

If possible, include multiple tactics (eg cultural or biological controls) when using Integrated Pest Management Programmes.

Use 'Tracer' in programmes with other effective insecticides of a different mode of action to reduce the possibilities of resistance occurring.

The Emergency Authorisation will expire on 23 September 2020.

For future Article 53 Emergency Authorisations, the following information/data are required:

1. For any use in 2022 or beyond data from 8 residues trials conducted at the proposed GAP on cherry. If use under crop covers is required then 8 residue trials for protected crops must also be submitted.
2. A realistic typical spray programme, 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 use.
3. Information regarding monitoring the usage of the product in relation to SWD trap counts.
4. A case to explain the practices growers are employing to reduce the populations of SWD at the end of the season.
5. Robust data and evidence on the effects of temperature and humidity from the use of SWD netting and its subsequent effect on cherry production.
6. Evidence in the form of monitoring data and user records to demonstrate that all the conditions relating to export and stewardship requirements, namely other specific restrictions 6 and 7 have been followed and no treated produce has been exported.

## APPENDIX 1: CONDITIONS OF EMERGENCY AUTHORISATION

The conditions below are obligatory. They must be complied with when the use 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 crop)	Latest time of application:
Outdoor cherry	0.25	-	2	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:

Operators must wear suitable protective gloves when handling the concentrate or applying by hand-held equipment.

- (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) 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 50m 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) unless:

- (a) The LERAP indicates that a narrower buffer zone will be sufficient; and
- (b) Any measures indicated by the LERAP as justifying the narrower buffer zone are complied with in full and in accordance with any conditions applicable to them.

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.

Other specific restrictions:

- (1) This product must only be applied in accordance with the terms of this Emergency Authorisation and the safety information provided by the authorisation holder.
- (2) This product must only be used for the control of spotted wing drosophila (*Drosophila suzukii*).
- (3) This product qualifies for inclusion within the Local Environment Risk Assessment for Pesticides (LERAP) scheme for broadcast air-assisted sprayers. Before each spraying operation from a broadcast air-assisted sprayer, either a LERAP must be carried out in accordance with the 'Local Environment Risk Assessment for Pesticides

Broadcast Air-Assisted Sprayers' booklet available from the HSE Chemicals Regulation Division's website or the statutory buffer zone must be maintained. The results of the LERAP must be recorded and kept available for three years.

- (4) A minimum interval of 10 days must be observed between applications.
- (5) Applications must not be made before growth stage BBCH 40.
- (6) 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.
- (7) Cherries treated with this product must not be grown under protective rain covers due to the risk of a technical MRL exceedance.
- (8) Cherries treated with this product, or any commodity produced using these treated crops, must not be exported to EU Member States unless an appropriate statutory MRL is set under Regulation (EC) 396/2005.
- (9) To support the export restriction, the following stewardship arrangements are required:
  - 1. Record-keeping of the plant protection product use by growers.
  - 2. Recorded communication of the above restriction to growers, cherry merchants, selling, processing or utilising the treated cherries.
  - 3. Documentation accompanying the movement or sale of treated cherries must include the above restriction.
  - 4. Traceability of treated cherries, products and any commodity produced using these treated crops, along the supply chain.

## **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.