



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

March 22, 2024

Arianna Shorey, Agent
Chemstarr, LLC
c/o Pyxis Regulatory Consulting Inc.
4110 136th St. Ct. NW
Gig Harbor, WA 98332

Subject: Label Amendment – Implementing Chlorpyrifos Biological Opinion (BiOp)
Mitigation and General Updates
Product Name: CHLORPYRIFOS 61.5% MUP
EPA Registration Number: 81964-21
Application Dates: September 9, 2022 and September 9, 2022
Case Numbers: 472326 and 558156

Dear Arianna Shorey:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all of the information submitted with your application to support the Registration Review of the above referenced product in connection with the Chlorpyrifos 2022 Biological Opinion and has concluded that your submission is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. The next label printing of this product must use this labeling unless subsequent changes have been approved. In accordance with 40 CFR § 152.130(c), you may distribute or sell this product under the previously approved labeling for 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR § 152.3.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a website

is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6.

If you have any questions, please contact Briana Hanlon at (202) 566-2716 or at hanlon.briana@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Walsh', is positioned above the printed name.

Michael Walsh
Product Manager 11
Invertebrate & Vertebrate Branch 2
Registration Division
Office of Pesticide Programs

Attachment

{Note to Reviewer: Brackets [] denote optional text that may or may not be on the final printed label. Parentheses () denote text that will appear on the label in parentheses. Braces { } denote notes to the reviewer that will never appear on the final printed label.}

CHLORPYRIFOS 61.5% MUP

An insecticide for formulating use only

ACTIVE INGREDIENT:

Chlorpyrifos: O,O-diethyl O-(3,5,6-trichloro-2-pyridinyl) phosphorothioate 61.5%

OTHER INGREDIENTS* 38.5%

TOTAL: 100.0%

Contains 6 pounds active ingredient per gallon.

* Contains petroleum distillate

KEEP OUT OF REACH OF CHILDREN CAUTION AVISO

PRECAUCION AL USUARIO:

Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

| FIRST AID | |
|---|---|
| Chlorpyrifos is an organophosphate, cholinesterase inhibitor. | |
| 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 the poison control center or doctor.• Do not give anything by mouth to an unconscious person. |
| 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. |
| 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. |
| NOTE TO PHYSICIAN | |
| Chlorpyrifos is a reversible cholinesterase inhibitor. Atropine Sulfate is antidotal. Start treatment by giving 2 mg atropine by injection after cyanosis is overcome and repeat atropine at 0.4 to 4 mg every 15 minutes until atropinization is achieved (tachycardia, flushing, dry mouth and mydriasis). Oximes such as 2-PAM/protopam are also antidotal, but only in conjunction with atropine. Observe to insure symptoms do not recur as atropinization wears off. Morphine, theophyllins, phenothiazines and reserpine are probably contraindicated. This product may pose an aspiration pneumonia hazard. Contains petroleum distillate. Consideration should be given to gastric lavage with endotracheal tube in place. Treatment is controlled removal of exposure followed by antidotal, symptomatic and supportive care. | |
| 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 CHEMTREC at 1-800-424-9300 for emergency medical treatment information. | |

EPA Reg. No. 81964-21

EPA Est. No.

Batch No. [See Container]

Manufactured for:

Chemstarr, LLC

21 Hubble

Irvine, CA 92618

NET CONTENTS: _____

ACCEPTED

03/22/2024

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 81964-21

PRECAUTIONARY STATEMENTS
Hazards To Humans and Domestic Animals
CAUTION

Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds and wildlife, and extremely toxic to fish, aquatic organisms, and bees. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA

PHYSICAL OR CHEMICAL HAZARDS

Combustible; Do not use or store the product near heat or open flame.

DIRECTIONS FOR USE

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

This product may only be formulated into registered end-use products with EPA-approved labeling that contains the language and restrictions per the conservation measures listed in the Description of the Action in the National Marine Fisheries Service Nationwide Final Revised Biological Opinion: Chlorpyrifos, Diazinon, Malathion, dated June 30, 2022.

This product may only be formulated into registered end-use products with EPA-approved labeling that contains the following language and restrictions (to be placed at the beginning of the "Directions for Use" section of all end-use product labels):

"ENDANGERED SPECIES PROTECTION REQUIREMENTS: It is a Federal offense to use any pesticide in a manner that results in an unauthorized "take" (e.g., kill or otherwise harm) of an endangered species, and certain threatened species, under the Endangered Species Act section 9. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. You must obtain a Bulletin no earlier than six months before using this product. To obtain Bulletins, consult <http://www.epa.gov/espp/>, call 1-844-447-3813, or email ESPP@epa.gov. You must use the Bulletin valid for the month in which you will apply the product."

This product may only be formulated into registered end-use products with EPA-approved labeling that contains the following language and restrictions (to be placed at the beginning of the "Directions for Use" section, after the "Endangered Species Protection Requirements" section of all end-use product labels):

"Reporting Ecological Incidents: To report ecological incidents, including mortality, injury, or harm to plants and animals, call [registrant phone number]."

Prohibited Uses

This product may NOT be used for formulation into manufacturing-use or end-use products for the following uses:

- **Aquatic Uses [Aquatic Food Crop, Aquatic Non-Food]:** Any aquatic use, including mosquito larvicide.
- **Termiticide Uses**

Any emulsifiable concentrate (EC) end-use product formulated from this product must be labeled as a restricted use product. All other end-use products formulated from this product (other than containerized baits in child-resistant packaging) must be either labeled as restricted use products or packaged in containers no smaller than 15 gallons of a liquid formulation or 25 pounds of a dry formulation.

Only for formulation into an insecticide for the following uses(s):

1. Pest Control Indoors (indoor residential)
 - Containerized baits in child-resistant packaging.
2. Pest Control Indoors (indoor non-residential)
 - Warehouses, ship holds, railroad boxcars, industrial plants, manufacturing plants.
3. Pest Control Outdoors (terrestrial non-food, domestic outdoor)
 - Public health uses of fire ant individual mound treatment and mosquito adulticide control (state, county, local or any other public health agency use only).
 - Underground utility cable and conduits (in non-residential sites).
 - Sewer manhole lids and walls
4. Non-residential Turf and other Outdoor Areas (terrestrial non-food)
 - Turf use limited to golf courses, road medians and industrial plant sites (provided the use rate is no greater than 1 lb. ai/acre).
 - Turf and ornamentals in road medians; turf and ornamentals in industrial plant sites (provided that the use rate is no greater than 1 lb. ai/acre).
5. Ornamentals - commercial production only (terrestrial non-food, commercial greenhouse non-food)
 - Soil treatment of potted, containerized, and balled and burlapped nursery stock plants in nurseries and greenhouses only.
 - Flowers, plants, shrubs, evergreens, including conifers, vines, shade and flowering trees in nurseries or greenhouses only.
6. Forest trees (forestry)
 - Forest nursery plantings for transplant purposes, plantations and tree farms, cut stumps, felled trees, transplant trees.
7. Uses for which US EPA has accepted the required data and/or citations of data that the Formulator has submitted in support of registration excluding any use strictly prohibited by this label.
8. Uses for Experimental Purposes that are in compliance with US EPA requirements.

This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

Formulators using this product are responsible for obtaining EPA registration of their product.

This material requires further mixing before use. **Read all directions carefully.**

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Avoid storage above 122°F (50°C) for extended periods of time. Protect from moisture, Avoid contamination with water, acids, or alkalies. Keep container closed. Do not use or store near heat, open flame or hot surfaces.

Keep out of reach of children and animals. Store in original containers only in a locked storage area. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter, commercial clay or gel absorbents. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

PESTICIDE DISPOSAL: Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative of the nearest EPA

Regional Office for guidance.

CONTAINER HANDLING:

Metal/Plastic Containers greater than 5 gallons:

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or a rinsate collection system. Repeat this rinsing procedure two more times. Then, offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration.

Returnable/Refillable Sealed Containers: Do not break seals. Return intact to point of purchase or location authorized by distributor.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of ChemStarr, LLC or Seller. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold ChemStarr, LLC and Seller harmless for any claims relating to such factors.

ChemStarr, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or ChemStarr, LLC, and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CHEMSTARR, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent consistent with applicable law, neither ChemStarr, LLC nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF CHEMSTARR, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF CHEMSTARR, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

ChemStarr, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of ChemStarr, LLC.

[EPA APPROVAL DATE; BiOp AMEND]