



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D.C., 20460

10/26/2006

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MEMORANDUM

SUBJECT: Public Interest Finding for Prothioconazole (DP 327796)

FROM: Richard Michell, Ph.D., Plant Pathologist
Biological Analysis Branch

THRU: Arnet Jones, Chief
Biological Analysis Branch
Biological and Economic Analysis Division (7503P)

TO: Lana Coppolino/Tony Kish PM Team 22
Fungicide Branch
Registration Division (7505P)

PRP Date: October 25, 2006

We have examined the Bayer Public Interest Finding package submitted for prothioconazole (Proline 480SC, Prosaro 421SC, Provost 433SC). Their request specifically addressed the public interest aspects of the uses on barley, wheat, peanuts, and canola. One of the proposed pest claims for the uses on barley and wheat (*Fusarium* Head Blight [scab]) is currently serving as the basis for Section 18 emergency exemptions issued due to the lack of a suitable control measure. These exemptions have been issued to as many as eight states (i.e., IL, IN, KY, MI, MN, MT, ND, SD) beginning in 1997. Based on the policy stated in the *Federal Register* (Vol. 51, No. 43:7628-7634, March 5, 1986) the registration of a new pesticide is presumed to be in the public interest for uses that an emergency exemption has been granted, if the basis for the exemption was the lack of a registered alternative product. The proposed uses on barley and wheat fulfill these criteria. For the record, we wish to note that the proposed use on canola for control of *Sclerotinia* rot was previously the subject of emergency exemptions due to the lack of a suitable control measure. However, these exemptions are no longer being issued due to the current availability of suitable control measures.

Based on the standard presumption of public interest criteria, The proposed uses on barley and wheat appear to meet the public interest criterion because of the ongoing Section 18 Emergency Exemptions for control of Fusarium head blight. Since you advised us that all the proposed uses would be conditionally registered based on the fact that the barley and wheat uses are considered to be in the public interest, BEAD did not pursue any further public interest assessments for the canola and peanut uses. Please contact us if you need additional assistance in this matter.

**DATA RECORDING SHEET FOR
BEAD OFFICIAL RECORDS DATA BASE**

Author(s) Name(s) Richard Michell

Branch Biological Analysis Branch

Chemical(s) Prothioconazole

DP Barcode 327796

PC Code(s) 113961

Other Identifying Codes and Numbers _____

Use Site(s) Barley, Wheat, Peanut, Canola

Pest(s): Fungal Plant Diseases

Pesticide Type

- ☐ Insecticide
- ☒ Fungicide
- ☐ Herbicide
- ☐ Other

Type of Document:

- ☐ Alternatives Analysis
- ☐ Benefits Assessment
- ☐ Biological Analysis
- ☐ Economic Analysis for Rule Making
- ☐ ICR
- ☒ Public Interest Findings (PIF)
- ☐ QUA
- ☐ Reduced Risk Evaluations
- ☐ Section 18's
- ☐ Use Chapter
- ☐ Other

Final Date of Document: 10/25/06

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Chemical: Prothioconazole

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