

100-1270

05107/2009

1/7



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

5/7/2009

Carolyn Brinkley
Syngenta Crop Protection, Inc.
PO Box 18300
Greensboro, NC 27419

Subject: Emamectin Benzoate Technical II, EPA Reg. # 100-1270
label amendment submitted 4/9/2009
accepted with comments

Dear Ms. Brinkley:

This label amendment adds a new use on tree nuts crop group 14 and pistachios. The revised labeling submitted in connection with the registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is conditionally acceptable provided you:

1. In the Directions for Use, add "14" so the new text reads "Tree nuts crop group 14 plus pistachios."
2. Submit two copies of the final printed label before you release the product for shipment.

If the above provisions are not complied with the registration will be subject to cancellation in accordance with FIFRA Section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

A copy of the label stamped "accepted with comments" is enclosed for your records.

Sincerely yours,

A handwritten signature in black ink, appearing to be "THS".

Thomas C. Harris
Insecticide / Rodenticide Branch
Registration Division (7505C)
Office of Pesticide Programs
harris.thomas@epa.gov
(703) 308-9423

enclosure

2/7

Emamectin Benzoate Technical II

An insecticide for formulation into end-use insecticide products intended for non-domestic terrestrial outdoor food use.

Active Ingredient:

Emamectin Benzoate (CAS No. 155569-91-8)..... 97.0%

Other Ingredients: 3.0%

Total: 100.0%

KEEP OUT OF REACH OF CHILDREN

WARNING/AVISO

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. 100-1270

EPA Est. xxxxx

Product of xxxxx

Product ID. xxxx

SCP 1270A-M(draft treenuts)

Net Contents

**ACCEPTED
With COMMENTS
In EPA Letter Dated:
MAY - 7 2009**

**Under the Federal Insecticide, Fungicide
and Rodenticide Act, As amended, for the
pesticide Registered under EPA Reg. No:**

100-1270

000100-01270.20090305.treenuts.pdf

FIRST AID	
If swallowed	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip 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 inhaled	<ul style="list-style-type: none">• Move person to fresh air.• If person is not breathing, call 911 or an ambulance, and then give artificial respiration, preferably 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.
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.
NOTE TO PHYSICIAN	
<p>Probably mucosal damage may contraindicate the use of gastric lavage. Early signs of intoxication include dilated pupils, muscular incoordination, and muscle tremors. If toxicity from exposure has progressed to cause severe vomiting, the extent of resultant fluid and electrolyte imbalance should be gauged. Appropriate supportive parenteral fluid replacement therapy should be given, along with other required supportive measures (such as maintenance of blood pressure levels and proper respiratory functionality) as indicated by clinical signs, symptoms, and measurements.</p> <p>In severe cases, observations should continue for at least several days until clinical condition is stable and normal. Since emamectin benzoate is believed to enhance GABA activity in animals, it is probably wise to avoid drugs that enhance GABA activity (barbiturates, benzodiazepines, valproic acid) in patients with potentially toxic emamectin benzoate exposure.</p>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
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	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

WARNING/AVISO

May be fatal if inhaled or swallowed. Causes moderate eye irritation. Harmful if absorbed through skin. Do not breathe dust. Avoid contact with skin, eyes, or clothing. The following protective clothing must be worn during all handling and formulation operations: airline mask or air supplied hood, chemical-resistant goggles and gloves, full body garments with shoe protectors and head cover. Disposable clothing is recommended. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

Environmental Hazards

This pesticide is toxic to fish, birds, mammals, and aquatic invertebrates. Do not discharge effluent containing this active ingredient into lakes, streams, ponds, estuaries, oceans, or other 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 into sewer systems without 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 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, 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. To the extent permitted by applicable law, 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. To the extent permitted by applicable law: (1) this warranty does not extend to the use of the product contrary to label instructions or under conditions not reasonably foreseeable to or beyond the control of Seller or SYNGENTA, and, (2) Buyer and User assume the risk of any such use. **TO THE EXTENT PERMITTED BY APPLICABLE LAW, SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS WARRANTED BY THIS LABEL.**

To the extent permitted by applicable law, in no event shall SYNGENTA be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT PERMITTED BY APPLICABLE LAW, 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.

Instructions to Formulators

Formulators using this product are responsible for obtaining Environmental Protection Agency registration for their formulated products.

This technical product may be used only for formulation of end-use insecticides for the uses listed below:

Agricultural crops (Terrestrial Food Crops):

- *Brassica* leafy vegetables crop group 5
- Cotton
- Fruiting vegetables (except cucurbits) crop group 8
- Leafy vegetables (except *Brassica*) crop group 4
- Pome fruit crop group 11
- Tree nuts crop group plus pistachios
- Tobacco
- Turnip greens (tops, leaves)*

*For use on turnip varieties grown for leaves only. Do not use on turnip varieties grown for roots or dual-purpose varieties grown for roots and leaves.

STORAGE AND DISPOSAL

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

Pesticide Storage

Store in a tightly closed original container in a cool, dry place. Do not store near food or feed.

Pesticide Disposal

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, 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 at the nearest EPA Regional Office for guidance.

7
7
7

Container Disposal

Bulk

Thoroughly clean container before reuse. Consult Federal, state, or local disposal authorities for approved alternative procedures.

250 Gal. Mini Bulk


This is a refillable container that must be returned to an authorized Syngenta refilling facility for refilling or disposal. Before refilling, inspect thoroughly for damage such as cracks, punctures, bulges, dents, abrasions, and damaged or worn threads on closure devices. After filling and before transporting, check for leaks. Do not refill or transport damaged or leaking container.

Other Containers

Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

CONTAINER IS NOT SAFE FOR FOOD, FEED, OR DRINKING WATER.

Note: For minor spills, leaks, etc. follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during clean up and disposal of wastes.

The Syngenta logo and the CP FRAME  are trademarks of a Syngenta Group Company.

©2009 Syngenta

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

Manufactured for:
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, North Carolina 27419-8300

SCP 1270A-M(draft treenuts)