



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

January 15, 2021

David J. Chi
Global Regulatory Manager
Bayer U.S. – Crop Science
700 Chesterfield Parkway West
Chesterfield, MO 63017

Subject: Non-PRIA (Pesticide Registration Improvement Act) Amendment – Conversion of the registration to a non-expiring status, modification of terms regarding planting restrictions in Florida, and changing the company name on the label to Bayer CropScience LP.
Product Name: MON 88702
EPA Registration Number: 524-645
Application Date: January 7, 2021
OPP Case Number: 00148067

Dear Mr. Chi:

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable provided you comply with the updated terms and conditions as described in this letter.

1. The subject of this registration will be limited to Cry51Aa2.834_16 [*Bacillus thuringiensis* Cry51Aa2.834_16 protein and the genetic material necessary for its production (vector PV-GHIR50852) in MON 88702 (OECD Unique Identifier: MON-88702-4)] for use in cotton.
2. Submit and/or cite all data required for registration or registration review of MON 88702 when the EPA requires all registrants of similar products to submit such data.
3. Seed containing *Bacillus thuringiensis* Cry51Aa2.834_16 and the genetic material (vector PV-GHIR505423) necessary for its production in MON 88702 cotton seed may only be planted for the purposes of agronomic evaluation, seed increase, and production in breeding nurseries as specified in the terms of this registration and on the labeling.
4. Commercial plantings of this product for the purposes of commodity production and controlling insect pests are prohibited.
5. Plants that contain MON 88702 may be grown at a total of 40,000 acres or less per year in the U.S. and territory of Puerto Rico, with a limit of 2,000 acres per county, subject to the restrictions below.

6. The following restrictions apply to this product:
- a. No planting of MON 88702 cotton is permitted in the Florida counties of Pinellas, Hillsborough, Hardee, Highlands, Okeechobee, and St. Lucie and all counties south thereof.
 - b. Experimental plots and breeding nurseries of MON 88702 cotton are prohibited on the U.S. Virgin Islands and Hawaii.
 - c. Test plots or breeding nurseries, regardless of plot size, may be established on the island of Puerto Rico without restriction if insecticide applications are used to effectively mitigate gene flow. Otherwise, test plots or breeding nurseries, regardless of plot size, established on the island of Puerto Rico must not be planted within three miles of feral cotton and must be surrounded by 24 border rows of a suitable pollinator trap crop, and
 - d. Harvested seed are not allowed for sale as commercial seed in the U.S. under the current terms of this registration, but any seed containing MON 88702 may be handled in accordance with legal and regulatory requirements.

Your release for shipment of this product constitutes acceptance of these terms. If these terms are not complied with, this registration will be subject to cancellation in accordance with FIFRA section 6.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling.

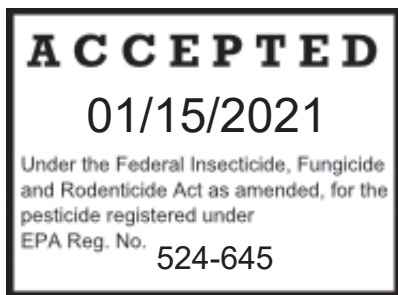
If you have any questions, please contact Matt Weiner of my team via email at weiner.matthew@epa.gov or by phone at (703) 347-0333.

Sincerely,



Alan Reynolds, Team Leader
Emerging Technologies Branch
Biopesticides and Pollution
Prevention Division (7511P)
Office of Pesticide Programs

Enclosure



Plant-Incorporated Protectant Label

MON 88702

(OECD Unique Identifier: MON-887Ø2-4)

Active Ingredients:

Cry51Aa2.834_16 protein and the genetic material necessary for its production (vector PV-GHIR508523) in event MON 88702 cotton (Unique Identifier MON-887Ø2-4)
.....≤0.17%*

* Percentage protein on a dry weight basis as expressed in cotton plant cells (leaf tissue)

KEEP OUT OF REACH OF CHILDREN

CAUTION

EPA Registration No. 524-645

EPA Establishment No. 524-MO-002

Bayer CropScience LP
800 North Lindbergh Blvd.
St Louis, MO 63167

NET CONTENTS _____

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in any manner inconsistent with its labeling. This product must be used as specified in the terms and conditions of the registration.

This product may be planted for breeding purposes, for example, seed manufacturing, research, agronomic testing, small scale research trials, and production in breeding nurseries as specified in the terms and conditions of this registration and on the labeling. Commercial plantings of this product for the purposes of grain production and controlling insect pests are prohibited.

Plants that contain the pesticide product may be grown on a total of 40,000 acres or less per year in the U.S. and the territory of Puerto Rico, with a limit of 2,000 acres per county, (subject to the restrictions below).

The following restrictions apply to this product:

- a) Experimental plots and breeding nurseries of MON 88702 cotton are prohibited on the U.S. Virgin Islands, in the Florida counties of Pinellas, Hillsborough, Hardee, Highlands, Okeechobee, and St. Lucie and all counties south thereof, and Hawaii.
- b) Test plots or breeding nurseries, regardless of plot size, may be established on the island of Puerto Rico without restriction if insecticide applications are used to effectively mitigate gene flow. Otherwise, test plots or breeding nurseries, regardless of plot size, established on the island of Puerto Rico must not be planted within three miles of feral cotton and must be surrounded by 24 border rows of a suitable pollinator trap crop.
- c) Harvested seed are not allowed for sale as commercial seed in the U.S. under the current conditions of this registration, but any seed containing MON 88702 may be handled in accordance with legal and regulatory requirements (*e.g.*, non-treated seed can be sold as grain).

There are no refuge requirements for planting of MON 88702.