

11312-8

05-07-2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs  
Biopesticides and Pollution  
Prevention Division (7511P)  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

EPA Reg. Number:

11312-8

Date of Issuance:

MAY 07 2010

NOTICE OF PESTICIDE:

Registration  
 Reregistration  
(under FIFRA, as amended)

Term of Issuance: Conditional

Name of Pesticide Product:

C5 HoneySweet Plum

Name and Address of Registrant (include ZIP Code):

U.S. Department of Agriculture/Agricultural Research Service  
c/o USDA-ARS Appalachian Fruit Research Station  
2217 Wiltshire Road  
Kearnsville, WV 25430

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Biopesticides and Pollution Prevention Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

The registration application referred to above, submitted in connection with registration under § 3(c)(7)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable provided that you do the following terms and conditions.

- 1) Submit/cite all data required for registration of your product under FIFRA § 3(c)(5) when the Agency requires all registrants of similar products to submit such data.
- 2) The subject registration will automatically expire on midnight May 7, 2011. EPA will determine prior to May 7, 2011 whether or not to extend the expiration date or to convert the registration to a non-expiring registration.
- 3) The subject registration will be limited to Plum Pox Virus Resistance Gene (Plum Pox Virus Coat Protein Gene) in C5 HoneySweet Plum.
- 4) Submit by November 7, 2010, acceptable data generated by an independent laboratory to validate the analytical method proposed to detect residues of Plum Pox Virus Resistance Gene (Plum Pox Virus Coat Protein Gene) in C5 HoneySweet Plum in fresh and processed plum commodities for enforcement purposes. The method must enable transformed C5 HoneySweet Plum to be distinguished from non-transformed varieties.

Signature of Approving Official:

WAM

Date:

MAY 07 2010

- 5) The USDA Agricultural Research Service (USDA/ARS) will distribute this plant-incorporated protectant via budwood and with a shrinkwrap agreement between USDA/ARS and the recipient of the budwood. This agreement between USDA/ARS and those to whom they distribute Plum Pox Virus Resistance Gene (Plum Pox Virus Coat Protein Gene) in C5 HoneySweet Plum containing budwood must include the following statements.

*PPVR Plum*

*The budwood recipient agrees to the following. Persons using this budwood for propagation of additional trees must maintain records regarding the receipt, production, inventory, and distribution of this PPVR budwood and any propagules (intended for additional tree production) that are produced for distribution for a period of five (5) years from the time such records are produced and allow a review of such records by EPA. All subsequently distributed replicates, derivatives and progeny of these materials will be clearly identified by the acronym PPVR and by securely attaching the following information to all plant propagation materials. "PPVR Plum. Persons using this budwood for propagation of additional trees must maintain records regarding the receipt, production, inventory, and distribution of this PPVR budwood and any propagules (intended for additional tree production) that are produced for distribution for a period of five (5) years from the time such records are produced and allow a review of such records by EPA."*

- 6) Although not required by EPA, nor part of the language dictated by this EPA registration as necessary in the shrinkwrap agreement, EPA has no objection to USDA's inclusion of the term "Not for Organic Agriculture" in their shrinkwrap agreement.

If the condition for analytical method data is not complied with, the registration will be subject to cancellation in accordance with FIFRA § 6(e). Your release for shipment of Plum Pox Virus Resistance Gene (Plum Pox Virus Coat Protein Gene) in C5 HoneySweet Plum containing budwood constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

Sincerely,



W. Michael McDavit, Acting Director  
Biopesticides and Pollution  
Prevention Division (7511P)

Enclosure

# C5 HoneySweet Plum

## Plant Incorporated Protectant

C5 HoneySweet Plum has been transformed to resist the plum pox virus

### Active Ingredient:

Plum Pox Virus Resistance Gene (Plum Pox Virus Coat Protein Gene) in C5 HoneySweet Plum

.....< 0.0006% (w/w)

### Other Ingredients:

Substance produced by a marker gene and the genetic material necessary for its production in C5 HoneySweet Plum..... 0.0009-0.0015% (w/w)

Substance produced by a marker gene and the genetic material necessary for its production in C5 HoneySweet Plum..... 0.0009-0.0011% (w/w)

EPA Registration Number 11312-8  
EPA Est. No.

USDA-ARS Appalachian Fruit Research Station  
2217 Wiltshire Road  
Kearnsyville, WV 25430

**ACCEPTED**

**MAY 07 2010**

Under the Federal Insecticide, Fungicide,  
and Rodenticide Act, as amended, for  
the pesticide registered under  
EPA Reg. No.

11312-8

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in any manner inconsistent with its labeling. Information regarding Plum Pox Resistant (PPVR) Plum commercial production reflected below and in the terms and conditions of this registration must be included with the PPVR Plum budwood shrink-wrap agreement.

*PPVR Plum*

*The budwood recipient agrees to the following. Persons using this budwood for propagation of additional trees must maintain records regarding the receipt, production, inventory, and distribution of this PPVR budwood and any propagules (intended for additional tree production) that are produced for distribution for a period of five (5) years from the time such records are produced and allow a review of such records by EPA. All subsequently distributed replicates, derivatives and progeny of these materials will be clearly identified by the acronym PPVR and by securely attaching the following information to all plant propagation materials. "PPVR Plum. Persons using this budwood for propagation of additional trees must maintain records regarding the receipt, production, inventory, and distribution of this PPVR budwood and any propagules (intended for additional tree production) that are produced for distribution for a period of five (5) years from the time such records are produced and allow a review of such records by EPA."*

Warranty Statement

C5 Honey Sweet Plum has been transformed to express the plum pox virus resistance gene for the control of plum pox virus. To the extent permitted by State Law, user assumes all risks of use and handling of this material not in strict accordance with directions given here with.