

228-657

04/02/2013

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Matthew Granahan
Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

NOTIFICATION

APR 02 2013

Subject: Notification to update California Birth Defects Statement
EPA Registration # 228-657
Submission Date: March 5, 2013

Dear Mr Granahan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 received March 5, 2013. The Registration Division (RD) has reviewed these requests and finds that this action falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records. If you have any questions, please contact Jessica Rogala at (703) 347-0263 or via email at rogala.jessica@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "J. Rogala".

Jessica Rogala
Environmental Protection Specialist
Insecticide-Rodenticide Branch
Registration Division (7505P)



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

2/a

| | | |
|---|--|-----------------------|
| EPA United States Environmental Protection Agency Washington, DC 20460 | <input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other | OPP Identifier Number |
|---|--|-----------------------|

Application for Pesticide - Section I

| | | |
|---|--|--|
| 1. Company/Product Number 228-657 | 2. EPA Product Manager John Hebert | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) PBN: Nufarm Abamectin SPC 0.15 EC Insecticide / ABN: Minx. | PM# 7 | |
| 5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas Inc. 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527 <input type="checkbox"/> Check if this is a new address | | 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name <input type="checkbox"/> _____ |

Section - II

| | |
|--|--|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ |
| <input type="checkbox"/> Resubmission in response to Agency letter dated _____ | <input type="checkbox"/> "Me Too" Application. |
| <input checked="" type="checkbox"/> Notification - Explain below. | <input type="checkbox"/> Other - Explain below. |

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Label Notification consistent and 98-10, see cover letter for detailed explanation. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

| | | | | | |
|---|---|--|--|---|---|
| 1. Material This Product Will Be Packaged In: | | | | 2. Type of Container | |
| Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____ |
| * Certification must be submitted If "Yes" Unit Packaging wgt. No. per container | | If "Yes" Package wgt. No. per container | | | |
| 3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container | | 4. Size(s) Retail Container 1 quart, 1, 2-1/2 gallons | | 5. Location of Label Directions <input checked="" type="checkbox"/> _____ | |
| 6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled | | | | <input checked="" type="checkbox"/> Other Self-Adhesive Integrated Label/Block | |

Section - IV

| | | |
|--|---------------------------------------|--|
| 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) | | |
| Name Matthew Granahan | Title Regulatory Manager | Telephone No. (Include Area Code) (708) 377-1421 |
| Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. | | 6. Date Application Received (Stamped) |
| 2. Signature | 3. Title Regulatory Manager | |
| 4. Typed Name Matthew Granahan matthew.granahan@us.nufarm.com | 5. Date 03/04/2013 | |



March 4, 2013

Via Overnight Courier

John Hebert (PM-7)
U. S. Environmental Protection Agency (7504P)
Document Processing Desk (NOTIF)
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

**Subject: Nufarm Abamectin SPC 0.15 EC Insecticide
EPA Reg. No. 228-657
Submission per PRN-98-10: CA Prop 65 Verbiage Change**

Dear Mr. Hebert:

Nufarm Americas Inc. would like to change the verbiage on the Nufarm Abamectin SPC 0.15 EC Insecticide (EPA Reg. No. 228-657) with regard to the CADPR required statement about Proposition 65.

On this submission we have changed the verbiage-

FROM: ATTENTION: *This product contains a chemical (N-methyl pyrrolidone) known to the state of California to cause birth defects or other reproductive harm.*

TO: ATTENTION: *This product contains chemicals known to the state of California to cause birth defects or other reproductive harm.*

This change is highlighted on the attached label in Green. The changes in Yellow relate to an ABN submission "Minx" submitted per PRN 98-10 dated Feb 25, 2013 which is pending at the Agency.

To process this request please find enclosed the following:

- Application for Pesticide Registration EPA Form 8570-1
- Certification with Respect to Label Integrity
- Label (Highlighted)
- Label (Clean)
- CD with Clean Copy of the Label

If you should have any questions regarding this matter, please feel free to contact me at (708) 377-1421 or matthew.granahan@us.nufarm.com.

Sincerely,

Matthew Granahan
Regulatory Manager
Nufarm Americas Inc.

GROUP 6 INSECTICIDE

Nufarm Abamectin SPC 0.15 EC Insecticide

[ABN: Minx]

MITICIDE/INSECTICIDE

For Control of Leafminers and Mites and Suppression of Aphids, Whiteflies and Thrips on Ornamental Plants.

ACTIVE INGREDIENT:

Abamectin (CAS No.'s 65195-56-4 and 65195-55-3): 2.0%*

OTHER INGREDIENTS: 98.0%

TOTAL: 100.0%

*Contains 0.15 pounds Abamectin per gallon.

KEEP OUT OF REACH OF CHILDREN

WARNING/AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you **DO NOT** understand the label, find someone to explain it to you in detail.)

SEE INSIDE LABEL BOOKLET FOR ADDITIONAL FIRST AID AND PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

NOTIFICATION

APR 02 2013

EPA REG. NO. 228-657

EPA EST. NO. _____

MANUFACTURED FOR
NUFARM AMERICAS INC.
150 HARVESTER DRIVE
BURR RIDGE, IL 60527



NET CONTENTS _____ GALS. (_____ Liters)

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
WARNING**

May be fatal if swallowed. Causes substantial but temporary eye injury. Wear protective eyewear (goggles or face shield). **DO NOT** get in eyes, on skin, or on clothing. Harmful if inhaled or absorbed through the skin. Avoid breathing spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. For more options, follow the instructions for Category B on an EPA chemical-resistant category selection chart.

Applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants
- Chemical-resistant gloves, such as barrier laminate or butyl rubber \geq 14 mils
- Chemical-resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading
- For shadehouse and greenhouse uses, applicators and other handlers must wear a dust/mist filtering NIOSH approved respirator with any R, P, or HE filter.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. **DO NOT** reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

FIRST AID

| | |
|--------------------------------|--|
| If swallowed: | <ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • DO NOT give any liquid to the person. • DO NOT induce vomiting unless told to do so by the poison control center or doctor. • DO NOT give anything by mouth to an unconscious person. |
| If in eyes: | <ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice. |
| If on skin or clothing: | <ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice. |
| If inhaled: | <ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice. |

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.

NOTE TO PHYSICIAN

Early signs of intoxication include dilation of pupils, muscular incoordination, and muscle tremors. Toxicity following accidental ingestion of this product can be minimized by early administration of chemical adsorbents (e.g., activated charcoal). If toxicity from exposure has progressed to cause severe vomiting, the extent of resultant fluid and electrolyte imbalance should be gauged. Appropriate supportive parenteral fluid replacement therapy should be given, along with other required supportive measures (such as maintenance of blood pressure levels and proper respiratory functionality) as indicated by clinical signs, symptoms, and measurements.

In severe cases, observations should continue for at least several days until clinical condition is stable and normal. Since

abamectin is believed to enhance GABA activity in animals, it is probably wise to avoid drugs that enhance GABA activity (barbiturates, benzodiazepines, valproic acid) in patients with potentially toxic abamectin exposure.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. **DO NOT** apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. **DO NOT** contaminate water when disposing of equipment washwater or rinsate. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. **DO NOT** apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

PHYSICAL OR CHEMICAL HAZARDS

DO NOT use or store near heat or open flame.

ATTENTION: This product contains chemicals known to the state of California to cause birth defects or other reproductive harm.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. **DO NOT** apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

DO NOT enter or allow worker entry into treated areas during the **restricted-entry interval (REI) of 12 hours.**

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls over short-sleeved shirt and short pants
- Chemical-resistant gloves, such as barrier laminate or butyl rubber \geq 14 mils
- Chemical-resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

DO NOT re-enter treated areas until sprays have dried.

GENERAL INFORMATION

This product contains the active ingredient abamectin which mixes readily with water for control of leafminers and mites on ornamental plants. This product also acts to suppress whiteflies, thrips and aphids, is applied as a foliar spray and must be mixed in enough water to ensure thorough coverage of the foliage.

[OPTIONAL TEXT FOR TIP-N-MEASURE CONTAINERS]

Use Directions for Tip-N-Measure Container:

1. Remove the measuring chamber cap and seal over container opening.
2. Replace the cap and securely tighten.
3. Tip the container until the measuring chamber contains the desired amount of product.
4. Return container to its level position.
5. Remove measuring chamber cap and pour product into proper application equipment.
6. Replace the cap and securely tighten.

Resistance Management

To avoid development of resistance to this product, use resistance management practices. A number of options exist to prevent resistance including the use of other insecticides/miticides with different modes of action, alternating the use of the same product in treating successive generations of insects, applying at the use rate and spray intervals specified on the product label, non-chemical alternatives, rotation of susceptible to non-susceptible plants, etc. Consult your State Cooperative Extension Service for assistance with these or other resistance management strategies.

Liriomyza leafminers resistance can be managed by making three applications of this product followed by three applications of a registered alternative insecticide with a different mode of action; then return to making this product or an alternate insecticide. Rotation of insecticides should be timed so that this product is not applied to successive generations of this pest.

RESTRICTIONS

- Roses, chrysanthemums, and gerbera are primary hosts of mites and *Liriomyza* leafminers which this product effectively controls. Attempts to use this product to suppress aphids, thrips, and whiteflies on ornamental plants leads to resistance in mites and *Liriomyza* leafminers.
- **DO NOT** apply this product through any type of irrigation system.
- **DO NOT** apply by air.
- **DO NOT** use in citrus nurseries.
- Testing of this product has shown it to be safe on many ornamental species. However, this product is not specified for use on ferns (e.g., *Adiantum* spp.) or Shasta Daisy (*L. eucanthemum* spp.) to avoid the possibility of phytotoxicity.

Although this product has been found to be safe to use on most ornamental species, it is not possible to test all possible spray combinations of this product mixed with different adjuvants and surfactants. Spray mixtures should be tested by applying to a few plants and evaluating the ornamentals for phytotoxicity prior to using that spray mixture on a commercial scale.

DIRECTIONS FOR USE ON SHADEHOUSE, GREENHOUSE, AND FIELD-GROWN ORNAMENTALS, FOLIAGE PLANTS, CHRISTMAS TREES, AND OTHER WOODY ORNAMENTAL PLANTS

| Pests | Product Application Rate (fl. oz./100 gallons of water) | Application Timing | Application Dilutions |
|---|---|---|---|
| European red mite Carmine spider mite Eriophyid mites (rust and bud mites) Southern red mite Spruce spider mite Tarsonemid mites (cyclamen & broad mites) Two-spotted spider mite | 4.0 | Apply this product when mites first appear. Make repeat applications as needed for control of pest. Apply this product when leafminers appear and repeat applications at 7-day intervals or as needed to maintain control. Control of Tarsonemid mites requires repeat applications to newly developing foliage. | Apply this product in 200-400 gallons of water per acre. If the water volume must be greater for sufficient foliage coverage (ex., 650 gal.), use 2.5 fl. oz. per 100 gallons. Mix a minimum of 8 fl. oz of this product per Acre when water volumes are less than 200 gallons. Mix a minimum of 16 fl. oz of this product per Acre when water volumes are more than 400 gallons. |
| <i>Liriomyza</i> Leafminers | 8.0 | Repeat at 7-day intervals or as necessary to maintain control. | Apply this product in 100-200 gallons of water per acre. If the water volume must be greater for sufficient foliage coverage (ex., 400 gal.), use 4.0 fl. oz. per 100 gallons. Mix a minimum of 8 fl. oz of this product per Acre when water volumes are less than 100 gallons. Mix a minimum of 16 fl. oz of this product per Acre when water volumes are more than 200 gallons. |
| Boxwood leafminer | | Apply when adults begin to lay eggs in the new foliage. | |
| Aphids, Thrips and Whiteflies | | Suppression of immature stages of these pests requires direct contact with the spray of this product. Make repeat applications at 7-day intervals for up to three weeks. Then use insecticides with modes of action different from this product for up to three weeks. Direct contact of the spray of this product can kill aphids, thrips and whiteflies. | |

NOTE: DO NOT apply less than specified amount of this product. Mix with a sufficient volume of water to ensure thorough coverage of the plant. Read the section above on **Resistance Management** and comply with all label restrictions.

Addition of horticultural spray oil at concentrations of between 0.5 and 1.0% of the spray volume prolongs control of target pests infesting field-grown woody ornamentals, landscape plants and Christmas trees. Make repeat applications as necessary at 7-day intervals to maintain control. To avoid damage to plants which are sensitive to oils, apply the spray mixture to a small

number of plants and observe plants for two weeks before making applications on a large scale. Plants can also be damaged when using spray oils when temperature extremes occur. Carefully read and follow directions on the oil label. **DO NOT** exceed maximum use rates listed on either label.

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Store in a tightly closed container in a cool, dry place.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Nonrefillable container. **DO NOT** reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.**

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV030413)

LABEL HISTORY

| File Name | Revision Mark | Comment |
|---|---------------------|--|
| 000228-00657.20091125.MASTER | RV112509 | EPA Approval- PBN Transition |
| 000228-00657.20130225.Notification ABN | RV022513 | ABN- "Minx" |
| 000228-00657.20130304.Notification | RV030413 | Notification Prop 65 statement change |
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