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DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES  
BOARD OF PESTICIDES CONTROL  
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WALTER WWHITCOMB  
COMMISSIONER  
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DIRECTOR

To: Board of Pesticides Control Members  
From: Mary Tomlinson, Pesticides Registrar/Water Quality Specialist  
RE: Withdrawal of Section 18 application and submission of FIFRA Section 24(c) application for use of Avipel to Reduce Bird Predation of Corn Seed in Maine  
Date: April 17, 2012

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Based on actions taken by other states and feedback from the EPA, the Section 18 request for Avipel was withdrawn and a FIFRA Section 24(c) application was submitted to the EPA, effective April 17, 2012.

This action was taken on the recommendation of the EPA Section 18/24(c) team for those states not able to fulfill the requirements for a Section 18. Pennsylvania initiated the first Section 24(c), followed by Maryland, Delaware, Virginia, Missouri, and Utah. I worked closely with the EPA, the registrant, and the Pennsylvania pesticides registrar throughout this process and followed the EPA's specific guidance with respect to this submission. The Section 24(c) label is identical to the Sec. 18 label except that it has a five year expiration date. EPA will likely approve the Section 3 label by the end of 2013, at which time the Section 24(c) will be withdrawn.