

EEE BRANCH REVIEW

DATE: IN \_\_\_\_\_ OUT \_\_\_\_\_ IN 1/21/77 OUT 2/3/77 IN \_\_\_\_\_ OUT \_\_\_\_\_

FISH & WILDLIFE

ENVIRONMENTAL CHEMISTRY

EFFICACY

FILE OR REG. NO. 475-173

PETITION OR EXP. PERMIT NO. \_\_\_\_\_

DATE DIV. RECEIVED 1/19/77

DATE OF SUBMISSION 1/19/77

DATE SUBMISSION ACCEPTED 3C1D - No - 2B

TYPE PRODUCT(S): (I,) D, H, F, N, R, S \_\_\_\_\_

PRODUCT MGR. NO. 12

PRODUCT NAME(S) BLACK FLAG ANT TRAP WITH DAYSON

COMPANY NAME Boyle Midway

SUBMISSION PURPOSE Waiver

CHEMICAL & FORMULATION 2-(1-methylethoxy) phenol methylcarbamate

1. Introduction

Registrant requests a waiver from ".... acute toxicological, phytotoxicity and fish and wildlife data as noted in the attached." Although the registrant does not specifically request waiver of the environmental chemistry data requirements, the "attached" material indicates such intent.

The product name is Black Flag Ant Trap with Baygon and contains 2% of the active ingredient [2-(1-Methylethoxy) phenol methyl carbamate.

2. Directions for Use

Black Flag Ant Trap with Baygon. Guaranteed to kill Fire Ants, Carpenter Ants and other Sweet and Grease Eating Ants.

Punch in all side holes. Place traps under sinks, behind refrigerators, in cupboards and other areas where ants are seen. Also place traps at entry points and outside along trails and nest areas. Ants may die in or near the trap. The reduction of ant population may not be observable for a number of days. Ants may carry food back to the nest where more ants are poisoned and die. Replace traps as necessary.

3. Discussion of Data

No environmental chemistry data submitted.

The proposed use pattern of the product is considered to be a combination of indoor uses and outdoor uses. The indoor uses are specifically a) under sinks, b) behind refrigerators, c) in cupboards, d) at entry points. The outdoor uses are specifically e) outside along trails and f) "outside .... nest areas". The use direction "Place ... in ... other areas where ants are seen" is ambiguous and may be construed as either indoor use or outdoor use or both.

Indoor uses such as under sinks, behind refrigerators, in cupboards and at entry points are not at this time subject to environmental chemistry data requirements. Since indoor uses are not subject to environmental chemistry data requirements, the procedures for waiver of data

requirements do not apply. In addition, the acceptance of the waiver request for these indoor uses would imply that such uses are subject to environmental chemistry.

The outdoor uses are subject to environmental chemistry data requirements. The outdoor uses are "outside....along trails and nests". Since outdoor uses are subject to environmental chemistry data requirements, such data requirements may appropriately be addressed by request for waiver, which the registrant has requested.

Reviewer concludes that the intended use pattern of the product is either Domestic Outdoor or General Non-Crop as defined by the current operating procedures for registration.

The environmental chemistry data requirements for domestic outdoor use pattern are hydrolysis study, aerobic soil metabolism study, and field dissipation study. For general non-crop use pattern the environmental chemistry data requirements are hydrolysis study, aerobic soil metabolism study, microbial metabolism study, leaching study, field dissipation study, and fish residue uptake study.

Registrant submits document very similar to the checklist provided by the OPP-data catalogue contractor for computer-accession of data. Since the checklist bears little resemblance to data requirements under current operating procedures, it is not appropriate to respond to the checklist. The "reasons for waiver" of various data requirements are essentially that the product never leaves the container during time of use and when the container is ineffective for any reason it is discarded and replaced by fresh container. Registrant's "reason" that product never leaves the container and therefore can do no environmental damage via soil contamination, water contamination etc. is easily rebutted by the registrant's own label claims. The label states "Ants may carry food back to the nest where more ants are poisoned and die". Efficacy data submitted previously by the registrant confirms the movement of the product out of the container and into the ant nests. When the product enters the nest, the active ingredient has, in fact, entered the environment and is no longer in the container. Once the ants have removed the product from the

container into nests, the container and the user have no control over the product and therefore environmental chemistry data is required to assess unreasonable adverse effects on the environment. The registrant's "reasons for waiver" are invalidated by the peculiar sociological habits of the target pests, and the pesticide enters the environment in uncontrolled and uncontrollable manner.

#### 4. Conclusions

Registrant intends use in both outdoor and indoor use patterns. Since indoor use patterns are not subject to environmental chemistry data requirements, at this time, the request for waiver of data requirements for indoor uses must be denied.

Outdoor use patterns must be supported by environmental chemistry data, either submitted or referenced, or the data requirement waived. Registrant's reason for waiver, that the product never leaves the container and never enters the environment is contradicted by the registrant's own statement that the material is removed from container by ants and taken back into the nests.

#### 5. Recommendations

No recommendations, since there is no environmental chemistry data upon which to form an opinion on unreasonable adverse effects on the environment.

The indoor uses such as

- a) under sinks
- b) behind refrigerators
- c) in cupboards
- d) at entry points

are not subject to environmental chemistry data requirements at this time and therefore the request for waiver is inappropriate and is denied.

The outdoor uses such as

- a) along trails
- b) nests

are subject to environmental chemistry data requirements. The request for waiver of these data requirements is denied, since the registrant's basic contention that the product never leaves the container and never enters the environment is contradicted by the label statement that ants remove food from the container and carry the product back to the nest. The product does indeed enter the environment in an essentially uncontrollable manner, and the data requirements apply.

The following are the data requirements under current operating procedures.

For domestic outdoor uses (around areas associated with the homelife) a hydrolysis study, an aerobic soil metabolism study and a field dissipation study are required.

For general non-crop areas (not associated with homelife) a hydrolysis study, an aerobic soil metabolism study, microbial metabolism study, leaching study, field dissipation study and fish residue uptake study.

*RW Cook 2/23/77*

Ronald E. Ney, Jr. 2/3/77  
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