

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

AUG 0 6 2009

Ms. Pat Dinnen Label Group Leader, Regulatory Affairs Syngenta Crop Protection, Inc. P.O. Box 18300 Greensboro, NC 27419-8300

Subject: Label Notification for Pesticide Registration Notices 2007-4 (EPA Registration Number 100-1078)

Dear Ms. Dinnen,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated March 24, 2009 for the product Scimitar[®] CS Insecticide (EPA Registration Number 100-1078). The Registration Division (RD) has conducted its review of this request for its applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. The label submitted with the application has been stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,

Linda Arrington

Notifications & Mirror Formulations Team Leader

C. Halloman

Registration Division (7505P) Office of Pesticide Programs

	United State	tes	Registration	OPP Identifier Number	
⊕EPA	Environmental Prote	Environmental Protection Agency		Notification	
	Washington, DC	- ·	× Other		
	Applic	cation for Pesticide - S	Section I		
. Company/Product		2. EPA Prod	duct Manager 3.	Proposed Classification	
00-1078	(Name)	Kimberly Nes		Name Destricts	
. Company/Product		PM# 1	4	x None Restricte	
	of Applicant (Include ZIP Code)		ed Review. In accordance wit	h FIFRA Section 3(c)(3) (b)(i).	
Syngenta Cr	op Protection, Inc.	my product is s	similar or identical in compositi	on and labeling to:	
P. O. Box 16 Greensboro,		EPA Reg. No.	NOTIF	CATION	
Chec	k if this is a new address	Product Name	AUL-	0-6-2009	
		Section - II			
Amendment - E	Explain below.		Final printed labels in respo	nse to	
Resubmission	in response to Agency letter dated _		Agency letter dated "Me Too" Application.		
X Notification - E	xnlain below		Other - Explain below.		
			<u> </u>		
explanation : Use ac	dditional page(s) if necessary. (F	or Section I and Section I	l.).		
Natification of labol	ahanaa nan DD Nation 2007 4	This Notification is son	aistant with the avidence	of DD Notice 2007 4 and	
	change per PR Notice 2007-4.				
	's regulations at 40 CFR §§156				
	Confidential Statement of Form				
willfully make any fa	alse statement to EPA. I further	understand that if the ame	ended label is not consister	nt with the requirements of	
CFR 88156.10, 156	.140, 156.144, 156.146, and 1:	56.156, this product may	v be in violation of FIFE	RA and I may be subject	
	nd penalties under sections 12 ar		,		
Syngenta is amendin 2007-4.	g the Storage and Disposal sect	tion of the label by Notif	cation according to the d	irections stated in PR Not	
		Section – III			
. Material This Proc	duct Will Be Packaged In:				
Child-Resistant Packagi		Water Soluble Pa	ackaging 2. Type o	f Container	
Yes*	Yes x No	Yes No	x	Metal Plastic	
		LA_140	 ^.	Glass	
Certification must	If "Yes" No.	per If "Yes"	No. per	Paper	
e submitted	Unit Packaging wgt. Cor	ntainer Unit Packaging wgt	t. container	Other (Specify)	
Location of Net Co	ntents Information 4.	Size(s) Retail Container	5. Location o	f Label Directions	
	1 pt.		<u> </u>	abel	
x Label	Container		On L	abeling accompanying produc	
6. Manner in Which L	abel is Affixed to Product	Lithograph	x Other <u>Pressure</u>	e Sensitive	
		Paper glued			
		Stenciled			
Combant Batata (C.	and the terms of the after the terms to the after the af	Section – IV	4-4-4 (5	46 in 15 41 1	
l. Contact Point <i>(Col</i> Name	mplete items directly below for identif	fication of individual to be con		ss this application.) phone No. (Include Area Code	
iame Pat Dinnen	•	Label Group Leader			
				632-2494	
		ertification		6. Date Application	
	tements I have made on this form an	ertification and all attachments thereto are		6. Date Application Received	
I acknowledge that	tements I have made on this form an any knowingly false or misleading st	ertification and all attachments thereto are		6. Date Application	
	tements I have made on this form an any knowingly false or misleading st	ertification and all attachments thereto are		6. Date Application Received	

Regulatory Specialist

5. Date March 24, 2009

Pat Dinnen

4. Typed Name Pat Dinnen

Syngenta Crop Protection, Inc. P.O. Box 18300 Greensboro, NC 27419-8300 www.syngenta.com



FedEx

March 24, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Attention: Ms. Linda Arrington

SUBJECT: SCIMITAR® CS INSECTICIDE

EPA REG. NO. 100-1078

NOTIFICATION OF LABEL CHANGE PER PR NOTICE 2007-4

Syngenta Crop Protection, Inc. is submitting Notification for Scimitar CS Insecticide, EPA Reg. No. 100-1078. Syngenta is amending the Storage and Disposal section of the label by Notification according to the directions stated in PR Notice 2007-4.

Attached are:

- One copy of the label with the changes clearly marked
- One unmarked copy of the label
- A CD of the unmarked copy of the label for "Electronic Comparison and Review"
- Certificate with Respect to Label Integrity Form
- Completed EPA Form 8570-1

Thank you in advance for approving this Notification. If you have any questions, please contact me at 336-632-2494.

Sincerely,

Pat Dinnen

Label Group Leader

Pot Dinner

Regulatory Affairs

Enclosures

Scimitar® CS Insecticide

For Use by Individuals/Firms Licensed or Registered by the State to Apply Pesticide Products. States May Have More Restrictive Requirements Regarding Qualifications of Persons Using This Product. Consult the Pest Control Regulatory Agency of Your State Prior to Use of This Product.

For Use to Control Insect Pests on Ornamentals and Lawns in Landscaped Areas Around Residential, Institutional, Public, Commercial and Industrial Buildings, Parks, Recreational Areas and Athletic Fields

Active Ingredient: Lambda-cyhalothrin* $[1\alpha(S^*),3\alpha(Z)]\text{-}(\pm)\text{-cyano}(3\text{-phenoxyphenyl})\text{methyl-3-} \\ (2\text{-chloro-3,3,3-trifluoro-1-propenyl})\text{-2,2-} \\ \text{dimethylcyclopropanecarboxylate} & 9.7\% \\ \text{Other Ingredients:} & 90.3\% \\ \text{Total} & 100.0\%$

Contains 0.88 lb. active ingredient per gallon or 0.22 lb. active ingredient per quart.

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use inside booklet.

EPA Reg. No. 100-1078 EPA Est. No.

Product of the United Kingdom

SCP 1078A-M(3-25-03)

U.S. Standard Measure

^{*}Synthetic pyrethroid.

PIDAT AID				
	FIRST AID			
If swallowed	 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	Take off contaminated clothing.			
clothing	Rinse skin immediately with plenty of water for 15-20 minutes.			
3	Call a poison control center or doctor for treatment advice.			
If in eyes	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 inhaled	 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. 			
Have the product	container or label with you when calling a poison control center or			
doctor or going fo				
	HOT LINE NUMBER			
For 24	4 Hour Medical Emergency Assistance (Human or Animal)			
	emical Emergency Assistance (Spill, Leak, Fire or Accident) Call			
	1-800-888-8372			

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Harmful if absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic skin reactions in some individuals. Avoid contact with skin, eyes, or clothing. Avoid breathing spray mist or vapors. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

Environmental Hazards

This product is extremely toxic to fish. Do not contaminate water when disposing of equipment washwater. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Apply this

product only as specified on this label. Care should be used when making applications to avoid household pets, particularly fish and reptile pets.

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.

Use of this pesticide adjacent to water may affect aquatic organisms. To protect these organisms, do not apply this pesticide within 25 ft. of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds. In the state of New York, do not apply within 100 ft. of coastal marshes or streams that drain into coastal marshes.

Do not make applications when wind speed is 15 mph or greater.

Notify State and/or Federal authorities and Syngenta immediately if you observe any adverse environmental effects due to the use of this product.

Physical and Chemical Hazards

Do not use this product in or on electrical equipment due to the possibility of shock hazard.

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. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of SYNGENTA Crop Protection, Inc. or Seller. 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 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.

IMPORTANT: Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in interior plantscapes, ornamental gardens or parks, or on lawns or grounds.

Scimitar® CS may be used for applications to maintain indoor or outdoor areas where turf and ornamentals are grown such as residential landscaped areas and non-residential landscapes around institutional, public, commercial and industrial buildings, parks, recreational areas and athletic fields.

IMPORTANT: Time application to flowering plants during periods when pollinating insects are not present, such as early morning or late evening.

This product is restricted for use in New York State. Only for sale to, use and storage by certified applicators.

DO NOT APPLY THIS PRODUCT THROUGH ANY TYPE OF IRRIGATION SYSTEM.

DO NOT APPLY THIS PRODUCT TO EDIBLE CROPS.

DO NOT APPLY THIS PRODUCT BY AERIAL APPLICATION.

STORAGE AND DISPOSAL

Prohibitions

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

Storage

Keep container closed when not in use. Do not store near food or feed. Shake well before use. Protect from freezing. In case of spill or leak on floor or paved surfaces, soak up with sand, earth or synthetic absorbent. Remove to chemical waste storage area until proper disposal can be made.

Pesticide Disposal

Pesticide wastes are toxic. 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

Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Completely empty container into application equipment or a mix tank. 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 and disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of empty container in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

MIXING

Scimitar CS Insecticide is intended for dilution with water for spray application and may be used in all types of application equipment. Fill application tank with 1/2 - 3/4 volume of water. It is suggested that the water be 5 - 7 pH. Adjust water pH with a buffering agent if necessary. Slowly add Scimitar CS to applicator tank water with maximum agitation. If other chemicals are added to the applicator tank, Scimitar CS should be added last. Do not mix with EC formulations or oils. Fill tank to desired volume and continue to agitate while making applications. Shake or reagitate application equipment before use if application is interrupted. Make up only amount of application volume as required.

Compatibility

Scimitar CS has been found to be compatible with all commonly used fungicides, miticides, liquid fertilizers, and other insecticides. Check physical compatibility using the correct proportion of products in a small jar if local experience is unavailable.

- II	Post.	Amount of Coloritor CO
Use	Pest	Amount of Scimitar CS
Ornamentals in Residential Landscaped Areas and Landscaped Areas Around Institutional, Public, Commercial and Industrial Buildings, Parks, Recreational Areas, and Athletic Fields (Including Trees, Shrubs, Flowers, Evergreens, Foliage Plants and Groundcovers)	Ants (including Imported fire ants) Armyworms Azalea caterpillars Aphids Bagworms Black vine weevils (adult) Boxelder bugs Budworms California oakworms Cankerworms Cockroaches Crickets Cutworms Eastern tent caterpillars Elm leaf beetles European sawflies Fall webworms Flea beetles Forest tent caterpillars Gypsy moth larvae Japanese beetles (adults) June beetles (adults) Lace bugs Leaf-feeding caterpillars Leafhoppers Leafminers (adults) Leaf rollers Leaf skeletonizers Midges Mosquitoes Oleander moth larvae Pillbugs Pine sawflies Pine shoot beetles Pinetip moths Plant bugs Root weevils Sawflies Scale insects (crawlers) Spiders Spittlebugs Striped beetles Striped oakworms Thrips Tip moths Tussock moth larvae	1.5 - 5 fl. oz./ 100 gals. or 44 - 148 ml./ 100 gals.
	Wasps	

Use	Pest	Amount of Scimitar CS
	Broadmites Brown softscale California redscale (crawler) Clover mites Mealybugs Pineneedlescale (crawler) Spider mites	3 - 5 fl. oz./ 100 gals. or 88 - 148 ml./ 100 gals.
	Whiteflies	

Application to ornamentals should be started prior to the establishment of high insect pest populations. Make reapplications as necessary to keep pest populations under control, using higher rates as pest pressure increases.

Apply at 7-day intervals if treatment is necessary.

Do not apply more than 0.36 lbs. of the a.i. (52.4 fl. oz. of concentrate) per acre per year.

Good spray coverage is necessary to provide the most effective level of control. Addition of a spreader-sticker at recommended rates may enhance the control of insects on certain species of ornamentals having waxy, hard to wet foliage.

For spot treatments use 0.5 fl. oz. Scimitar CS per 1 to 2-1/2 gals. of water.

Consult your state university or local Cooperative Extension Service office for specific pest control application timing in your area.

NOTE: While phytotoxicity testing has been carried out on a wide range of ornamental plants under various environmental conditions, and no phytotoxicity has been observed, certain cultivars may be sensitive to the final spray solution.

It is advised to prespray a selection of ornamental plants and observe them for 7 - 10 days prior to treating large areas if local use experience is unavailable.

Scale

Thoroughly cover the plant with Scimitar CS spray, including trunks, stems, twigs and foliage for control of scale insects.

Bagworm

Apply Scimitar CS when bagworm larvae begin to hatch. Spray directly on the larvae. Application is the most effective when the larvae are young

Scimitar CS Mixing Chart For Ornamental Insect Pest Control (Scimitar CS to add per spray tank)

Rate of Scimitar CS	25 gals.	50 gals.	100 gals.	200 gals.	300 gals.
1.5 oz.	0.4 oz.	0.8 oz.	1.5 oz.	3.0 oz.	4.5 oz.
3 oz.	0.8 oz.	1.5 oz.	3.0 oz.	6.0 oz.	9.0 oz.
5 oz.	1.3 oz.	2.5 oz.	5.0 oz.	10.0 oz.	15.0 oz.

Use	Pest	Amount of Scimitar CS
Lawns around Residential, Institutional, Public, Commercial and Industrial Buildings, Parks, Recreational Areas and Athletic Fields	Ants (including Imported fire ants) Armyworms Centipedes Crickets Cutworms Earwigs Fleas (adult) Grasshoppers Japanese beetles (adult) Millipedes Mites Pillbugs Sod webworms Sow bugs Ticks (including species which transmit Lyme disease)	3.4 - 7 ml./1000 sq. ft. or 5 - 10 fl. oz./A
	Bluegrass billbug (adult) Black turfgrass ataenius (adult) Chiggers Fleas (adult) Grubs (suppression) Hyperodes weevils (adult) Mole crickets (nymphs and young adults)	7 ml./1000 sq. ft. or 10 fl. oz./A
	Mole Crickets (mature adults) Chinch Bugs (Not for use on mature adult Mole Crickets and Chinch Bugs in New York state.)	14 ml./1000 sq. ft. or 20 fl. oz./A

Application to turf should be started prior to the establishment of high insect pest populations and significant turf damage. Make reapplications as necessary to keep pest populations under control, using higher rates as pest pressure increases.

Apply at 7-day intervals if treatment is necessary.

Do not apply more than 0.36 lb. of a.i. (52.4 fl. oz. of concentrate) per acre per year.

For spot treatments use 0.5 fl. oz. of Scimitar CS per 1 to 2-1/2 gals. of water.

Do not apply when turfgrass is waterlogged or when soils are saturated with water (i.e. will not accept irrigation).

Keep children and pets off treated areas until spray has dried following the application.

Surface Insect Control (armyworm, cutworms, fleas, etc.)

For best results apply Scimitar CS at recommended rates in 2 - 5 gals. of water/1,000 sq. ft. The use of a spreader-sticker may be useful if high rainfall amounts are forecast, otherwise the addition of adjuvants is not necessary under normal conditions for surface insect control in turf. Delay watering or mowing for 12 - 24 hrs. for optimum control of surface-feeding insect pests.

Thatch Inhabiting Insect Control (chinch bugs, billbugs, etc.)

For best results apply Scimitar CS at recommended rates in 2 - 10 gals. of water/1,000 sq. ft. The use of a non-ionic wetting agent, penetrant or similar adjuvant is recommended at label rates. Lightly irrigate after application with up to 1/2 inch of water to move the Scimitar CS into the thatch layer. If irrigation is not available, then use high water application rates for optimum results.

Subsurface Insect Control (mole crickets, grubs, etc.)

For best results apply Scimitar CS at recommended rates in 4 - 10 gals. of water/1,000 sq. ft. The use of a non-ionic wetting agent, penetrant or similar adjuvant is strongly recommended following label rates. Use the highest water application rates possible with your sprayer. Apply Scimitar CS to turf wet with dew, rain or irrigation. Water-in immediately after application with 1/4 - 1/2 inch of water for optimum results.

Fire Ant Control

Treat individual mounds with a drench application using a watering can. Use 0.5 fl. oz. of Scimitar CS/2.5 gals. of water. Thoroughly soak each mound and a 3 ft. diameter circle around each mound. Gently apply the mixture to avoid disturbing the mound. Disturbing the mound may cause the ants to migrate and reduce the effectiveness of the treatment. For best results, apply in early morning or late evening hours. Make additional treatments as needed.

Mosquito Control

Apply as a general spray around landscape plantings, turf, and building foundations to control mosquitoes. For best results apply Scimitar CS at recommended rates in 2 - 5 gals. of water/1,000 sq. ft.

Scimitar CS Mixing Chart for Turf Insect Pest Control (Scimitar CS to add per 100 gal. spray tank)

Rate of Scimitar CS	Application Rate Per 1,000 Sq. Ft. of Turf				
	2 gal.	4 gal.	6 gal.	8 gal.	10 gal.
5 oz./A	5.7 oz.	2.9 oz.	1.9 oz.	1.4 oz.	1.2 oz.
10 oz./A	11.5 oz.	5.7 oz.	3.8 oz.	2.9 oz.	2.3 oz.
20 oz./A	23.0 oz.	11.5 oz.	7.7 oz.	5.7 oz.	4.6 oz.
36 oz./A	41.3 oz.	20.7 oz.	13.8 oz.	10.3 oz.	8.3 oz.

Conversion Rate: 1 fluid ounce (fl. oz.) equals 29 milliliters (ml).

Scimitar® and the Syngenta logo are trademarks of a Syngenta Group Company.

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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 1078A-M(3-25-03

SCI CS 1078 MAS(3-25-03) PRN2007-4 NOTIF-MAR2009 – pl – 3/24/09 000100-01078.20090324.SCI-CS_PRN2007-4_MAR2009.pdf

Chron

5/30/02 - Syngenta format

3/25/03 – Revised first Aid per PR Notice 2001-1 as required by EPA letter of 10/29/02.

3/24/09 - Revised Container Rule PR Notice 2007-4.

NOTIFICATION AUG 0 6 2009