

100-1015

11/18/2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

NOV 18 2003

Mr. Fred J. Pearson
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419-8300

Subject: Amendment Updating First Aid per PR Notice 2001-1
Tefluthrin Technical
EPA Reg. No. 100-1015
Your Submission Dated September 3, 2003

Dear Mr. Pearson:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments below. Two copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. As stated in the Agency's October 8, 2002 letter, the First Aid statements must be located on the front panel of the label as required for any product which has been classified in Toxicity Category I on the basis of oral, inhalation or dermal toxicity [40 CFR 156.10(h)(1)(iii)]. Please ensure that the First Aid statements appear on the front panel in the finished labeling.
2. As stated in the Agency's October 8, 2002 letter, you must correct the typographical error in the second to last sentence of the Environmental Hazards. The word "with" should be changed to "without", so that the revised sentence reads: "Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority."
3. Under "Conditions of Sale and Limitation of Warranty and Liability", revise the beginning of the statement which reads "In no event shall Syngenta or seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product." As currently written, the statement negates and/or detracts from labeling requirements as set forth by the Agency in 40 CFR Part 156, and is, therefore, considered misbranding. The statement must be revised to read "To the extent allowed by law, Syngenta or seller shall not be liable ..."

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If you have any questions regarding this action, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,



George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505C)

Enclosure

Tefluthrin Technical

For Further Manufacturing Into End-Use Products Labeled ONLY For at Planting, and/or at cultivation, and/or Soil Incorporated Applications

Active Ingredients:

Tefluthrin: (2,3,5,6-tetrafluoro-4-methylphenyl)methyl-(1 α ,3 α)-(Z)-(+)-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate 92.0%

Other Ingredients: 8.0%

Total: 100.0%

KEEP OUT OF REACH OF CHILDREN.



DANGER/PELIGRO
POISON



ACCEPTED
with COMMENTS
In EPA Letter Dated:
NOV 18 2003
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
100-1015

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 additional precautionary statements and directions for use on label.

EPA Reg. No. 100-1015
EPA Est.

Product of XXXX

Product ID. XXXX

SCP 1015A-M(draft first aid)

Net Contents

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 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 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
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
<p>HOT LINE NUMBER For 24 Hour Medical Emergency Assistance (Human or Animal) or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident), Call 1-800-888-8372</p>	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals



**DANGER/PELIGRO
POISON**

Fatal If Swallowed, Inhaled or Absorbed Through Skin. Causes Substantial But Temporary Eye Injury. Do not get in eyes, on skin, or on clothing. Do not breathe dust. Wear protective head, foot, and body covering, rubber gloves and a Racal Air Stream Easy 5 or comparable full-face respirator, approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health.

when handling. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash before reuse.

Environmental Hazards

This pesticide is very highly toxic to freshwater and estuarine fish and invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other 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 with previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

CONDITIONS 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 should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Buyer is solely responsible for any risks created by the use or uses to which it or any User puts this product. SYNGENTA CROP PROTECTION, INC. shall not be responsible for any risks caused by the incorporation of this product into an end use product by Buyer or User. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Syngenta and Seller harmless for any claims relating to such factors.

Syngenta 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 Syngenta, and Buyer and User assume the risk of any such use. SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall Syngenta or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF SYNGENTA 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 SYNGENTA OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

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

DIRECTIONS FOR USE

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

This product is intended for further manufacturing of end-use pesticide products labeled only for at planting, and/or at cultivation, and/or soil incorporated applications.

Formulators using this product are responsible for obtaining EPA registration for their formulated product which may be labeled for the use patterns as listed on this label.

Only for formulation into an insecticide for the following use:

1. Terrestrial Food: Corn (field corn, popcorn, seedcorn, and sweet corn) and for commercial seed treatment of field corn, popcorn, seedcorn, and sweet corn.
2. Terrestrial Nonfood: For use as a quarantine treatment against Imported Fire Ants and for containerized and balled nursery stocks.
3. Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
4. Uses for experimental purposes that are in compliance with USEPA requirements.

STORAGE AND DISPOSAL

Prohibitions

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

Storage

Keep container closed when not in use. In case of spill or leak on floor or paved surfaces, sweep up and remove to chemical waste area.

Pesticide Disposal

Pesticide wastes are acutely hazardous. 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.

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Container Disposal

Metal Containers: Triple rinse (or equivalent); then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or alternatives allowed by State and local authorities.

Plastic Containers: Triple rinse (or equivalent); then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or alternatives allowed by State and local authorities.

Glass Containers: Triple rinse (or equivalent), then dispose of in a sanitary landfill or by other approved state and local procedures.

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For non-emergency (e.g. current product information) call
Syngenta Crop Protection at 1-800-334-9481.

Syngenta Crop Protection, Inc.
Greensboro, North Carolina 27409
www.syngenta-us.com

SCP 1015A-M(draft first aid)

TEF TEC 1015A-M(draft first aid) - lg - 8-25-03 000100-01015.20030903.firstaid.PDF

Chron

12/6/02 Notif – Added Spanish signal word and precautionary statement, modified warranty.

8/03 – Draft- Revised First Aid per PR Notice 2001-1 and added “Peligro” and skull and crossbones under the “Precautionary Statements” section