

Quarantine Exemption for Non-Soybean Leguminous Crops in California

Date: January 18, 2005

To: [Kent Smith](#)
USDA

From: [Rick Melnicoe](#)
Director, WIPMC

CC: cblomquist@cdfa.ca.gov
KKosta@cdfa.ca.gov
jim@tabcomp.com

Dear Kent,

Attached is a [reply on non-soybean leguminous crops](#) grown in California. I am providing data from three sources. These are the County Agricultural Commissioners' Data for Year 2003 available through NASS; The 2002 Pesticide Use Report from the California Department of Pesticide Regulation; and survey results of mine that are several years old.

Some of the crops are grouped in the first two reports and cannot be separated. My survey indicates which crops are not grown in California, as of two years ago. I believe that lupines are grown in small acreage, but I cannot document that.

By copy of this reply to other California contacts, I ask that they provide any corrections to my information.

Sincerely,

Rick
[Rick Melnicoe](#)
Director, Western Region Pest Management Center
Director, Office of Pesticide Information and Coordination (UC Statewide Pesticide Coordinator)
One Shields Avenue
University of California
Davis, CA 95616-8588
Telephone: (530) 754-8378
FAX: (530) 754-8379 USDA

Response to below:

Date: January 18, 2005

From: [Kent Smith](#)
USDA

TO: ALL PESTICIDE STATE LEAD AGENCIES

SUBJECT: TIME SENSITIVE REQUEST FOR ASSISTANCE - QUARANTINE EXEMPTION FOR NON-SOYBEAN LEGUMINOUS CROPS

BACKGROUND:

As you are probably aware, soybean rust (*Phakopsora pachyrhizi*) was first identified in the continental United States in Baton Rouge, Louisiana on November 6, 2004, and since then, the disease has been identified in soybeans in a growing number of states. Anticipating the arrival of this fungal pest in soybeans, the states of Minnesota and South Dakota took the lead and in the Winter of 2003, submitted to EPA a quarantine exemption petition request for seven (7) fungicide active ingredients. The Agency began accepting petitions patterned after the Minnesota/South Dakota submittal from other states and granted petitions to individual states during the Spring and Summer 2004. To date, four (4) fungicide active ingredients (tebuconazole, myclobutanil, propiconazole, and trifloxystrobin) have been approved for use by petitioning states to control this disease in soybeans.

PRESENT SITUATION:

The positive identification of *Phakopsora pachyrhizi* in soybeans has generated concerns regarding the potential impact of this disease on specialty leguminous crops. These crops, included in Crop Groups 6, 7, and 18 as defined in 40 CFR, Part 180, Section 180.41, are not included in the existing quarantine exemption petition for soybeans. As researchers work to characterize the vulnerability of this wide group of crops to *P. pachyrhizi*, many respected specialists are urging that growers be prepared with chemical alternatives, as for soybeans, to protect against this disease in other legumes. Thus, representatives from USDA, EPA, state agricultural agencies and extension offices, and industry have met by telephone conference over the past two months to discuss the best approach for protection of these specialty legume crops. The state lead agencies in Florida and Tennessee (with key support from the University of Tennessee) have volunteered to collect the necessary data to prepare a "template" quarantine exemption petition to cover the crop groups cited above. The EPA has indicated that once the Tennessee/Florida request is prepared, individual states may make quarantine exemption requests by referencing the Tennessee/Florida request and adding state-specific information in a cover letter. We are seeking your assistance in providing information that will help us in preparing the "template" petition. This information will also help individual states provide their state-specific information when they petition EPA. Because the legume growing season is almost upon us (and has already begun in some regions of the country), it is critical that all state/protectorate addressees provide the information requested below as soon as possible.

INFORMATION REQUESTED:

Attached is an Excel spread sheet (Note: see [California response](#)) listing the three crop groups of concern for the quarantine petition. The following suggestions may help as you prepare your response:

1. We are asking each state to respond to this message even if you do not plan to submit an individual petition request to the EPA under this national petition. The EPA plans to make its risk assessment for each fungicide active ingredient based on national acreage figures. Since the reported acreage data is sparse for many of the specialty legume crops, we are trying to quickly compile realistic national acreage data to facilitate the Agency's completion of its risk assessment.
2. Please make sure this message is promptly forwarded to all persons who would be responsible for gathering information in support of your state petition, whether or not your state plans to submit a petition.

3. Acreage figures being requested for this petition should reflect the anticipated 2005 planting schedules, based on actual planted acreage figures from 2002, 2003, or 2004. (Note: Although these crops may vary in their susceptibility to this disease, we are requesting that you include data on all the listed crops produced in your state.)
4. While gathering the information for this petition, please keep county-specific crop acreage data in your state files. This may assist you in making threatened and endangered species assessments later in this process.
5. Please include the market value of each crop as you calculate the planted acreage figures.
6. For this effort, we are requesting the Agency to allow the use of the following high priority fungicides in non-soybean legumes: tebuconazole, myclobutanil, propiconazole, and trifloxystrobin (other fungicides are also being considered).
7. The following link will provide you with the [specific crop group listings for groups 6, 7, and 18](#): (PDF)
8. If at all possible, we would appreciate a response to this request for data by 5:00 p.m. (EST) Friday, January 21, 2005 to
[Charlie Clark](#), Administrator
Pesticide Registration Section, Bureau of Pesticides; Division of AES
3125 Conner Blvd.; Bldg. #6
Tallahassee, FL 32399-1650
Phone: (850) 487-2130
Fax: (850) 488-5874

Thank you very much for assisting in this national effort. Please e-mail or call us if you have questions as you begin to gather your data. Note: Please complete the requested information on either the attached spreadsheet or the spreadsheet below this message (to fill in the information spreadsheet below, please hit reply first and then the information can be typed into the form). (Note: see [California response](#))

STATE	CALIFORNIA	
Contact Person	Rick Melnicoe	
Email, Telephone and FAX Numbers	rsmelnicoe@ucdavis.edu , 530-754-8378 530-754-8379 FAX	
CROPS	ACREAGE	ESTIMATED PRODUCTION VALUE
CROP GROUP 6:		
LEGUME VEGETABLES (SUCCULENT OR DRIED)		
Bean (<i>Lupinus spp.</i>)	0	\$0
Bean (<i>Phaseolus spp.</i>) ^{1,2}	75,545	\$76,171,400
Bean (<i>Vigna spp.</i>)	Some included above	Some included above
Broad bean (fava bean) (<i>Vicia faba</i>)	Some included above	Some included above
Chickpea (garbanzo bean) (<i>Cicer arietinum</i>) ¹	1,200	\$512,000
Guar (<i>Cyamopsis tetragonoloba</i>)	0	\$0
Jackbean (<i>Canavalia ensiformis</i>)	0	\$0
Lablab bean (hyacinth bean) (<i>Lablab purpureus</i>)	0	\$0
Lentil (<i>Lens esculenta</i>)	0	\$0
Pea (<i>Pisum spp.</i>) ¹	4,715	\$32,448,800
Pigeon pea (<i>Cajanus cajan</i>)	0	\$0
Sword bean (<i>Canavalia gladiata</i>)	0	\$0
CROP GROUP 7:		
FOLIAGE OF LEGUME VEGETABLES		
Any cultivar of bean (<i>Phaseolus spp.</i>) and field pea (<i>Pisum spp.</i>), and soybean (<i>Glycine max</i>)	Very little ac.	?
CROP GROUP 18:		
NONGRASS ANIMAL FEEDS (FORAGE, FODDER, STRAW, AND HAY)		
Alfalfa (<i>Medicago sativa subsp. sativa</i>) ¹	1,152,293	\$782,186,100
Bean, velvet (<i>Mucuna pruriens var. utilis</i>)	0	\$0
Clover (<i>Trifolium spp.</i> , <i>Melilotus spp.</i>) ³	> 4,075	\$unknown
Kudzu (<i>Pueraria lobata</i>)	0	\$0
Lespedeza (<i>Lespedeza spp.</i>)	0	\$0
Lupin (<i>Lupinus spp.</i>)	0	\$0
Sainfoin (<i>Onobrychis viciifolia</i>)	0	\$0
Trefoil (<i>Lotus spp.</i>)	0	\$0
Vetch (<i>Vicia spp.</i>) ³	>24	\$unknown
Vetch, crown (<i>Coronilla varia</i>)	Possibly included with Vetch	
Vetch, milk (<i>Astragalus spp.</i>)	Possibly included with Vetch	

¹County Agricultural Commissioners' Data, Calendar Year 2003

²Includes: Beans, dry edible, unspecified; Beans, fresh, unspecified; Red kidney; Lima; Beans, Pink; Snap

³Back calculated from percent acres treated in Department of Pesticide Regulations 2002 Pesticide Use Report