



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0028

WALTER WHITCOMB
COMMISSIONER

HENRY S. JENNINGS
DIRECTOR

December 2, 2011

Luis Suguiyama, Acting Branch Chief
Section 18 Team
US EPA, Office of Pesticides Programs
1200 Pennsylvania Ave NW
Washington, DC 20460

File Symbol 11-ME-01

RE: Crisis Exemption Report for use of Avipel on corn to repel crows, grackles, and other blackbirds

On May 12, 2011, EPA issued approval for a Crisis Exemption as referenced above. This report is being submitted in accordance with 40 CFR Part 166.32 (b) and part 166.50.

166.32(b)1. Total acreage: 3162 acres; total quantity of pesticide used: 210.2 lbs Avipel Dry

166.32(b)2. Effectiveness: Of the 43 growers using Avipel, 27 reported no loss of plants. The remaining growers reported excellent control with losses no greater than 5% of the crop.

166.32(b)3. Unexpected adverse effects: No adverse effects from the use of Avipel were reported.

166.32(b)4. Compliance monitoring: No special monitoring was required or carried out for this exemption.

166.32(b)5. Enforcement actions: No enforcement actions were taken in conjunction with this exemption.

166.32(b)6. Method(s) of disposition of a food crop: Not applicable

166.32(b)7. No other information was requested by the Administrator.

166.32(b)8. Explanation for use of crisis provisions: Growers suffered significant depredation of corn crops by crows, ravens, and grackles and often had to replant. There is no pesticide currently available to repel these birds. Growers had employed a variety of cultural and mechanical practices to repel birds, but these had little to no impact.

If you have any questions, please contact me at mary.e.tomlinson@maine.gov or call 207-287-7544.

Regards,

Mary E. Tomlinson
Pesticides Registrar/Water Quality Specialist