

5481-8977

8/13/2012

1/8

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D C 20460



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 13 2012

Kaila Moran
Regulatory Consultant
AMVAC
4695 MacArthur Court Suite 1250
Newport Beach CA 92660

Subject Orthene Turfgrass & Container Grown Nursery Stock 15 Granular
EPA Reg No 5481 8977
Notification Application Dated July 12 2012
Minor label revisions and updating Storage and Disposal Instructions

Dear Ms Moran

The Agency has received your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 2007 4 and 98 10 dated July 12 2012 for the subject product EPA Reg No 5481 8977 The Registration Division (RD) has reviewed this request and finds that the actions requested fall within the scopes of PR Notices 2007 4 and 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 call me directly at (703) 308 8043 or email lewis marianne@epa gov

Sincerely

A handwritten signature in black ink, appearing to read "Marianne Lewis".

Marianne Lewis
Insecticide Rodenticide Branch
Registration Division (7505P)
Office of Pesticide Programs



United States
 Environmental Protection Agency
 Washington DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

2/g

Application for Pesticide Section I

1 Company/Product Number 5481 8977	2 EPA Product Manager	3 Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company/Product (Name) Orthene Turf & Container Grown Nursery Stock 15G	PM#	
5 Name and Address of Applicant (Include Zip Code) Amvac Chemical Corporation 4695 MacArthur Court Suite 1250 Newport Beach CA 92660 <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 _____	

Section II

Amendment Explain below Final printed labels in response to Agency letter dated _____
 Resubmission in response to Agency letter dated _____ Me Too Application
 Notification Explain below Other Explain below

Explanation Use additional page(s) if necessary (For Section I and Section II) Notification of Minor Label Revisions and Storage and Disposal Statements
 Notification of label change per PR Notice 2007 4 This notification is consistent with the guidance in PR Notice 2007 4 and the requirements of EPA's regulations at 40 CFR §§ 156.10 156.140 156.144 156.146 and 156.156 No other changes have been made to the labeling or the Confidential Statement of Formula for this product I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10 156.140 156.144 156.146 and 156.156 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
 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 any false statement 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			
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	2 Type of Container <input checked="" 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 No per Unit Packaging wt container	If Yes No per Package wt container
3 Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4 Size(s) Retail Container	5 Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6 Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithographed <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Other _____			

Section IV

1 Contact Point (Complete items directly below for identification of individual to be contacted if necessary to process this application)		
Name Kaila Moran	Title Regulatory Consultant	Telephone No (Include Area Code) (562) 607 2146
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		8 Date Application Received (Stamped)
2 Signature 	3 Title Regulatory Consultant	
4 Typed Name Kaila Moran	5 Date 12 Jul 2007	



3/8

July 12 2012

Ms Julie Chao
Document Processing Desk
Office of Pesticide Programs (Notif)
U S Environmental Protection Agency
One Potomac Yard
2777 S Crystal Drive
Arlington VA 22202

Subject Notification of Minor Label Revisions and Storage and Disposal Language Per PR Notice 2007-4
Orthene Tobacco Insect Spray (EPA Reg No 5481 8972)
Orthene 15 Granular (EPA Reg No 5481 8976)
Orthene Turf & Container Grown Nursery Stock 15G (EPA Reg No 5481 8977)

Dear Julie

This is submitted in response to the EPA letters dated May 31 2012 as well as our phone conversation June 8 2012 As you mentioned on the phone the Container Disposal Statements updated per the PR Notice 2007 4 are acceptable However you requested revising the language throughout the label with regards to using the word general when referring to mandatory (non optional) use directions I have made the requested label changes as suggested as well as included REDLINE labels to highlight the revisions I have also revised the applications to with the updated certification under PR 98 10

In support of this request enclosed please find the following

- Application for each Pesticide Registration (EPA Form 8570 1)
- ^{two} ~~two~~ copies of each label with a redline copy showing changes (Ref No 8972 20120509r1, 8976 20120509r1 8977 20120508r1)
- Copies of the May 31 2012 letters for reference

It is my understanding that this satisfies the requirements of the Agency's PR Notice and will require no further action If you have any questions or require additional information please do not hesitate to contact me at 562 607 2146 or email kailam@amvac-chemical.com Thank you for your attention to this matter

Best regards

Kaila Moran
Regulatory Consultant

4/8

Orthene® Turfgrass & Container Grown Nursery Stock 15 Granular

An ORTHENE® Turfgrass & Container Grown Nursery Stock 15 Granular Insecticide for Use on Container Grown Nursery Stock Golf Course and Sod Farm Turfgrass and for Treatment of Ant Mounds on Turfgrass and Non Crop Areas

GIVES EFFECTIVE CONTROL

Active Ingredient
*Acephate
Other Ingredients
Total

By Wt
15.0%
85.0%
100.0%

*O S Dimethyl acetylphosphoramidothioate
U S Patent Nos 5 298 501 5 369 100 5 352 674

NOTIFICATION

AUG 13 2012

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice • Have person sip a glass of water if able to swallow • Do not induce vomiting unless told to do so by a 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
EMERGENCY INFORMATION	
Have the product container or label with you when calling a poison control center or doctor or going for treatment FOR THE FOLLOWING EMERGENCIES PHONE 24 HOURS A DAY	
Transportation CHEMTREC	1 800 424 9300
Other AMVAC	1 323 264 3910
NOTE TO PHYSICIAN	
This material contains a cholinesterase inhibitor Measurement of blood cholinesterase activity may be useful in monitoring exposure but decisions regarding treatment will usually need to be made before test results are available If signs of cholinesterase inhibition appear atropine sulfate is antidotal 2 PAM (PROTOPAM) is also antidotal and may be used in conjunction with atropine but should not be used alone	

SEE SIDE/BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND DIRECTIONS FOR USE

EPA Reg No 5481 8977
EPA Est No

Net Contents
As Marked on Container



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if swallowed or absorbed through skin Causes moderate eye irritation Avoid contact with skin eyes or clothing

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical resistant to this product are shown below If you want more options follow the instructions for category A on an EPA chemical resistance category selection chart

Mixers Loaders Applicators and Other Handlers must wear

- Long sleeved shirt and long pants
- Chemical resistant gloves such as Butyl rubber ≥ 14 mils Nitrile rubber ≥ 14 mils or Neoprene ≥ 14 mils
- Socks plus shoes

In addition Mixers, Loaders and Applicators supporting or making broadcast applications to turf must wear A NIOSH approved dust mist filtering respirator with MSHA/NIOSH approved number prefix TC 21C or a NIOSH approved respirator with any N R P or HE filter

See engineering controls for additional requirements

ENGINEERING CONTROLS

When handlers use closed systems or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170 240(d)(4 6)] the handler PPE requirements may be reduced or modified as specified in the WPS

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 As soon as possible wash thoroughly and change into clean clothing

USER SAFETY RECOMMENDATION

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

ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds For terrestrial uses do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark Do not contaminate water when cleaning equipment or disposing of equipment washwaters Cover or soil incorporate spills

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling

Applications to trees shrubs and potted plants by hand or hand held application equipment is prohibited

READ ENTIRE LABEL USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS

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 24 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
- chemical resistant gloves made of any waterproof material and
- shoes plus socks

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 enter or allow others to enter until dusts have settled or for those areas where irrigation is required following treatment until treated areas have dried

TANK MIXES

NOTICE Tank mixing or use of this product with any other product which is not specifically and expressly authorized by the label shall be the exclusive risk of user applicator and/or application advisor

Read and follow the entire label of each product to be used in the tank mix with this product

USE INFORMATION

CONTAINER GROWN NURSERY STOCK Including Outdoor and Shadehouse Lathhouse and Greenhouse Grown Containers

CROPS	PESTS CONTROLLED	AMOUNT ORTHENE TURFGRASS & CONTAINER GROWN NURSERY STOCK 15 GRANULAR	SPECIAL INSTRUCTIONS
Container Grown Nursery Stock (including Outdoor Shadehouse Lathhouse and Greenhouse Grown Containers) Azalea Holly Pyracantha Photinia Crape Myrtle	Ants (excluding fire harvester carpenter and pharaoh ants) Aphids Azalea Lacebug Mealybugs	Broadcast Application Apply over pots at 0.4 lb per 1 000 sq ft with a broadcast applicator	Potted Plants Pot Size (diameter) 3 to 12 Uniformly distribute specified dosage over soil surface Irrigate after application and as needed avoiding excessive irrigation to maintain product in root zone Do Not Apply to freshly rooted cuttings
Application to trees shrubs and potted plants by hand or hand held application equipment (i.e. belly grinders) is prohibited			

TURFGRASS AND NON CROP AREAS MOUND TREATMENT

APPLICATION SITES	PESTS CONTROLLED	AMOUNT ORTHENE TURFGRASS & CONTAINER GROWN NURSERY STOCK 15 GRANULAR	SPECIAL INSTRUCTIONS
Turfgrass Residential Recreational and Commercial Turf Non Crop Areas	Imported Fire Ants and Harvester Ants	Mound Treatment Evenly distribute 2 Tbsps of product over the mound (2 Tbsps = 15 shakes) This statement will be added to 12 oz shaker canister label only	For best results apply material in the early morning or late afternoon when the ants are most active Applications made under prolonged hot and dry conditions may be ineffective due to the location of the ants deep within the nest Grass in treated area may be injured

USE PRECAUTIONS

- Irrigate immediately after application with 1/8 inch of water
- Do not over water or allow puddles to form This formulation readily dissolves when exposed to water Immediate irrigation without puddling minimizes exposure of birds to broadcast granules
- Do not apply by air
- User must allow at least 3 days between last application and harvesting of sod

GOLF COURSE AND SOD FARM TURFGRASS

CROPS	PESTS CONTROLLED	RATE OF ORTHENE TURFGRASS & CONTAINER GROWN NURSERY STOCK 15 GRANULAR PER ACRE	REMARKS
Golf Course and Sod Farm Turfgrass	Armyworms Mole Crickets Cutworms Chinch Bugs Sod Webworms Spittlebugs	Sod Farm Turfgrass 20 lbs /A (0 46 lb per 1 000 sq ft) Golf Course Turfgrass 27 lbs /A (0 62 lb per 1 000 sq ft)	Apply using broadcast ground equipment accurately calibrated to uniformly apply a granular pesticide Repeat application may be necessary Do not apply at more than 1 week intervals Do not allow livestock to graze treated areas Do not feed treated grass to livestock

STORAGE AND DISPOSAL

Do not contaminate water food or feed by storage disposal or cleaning of equipment

PESTICIDE STORAGE

Keep pesticide in original container
Store in cool dry place Protect from excessive heat
Do not contaminate food or foodstuffs
Do not store or transport near feed or food
For help with any spill leak fire or exposure involving this material call day or night **1 323 264 3910**

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 Complete empty bag into application equipment Do not reuse container Dispose of empty bag in a sanitary landfill or by incineration or if allowed by State and local authorities by burning If burned stay out of smoke

LIMITED WARRANTY AND DISCLAIMER

The manufacturer warrants (a) that this product conforms to the chemical description on the label (b) that this product is reasonably fit for the purposes set forth in the directions for use subject to the inherent risks referred to herein when it is used in accordance with such directions and (c) that the directions warnings and other statements on this label are based upon responsible experts evaluations of reasonable tests of effectiveness of toxicity to laboratory animals and to plants and residues on food crops and upon reports of field experience Tests have not been made on all varieties of food crops and plants or in all states or under all conditions

THERE ARE NO EXPRESS WARRANTIES OTHER THAN THOSE SET FORTH HEREIN TO THE EXTENT CONSISTENT WITH APPLICABLE LAW THE MANUFACTURER NEITHER MAKES NOR INTENDS NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTIES EXPRESS OR IMPLIED AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OF FITNESS FOR A PARTICULAR PURPOSE OR ANY WARRANTY OF QUALITY OR PERFORMANCE THIS WARRANTY DOES NOT EXTEND TO AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS WARNINGS OR CAUTIONS

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW BUYER S EXCLUSIVE REMEDY AND MANUFACTURER S OR SELLER S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS LOSSES DAMAGES OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER OR NOT BASED IN CONTRACT NEGLIGENCE STRICT LIABILITY IN TORT OR OTHERWISE SHALL BE LIMITED AT THE MANUFACTURER S OPTION TO REPLACEMENT OF OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED TO THE EXTENT CONSISTENT WITH APPLICABLE LAW MANUFACTURER OR SELLER SHALL NOT BE LIABLE FOR SPECIAL INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT

AMVAC offers this product and Buyer accepts it subject to the foregoing Limited Warranty which may be varied only by agreement in writing signed by an authorized representative of AMVAC

Orthene is a registered trademark of OMS Investments Inc

AMVAC Chemical Corporation
4100 E Washington Boulevard
Los Angeles CA 90023 U S A
1 323 264 3910