

Emergency authorisation Number: 1320 of 2024

EMERGENCY AUTHORISATION OF A PLANT PROTECTION PRODUCT

PLANT PROTECTION PRODUCTS REGULATION No 1107/2009

Extent of authorisation: Great Britain Only

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)

Emergency authorisation holder: Horticulture Crop Protection Limited

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

Marketing company: FMC Agro Limited

This emergency authorisation ends:

(a) For placing on the market and use: 30
September 2024

(b) For storage and disposal of stocks: 30 October
2024

This emergency authorisation can be withdrawn or amended before its end date if the requirements of authorisation under Regulation No 1107/2009 are no longer met. The requirements may no longer be met as a result of, for example, new information brought to the attention of the competent authority on the danger necessitating the use of the PPP, the effects of the PPP, or whether use of the PPP is limited and controlled. These examples are not exhaustive.

HSE Digital Signature

This and the attached Appendices 1, 2, 3 and 4 are signed by the Health and Safety Executive for and on behalf of the Secretary of State, the Welsh Ministers and the Scottish Ministers.

Date of issue: 7 June 2024

EXPLANATORY NOTES

1. This is Emergency authorisation number 1320 of 2024.
2. This Emergency authorisation will be published on HSE's website.
3. Application reference number: COP 2024/00077
4. Persons using the product to which this Emergency authorisation applies should acquaint themselves with and observe all requirements contained in the Regulation 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 No 1107/2009 means:
In relation to Great Britain, Assimilated Regulation No 1107/2009 as it has effect in Great Britain.

ADVISORY INFORMATION

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-resistant strategy.

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.

The Emergency Authorisation will expire on 30 September 2024 for use.

APPENDIX 1: CONDITIONS OF EMERGENCY AUTHORISATION

The conditions below are obligatory. They must be complied with when the product is placed on the market and used pursuant to this emergency authorisation. Failure to comply with the following conditions is likely to result in the withdrawal or amendment of the emergency authorisation under Regulation No 1107/2009 and may result in other enforcement action, including prosecution.

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 included at Appendix 4 of this notice of authorisation (HSE ref.: W002031236).

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 OSR 3 and 5 | 30 September (PHI 1 day) |
| Outdoor strawberry | 750 | - | 1 See OSR 3 | 30 September (PHI 1 day) |

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) Engineering control of operator exposure must be used where reasonably practicable in addition to the following personal protective equipment:
 - (a) Operators must wear suitable protective clothing (coveralls) and suitable protective gloves when handling the concentrate.

- (b) 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) 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) Horizontal boom sprayers must be fitted with two star drift reduction technology for all uses.
- (5) To protect non-target insects / arthropods respect an untreated buffer zone of 10 metres to non-crop land.
- (6) 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 in accordance with the terms of this emergency authorisation, the product label and/or leaflet.
- (2) 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.
- (3) This product must not be applied via hand-held equipment.
- (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 Chemicals Regulation Division's website. These operating conditions must be maintained until 30m from the top of the bank of any surface water bodies or non-crop area.

- (5) When applying to crops under temporary protection, sides of the enclosures must remain closed and fixed to the ground during and immediately after application.
- (6) Disposal of stocks must occur by the disposal date specified in this notice of authorisation either by return to the manufacturer or via an appropriate means such as a licensed hazardous waste contractor.

APPENDIX 2: GENERAL CONDITIONS FOR AN EMERGENCY AUTHORISATION

Failure to comply with the following conditions is likely to result in the withdrawal or amendment of the emergency authorisation under Regulation 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 and the Scottish Ministers, 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. 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 or the Scottish Ministers in accordance with Regulation No 1107/2009.

APPENDIX 3: STEWARDSHIP

This stewardship is prepared in accordance with the specific conditions of this emergency authorisation. It must be followed as a condition of the authorisation.

Stewardship records will be maintained and made available to the Chemicals Regulation Division of HSE on request and at the point of any subsequent application for this emergency use.

The following table provides a summary of controlled use, with further details of stewardship and the requirements for any subsequent application for this use stated below:

| Component of a strategy for controlled use: | Responsibilities: |
|---|---|
| Overall stewardship approach | HCP Ltd |
| Communication to industry on authorisation conditions | HCP Ltd together with British Berry Growers, agronomists, growers and other relevant stakeholders. |
| Managing product supply and amendments to product label if required | FMC |
| Advice on best practice for product use | FMC |
| Monitoring pest pressure and recording product use. | NIAB monitoring of SWD population and fecundity to provide risk alerts. Fruit flotation test for larvae by growers / agronomists to trigger sprays. Growers record product use. |
| Disposal of unused product at end of 120-day authorisation period | FMC |
| Collation of data if required by CRD | HCP Ltd together with data gathered and provided by the British Berry Growers, agronomists, growers and other relevant stakeholders |

- Data on the volume of product supplied will be collated by the manufacturer.
- Areas treated with the product will be collated by HCP Ltd in collaboration with agronomists, crop associations and other relevant industry stakeholders.
- Data on the location of use of the product (split by outdoor and protected crops) to confirm that the use is only in the stated regions. This must also include a summary of the number of sprays used under all relevant Article 53s and on how many sprays were used in the season.
- The date SWD are observed in the crop is to be recorded as the trigger to spray.

- An update on the progress of research on Spotted Wing Drosophila (*Drosophila suzukii*) should be presented annually. HSE delegate attendance at the SWD Working Group meeting should continue as the means to address this requirement. A brief summary of progress should be included in any subsequent application for this use.

APPENDIX 5: PRODUCT LABEL



BENEVIA® 100D

An oil dispersion formulation containing 100 g/litre cyantraniliprole for the control of Spotted Wing Drosophila (*Drosophila suzukii*) in strawberry.

For GB use only, under the terms of an emergency authorisation issued according to Article 53 of Regulation no 1107/2009. Users must comply with all conditions of the emergency authorisation as detailed below.

The (COSHH) Control of Substances Hazardous to Health Regulations may apply to the use of this product at work.

SAFETY PRECAUTIONS

OPERATOR PROTECTION

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

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.

However, engineering controls may replace personal protective equipment if a COSHH assessment shows that they provide an equal or higher standard of protection.

WHEN USING DO NOT EAT, DRINK OR SMOKE.

IF YOU FEEL UNWELL, seek medical advice immediately (show the label where possible).

WASH HANDS/EXPOSED SKIN before eating and drinking/smoking/after work

ENVIRONMENTAL PROTECTION

Dangerous to bees. Do not use where bees are actively foraging. Do not apply when flowering weeds are present.

To protect non-target insects / arthropods respect an untreated buffer zone of 10 metres to non-crop land.

When applying to crops under temporary protection, sides of the enclosures must remain closed and fixed to the ground during and immediately after application.

Horizontal boom sprayers must be fitted with a minimum of two star drift reduction technology for all uses

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 Chemicals Regulation Division's website. These operating conditions must be maintained until 30m from any non-crop area.

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.

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).

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.

STORAGE AND DISPOSAL

KEEP AWAY FROM FOOD DRINK AND ANIMAL FEEDING STUFFS

KEEP OUT OF REACH OF CHILDREN

KEEP IN ORIGINAL CONTAINER, tightly closed, in a safe place

DO NOT RE-USE CONTAINER for any purpose

Approval holder:

FMC Agro Limited. Rectors Lane, Pentre, Flintshire, CH5 2DH

Marketing company:

FMC Agro Limited. Rectors Lane, Pentre, Flintshire, CH5 2DH

Tel: (01438) 734450

Email: Flintshire.enquiry@fmc.com

Emergency Tel: 01423 205011

National Poisons Number; 111 (England and Wales) and 08454 24 24 24 (Scotland)

Contents: 1 to 5 litres



Warning

May cause an allergic skin reaction.

Very toxic to aquatic life with long lasting effects.

Keep out of the reach of children

Avoid breathing dust/fume/gas/mist/vapours/spray

Contaminated work clothing should not be allowed out of the workplace.

Do not eat, drink or smoke when using this product

Wear protective gloves/protective clothing

IF ON SKIN: Wash with plenty of soap and water.

If skin irritation or rash occurs: Get medical attention

Take off contaminated clothing and wash before reuse.

Do not contaminate water with the product or its container (Do not clean application equipment near surface water/Avoid contamination via drains from farmyards and roads).

Dispose of contents / container to a licensed hazardous-waste disposal contractor or collection site except for empty clean containers which can be disposed of as non-hazardous waste

To avoid risk to man and the environment, comply with the instructions for use.

| IMPORTANT INFORMATION FOR USE ONLY AS A PROFESSIONAL INSECTICIDE | | | | |
|---|-------------------------------------|---|-----------------------------------|-------------------------------------|
| Crops | Max. Individual dose (mL/ha) | Max. number of treatments per crop | Latest time of application | Aquatic buffer zone distance |
| Outdoor Strawberry | 750 | 1 | 1 day pre harvest | 5 metres |
| Protected Strawberry | 750 | 2 | 1 day pre harvest | 5 metres |

Other Specific Restrictions

This product must only be applied for the control of spotted wing drosophila (*Drosophila suzukii*) in accordance with the terms of this Emergency Authorisation, the product label and/or leaflet.

This product must not be applied via hand-held equipment.

READ THE LABEL BEFORE USE. USING THIS PRODUCT IN A MANNER THAT IS INCONSISTENT WITH THE LABEL MAY BE AN OFFENCE. FOLLOW THE CODE OF PRACTICE FOR USING PLANT PROTECTION PRODUCTS

DIRECTIONS FOR USE

IMPORTANT: This information is approved as part of the Product Label. All instructions within this section must be read carefully in order to obtain safe and successful use of this product.

RESTRICTIONS

BENEVIA 100D must not be applied to any crop suffering from stress as a result of drought, waterlogging, low temperatures, pest or disease attack, nutrient or lime deficiency or other factors reducing crop growth.

Good agricultural practice advises that BENEVIA 100D should be used when bees are less active (i.e. early morning or late evening).

INSECT CONTROL

BENEVIA 100D is a Group 28 anthranilic insecticide used for control of certain chewing and sucking insect pests in the listed crops. Activity is by ingestion and contact. Paralysis of the pest occurs within a few hours of exposure and results in cessation of movement and feeding. Final control can take 3-6 days.

BENEVIA 100D may be used as part of an Integrated Pest Management (IPM) program, which can include biological, cultural, and genetic practices, aimed at preventing economic pest damage. IPM principles and practices include field scouting or other detection methods, correct target pest identification, population monitoring, rotation of insecticides with different modes-of-action and treating when target pest populations reach locally determined action thresholds. Consult your crop adviser to determine appropriate action treatment threshold levels for treating specific pest/crop or site systems in your area.

RESISTANCE

When insecticides with the same mode of action are used repeatedly over several years in the same field, naturally occurring less sensitive strains may survive, propagate and become dominant in that field. An insect is considered resistant to an insecticide if it survives a correctly applied treatment at the recommended dose and timing under normal weather conditions and a validation test with a suitable bioassay confirms the lack of activity. When resistance occurs, recommended rates fail to suppress the pest population below economic thresholds. Development of resistance can be avoided or delayed by alternating or mixing products having different modes of action. Tank-mixtures with other effective insecticides for the target pests may also be recommended. For additional information on insect resistance monitoring, visit the Insecticide Resistance Action Committee (IRAC) on the web at (<http://www.iraac-online.org>).

BENEVIA 100D is an IRAC Group 28 Insecticide (ryanodine receptor modulator - diamide). Repeated and exclusive use of BENEVIA 100D may lead to the build-up of resistant strains of insects in some crops. Some insects are known to develop resistance to products used repeatedly for control. Because the development of resistance cannot be predicted, this product may be used as part of resistant management strategies established for the use area. These strategies may include

incorporation of cultural and biological control practices, alternation of mode-of-action classes of insecticides on succeeding generations and targeting the most susceptible life stage. Consult your local or area agricultural authorities for details and follow the recommended IRAC guidance for use of ryanodine receptor modulator – diamide insecticides (<http://www.irc-online.org>).

Best practices for resistance management of Group 28 insecticides include;

- Avoid using the same mode of action (same IRAC group number) on consecutive generations of insect pests.
- Make no more than 2 applications of Group 28 products per generation to the same insect species on a crop. Application to the next generation of target pest(s) must be with an effective product with a different mode of action (non-Group 28 insecticide).
- Avoid using less than the labelled rates of BENEVIA 100D
- Target the most susceptible insect life stages, whenever possible.
- Monitor insect populations for product effectiveness. If resistance to this product develops in your area, this product, or other products with a similar mode of action, may not provide adequate control.
- If poor performance cannot be attributed to improper application or extreme weather conditions, a resistant strain of insect may be present. If you experience difficulty with control and resistance is a reasonable cause, immediately consult your supplier or agricultural advisor for the best alternate method of control for your area.

CROPS AND RATES OF USE

| Crops | Pests | Rate (mL/ha) | Usage |
|------------|---|--------------|--|
| Strawberry | Spotted-wing Drosophila (<i>Drosophila suzukii</i>) | 750 | Apply at early stages of pest infestation in 300 -800 L water/ha Make no more than one application per crop to outdoor crops and no more than two applications to crops grown under temporary protection. |

MIXING

Before using BENEVIA 100D, make sure that the spraying equipment is clean. BENEVIA 100D mixes easily with water, but the following mixing procedure should be followed: Quarter fill the spray tank with clean water, start the agitation and add the required quantity of BENEVIA 100D directly to the tank without prior creaming. Continue agitation while topping up the tank and while spraying.

SPRAY TANK CLEAN-OUT

Immediately after application, completely drain spray equipment. Thoroughly rinse sprayer and flush the hoses, boom and nozzles with clean water. Loosen and physically remove visible deposits. Remove and clean nozzles, screens and strainers. Flush the entire system with clean water. Take all necessary safety precautions when cleaning equipment. Do not clean near wells or water sources.

Consult label tank cleanup procedures for all tank mix partners and be sure to use the most rigorous procedure recommended.

NOTICE TO BUYER

All goods supplied by us are of a high grade and we believe them to be suitable for any purpose for which we expressly supply them, but as we cannot exercise control over their mixing or use, all conditions and warranties, statutory or otherwise, as to the quality or fitness for any purpose of our goods are excluded and no responsibility will be accepted by us for any damage or injury whatsoever arising from their storage, handling, application or use.

Effectiveness and crop safety of this product has not been assessed.