

**EMERGENCY AUTHORISATION OF A PLANT PROTECTION
PRODUCT**

PLANT PROTECTION PRODUCTS REGULATION (EC) No 1107/2009

Extent of authorisation: Great Britain and Northern Ireland

Product name: Benevia 100D

Active ingredient: 100 g / l cyantraniliprole (as an oil dispersion
formulation as in application form dated 12 January
2015 at HSE Ref.: W001652711)

Product authorisation holder: FMC Agro Limited (Registered Company no.
01973941)

Marketing company: FMC Agro Limited

This Emergency Authorisation starts: 10 June 2021

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

(a) For placing on the market and use of stocks : 30
September 2021

(b) for storage and disposal of stocks: 30 October
2021

This emergency authorisation will be withdrawn or amended before its end date if a decision is taken to withdraw or amend this Emergency authorisation under Regulation (EC) No 1107/2009 on any other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.

HSE Digital Signature

This and the attached Appendices 1 and 2 are signed by the Health and Safety Executive 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: 10 June 2021

EXPLANATORY NOTES

1. This is emergency authorisation number 1230 of 2021.
2. This emergency authorisation will be published on HSE's website.
3. Application reference number: COP 2020/02027.
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. In this notice Regulation (EC) No 1107/2009 means:
In relation to Great Britain, Regulation (EC) No 1107/2009 as it has effect in Great Britain.
In relation to Northern Ireland, Regulation (EC) No 1107/2009 as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.
7. In this notice Regulation (EU) No 540/2011 means:
In relation to Northern Ireland, Regulation (EU) No 540/2011 as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.

ADVISORY INFORMATION

This Emergency Authorisation relates to the use of 'Benevia 100D' as an insecticide for use on outdoor and protected crops of strawberry to control Spotted Wing Drosophila (*Drosophila suzukii*). Application is to be made by conventional hydraulic horizontal boom sprayers including air assisted sprayers in 300 to 800 L water /ha.

IMPORTANT: When applying this product under the terms of this emergency authorisation, 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.

The Emergency Authorisation will expire on 30 September 2021 for use and any future emergency application must include the following information:

- Collated usage data covering the 2021 growing season to show the total area of strawberry crop treated, total area of crop treated by region and area of crop being treated by production system (i.e. main season or everbearer) within each region. This should also identify the number of sprays used within each data set.
- The effectiveness of 'Verimark 20SC' against SWD when applied as a drip irrigation must be investigated and reported in support of any future Article 53 application for Benevia 10OD against SWD in strawberry.
- Further information on how Benevia 10OD is used in conjunction with Tracer during the periods of use stated in the spray programmes for the different production types covering sequences and intervals used.
- Information on the extent of use of post-harvest treatments covering the number of applications and the products used.

APPENDIX 1: CONDITIONS OF EMERGENCY AUTHORISATION

The conditions below are obligatory. They must be complied with when the emergency authorisation 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**.

Packaging: The authorisation holder must only place this product on the market in the following containers:

1 to 5 litre high density polyethylene container co-extruded with ethylene vinyl alcohol copolymer.

Label: The authorisation holder must only sell and supply the product with the agreed label (HSE ref.: W002004886).

Use:

Field of use: **ONLY AS AN INSECTICIDE**

User: Professional

Crops/situations:	Maximum individual dose: (ml product / ha)	Maximum total dose:	Maximum number of treatments: (per crop)	Latest time of application:
Protected strawberry	750	-	2 (See Other Specific Restrictions 3 and 5)	30 September (1 day before harvest)
Outdoor strawberry	750	-	1 (See Other Specific Restrictions 3)	30 September (1 day before harvest)

The following Aquatic Buffer Zones must be observed:

Crops/situations:	Aquatic buffer zone distance (metres):	Comment:
Strawberry	5	see Environmental Protection Phrase 1

Operator Protection:

- (1) Vehicle mounted or trailed horizontal boom sprayer must only be used where the operator's normal working position is within a closed cab with a suitable in-cab filtration system* or suitable respiratory protective equipment must be worn during applications in protected situations**

*Closed cabin meeting European standard EN 15695 category 3

** Disposable filtering facepiece respirator to at least EN149 FFP3 or equivalent.

- (2) Other engineering control of operator exposure must be used where reasonably practicable in addition to the following personal protective equipment:

Operators must wear suitable protective clothing (coveralls) and suitable protective gloves when handling the concentrate.

- (3) 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) Crops/situations with 5m buffer zone:

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 horizontal boom sprayer. Users must not allow direct spray from horizontal boom sprayers to fall within 5m of the top of the bank of any static or flowing waterbody or within 1m of a ditch which is dry at the time of application (these distances to be measured as set out in the guidance documents available from HSE Chemical Regulation Division's website 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 guidance documents 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.
- (4) To protect non-target insects / arthropods horizontal boom sprayers must be fitted with a minimum of two star drift reduction technology for all uses respect an untreated buffer zone of 10 metres to non-crop land.
- (5) Dangerous to bees. Do not use where bees are actively foraging. Do not apply when flowering weeds are present.

Other specific restrictions:

- (1) This product must only be applied for the control of spotted wing drosophila (*Drosophila suzukii*) in accordance with the terms of this Emergency Authorisation and the safety information provided by the authorisation holder.
- (2) This product must not be applied via hand-held equipment.
- (3) The maximum total dose of 'Benevia 10OD' per crop must not be exceeded in any calendar year. Any land treated with 'Benevia 10OD' at the maximum total dose must not be treated with any other cyantraniliprole containing products in the same calendar year, including either foliar applications in the growing crop or drench treatments to transplants applied pre-planting.

- (4) Low drift spraying equipment must be operated according to the specific conditions stated in the official two star rating for that equipment as published on HSE's website. These operating conditions must be maintained until 30m from any non-crop area.
- (5) When applying to crops under temporary protection, the sides of the enclosure must remain closed and fixed to the ground during and immediately after application.

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 Welsh Ministers, 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 authorisation. For those products authorised under Regulation (EC) No 1107/2009 as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement, 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 Welsh Ministers, the Scottish Ministers or the Department of Agriculture, Environment and Rural Affairs in Northern Ireland in accordance with Regulation (EC) No 1107/2009.