

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



OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

August 5, 2010

Nathan P. Ehresman  
Nufarm Americas, Inc.  
150 Harvester Drive, Suite 200  
Burr Ridge, IL 60527

Dear Mr. Ehresman:

Subject: Amended labeling to add PHIs for fruit and nut tree use  
Mallet® 2.5G Insecticide  
EPA Reg. No. 228-502  
EPA Decision No. 436642  
Your submission dated June 7, 2010; resubmission dated August 5, 2010

The proposed labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, is acceptable with the following comments:

- On page 3, under the "Use Rate" section, revise the second sentence to read, "Use the high rate within the listed rate range for initial treatment...."
- On page 4, under the "How Much to Apply" section, add the units "increments" to the example calculation (i.e.,  $32 \times 0.75 = 24$  increments).
- On page 6, under the marketing claims, qualify ALL references to "insects" or "insect damage" to read "listed insects" and "listed insect damage."
- On page 6, delete the first two asterisked statements under claim 17. Comparisons to other products are not appropriate.
- On page 6, delete claim 20. The product does not treat containers.
- On page 6, revise claim 28 to read, "Up to year-long [protection/defense/control/prevention] for trees & shrubs."

In addition, 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 non-refillable containers. The code may appear either on the label or durably marked on the container itself. This information can be added by non-notification per PR Notice 98-10.

A stamped copy of the label is enclosed for your records. Submit two copies of your final printed labeling before you release the product for shipment. 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(e). If you have any questions, please contact me at (703) 308-8045 or eagle.venus@epa.gov.

Regards,



Venus Eagle, Product Manager (01)  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure

3/9

# Mallet<sup>®</sup> 2.5 G

## INSECTICIDE

FOR SYSTEMIC INSECT CONTROL IN ORNAMENTAL PLANTS

**ACTIVE INGREDIENT:**

Imidacloprid ..... 2.5%

**OTHER INGREDIENTS:** ..... 97.5%

**TOTAL:** ..... 100.0%

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

**SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS**

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300  
For Medical Emergencies Only, Call (877) 325-1840

ACCEPTED  
With COMMENTS  
In EPA Letter Dated:

AUG - 5 2010

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

228-502

EPA REG. NO. 228-502

EPA EST. NO. \_\_\_\_\_

MANUFACTURED FOR  
NUFARM AMERICAS INC.  
150 HARVESTER DRIVE  
BURR RIDGE, IL 60527  
800-455-2000



NET CONTENTS \_\_\_\_\_ GALS. ( \_\_\_\_\_ Liters)

4/9

**CAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
CAUTION**

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

<b>FIRST AID</b>	
<b>IF IN EYES</b>	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>IF ON SKIN OR CLOTHING</b>	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>HOT LINE NUMBER</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	
<b>NOTE TO PHYSICIAN</b>	
No specific antidote is available. Treat the patient symptomatically.	

**ENVIRONMENTAL HAZARDS**

This product is highly toxic to aquatic invertebrates. **DO NOT** apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark.

**DO NOT** contaminate water when disposing of equipment washwaters.

**Groundwater Advisory**

This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

**DIRECTIONS FOR USE**

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

5/9

**OPTION 1 (existing approved specific use directions, simplified method)**

This product comes ready to use with no mixing necessary. This product aids in ant management and controls sucking pests. It can be applied around shrubs and small trees by spreading directly beneath the base of the tree or shrub.

This product is for use on ornamental shrubs and small trees in outdoor landscapes and interior plantscapes. It is a systemic insecticide and will be taken up by the roots and translocated upward within the plant system. Therefore watering after application makes the product more available for uptake.

Systemic activity using this soil application treatment method can be delayed until the active ingredient is translocated throughout the plant. For this reason, applications work best when made prior to pest infestation or before pest populations become severe.

**INSECTS CONTROLLED**

Adelgids  
Aphids  
Black vine weevil (larvae in soil)  
Japanese beetle (adults)  
Lace bugs

Leaf beetles (including Elm leaf & Viburnum leaf beetles)  
Leafhoppers  
Psyllids  
Whiteflies (including fig [ficus] whitefly)

**WHERE TO APPLY**

Shrubs and small trees in outdoor landscapes and interior plantscapes.

**USE RATE**

Select rate according to height of shrub or tree: Up to 4 ft. – use ¼ to ½ cup; 4 to 8 ft. – use ½ to 1 cup. Use high rate for initial treatment and lower rates for re-application, if needed.

**HOW AND WHEN TO APPLY**

Spread appropriate rate evenly around the base of plant under foliage, whenever pests are seen or found. Re-apply as needed based on pest re-infestation or at 4 to 8 week intervals. Apply early before pest populations become severe. Irrigation or rainfall is necessary within 24 hours following application. Pull back mulch and weed barrier before application. **DO NOT** apply to frozen or water-logged areas, as this may decrease the product's effectiveness.

NOTE: 1 level cup is approximately 6 ounces of this product.

**ANT MANAGEMENT**

Use this product to control aphids and other sucking pests on ornamentals to limit the honey dew available as a food source for ant populations. Applications can then be supplemented with remedial sprays, bait placements or other ant control tactics to further reduce pest populations.

**USE RESTRICTIONS**

**DO NOT** apply near fish pools, ponds, streams or lakes.

**DO NOT** apply to soils which are frozen, waterlogged, or saturated which will reduce delivery of product into the root zone of the plants.

**DO NOT** apply more than 16 lbs of product (0.4 lbs ai) / acre or 0.37 lbs (6 oz.) of product / 1,000 square feet / year.

**DO NOT** use kitchen utensils to measure or apply this product

**OPTION 2 (new proposed alternative specific use directions for the application / yr)** <sup>6/9</sup>

This product comes ready to use with no mixing required. This product is for use on ornamental plantings in outdoor landscapes and interior plantscapes. It is a soil applied systemic insecticide and will be taken up by the roots and translocated upward within the plant system. Watering after application makes the product more available for uptake. Systemic activity can be delayed until the active ingredient is translocated throughout the entire plant.

**ORNAMENTAL PESTS CONTROLLED**

Adelgids	Leafminers (including Birch and Boxwood)
Aphids	Mealybugs
Armored Scales (suppression)	Pine tip moth larvae
<u>Borers</u>	Psyllids
Round-headed (including Eucalyptus longhorned)	Royal Palm bugs
Flat-headed (including Alder and Bronze birch)	Root weevil larvae (including Black vine weevil)
Bark beetles (suppression)	Sawfly larvae
Fungus Gnats	Soft scales (including lobate lac scales)
Japanese beetle (adults)	Thrips
Lace bugs	Whiteflies (including fig [figus] whitefly)
Leaf beetles (including Elm leaf & Viburnum leaf beetles)	White grub larvae (including Japanese beetle, Chafer, European chafer, Oriental beetle, Asiatic garden beetle)
Leafhoppers (including Glassy-winged sharpshooter)	

**WHERE TO APPLY**

For use on shade trees and other ornamental trees, including listed fruit and nut trees:

Apple	Loquat	Oriental Pear	Pecan
Crabapple	Mayhaw	Pear	Quince

For use on shrubs, and container plants in outdoor landscapes and interior plantscapes.

**WHEN TO APPLY**

Apply early before pest populations become severe. Irrigation or rainfall is necessary within 24 hours following application. See "USE RESTRICTIONS" section below for use on bearing fruit & nut trees.

**HOW MUCH TO APPLY**

**Tree with one trunk:** Measure distance (in inches) around tree trunk at chest height. A flexible tape measure is an appropriate method (tool). Apply [ \_\_\_ capfuls] [0.125 cup] (0.65 oz) of this product for each inch of distance around the trunk.

**Trees with multiple trunks:** Measure the distance (in inches) around each trunk at chest height and add together. Multiply this total by 0.75. This is the number of [ \_\_\_ capful] [0.125 cup] (0.65 oz) increments to apply around the tree trunk. Example: A tree has 3 trunks. They measure 16, 10, and 6 (inches) for a total of 32 (inches).  $32 \times 0.75 = 24$ .  $[24 \times 0.125 \text{ cups} = 3 \text{ cups}] [24 \times \text{ ___ capfuls} = \text{ ___ capfuls}] [24 \times 0.65 \text{ oz} = 15.6 \text{ oz}]$ .

**NOTE:** the amount needed for trees w/ multiple trunks is less than the amount needed for a single trunk tree of same total diameter.

**Shrubs:** Measure the height of the shrub to the nearest foot. Apply [ \_\_\_ capfuls] [0.375 cup] (2.0 oz) of this product for each foot (12-inches) of shrub height.

**Container plants:** Apply the quantity of this product specified for the size container being treated.

- 1 gallon container = 1 teaspoon [tsp]
- 3 gallon container = 1 tablespoon [tbsp]
- 5 gallon container = 1 ¼ tablespoon [tbsp]

[tsp= teaspoon] [tbsp= tablespoon]

**HOW TO APPLY**

Water in granules immediately after application with a sufficient volume of water to wet the soil to a depth of 3-4 inches. Before application, pull back any mulch or weed barrier that will inhibit even spreading and watering in of granules. Brush or wash off any granules adhering to plant foliage.

**Trees:** For trees with a distance around the trunk of [<] [less than] 30 ["] [inches] apply product to the soil in a circle around the tree a distance of approximately 2 feet out from the base of tree. For trees with a distance around the trunk of [>] [greater than] 30 ["] [inches] apply product to the soil in a circle 3-4 feet out from the base of the tree.

**Shrubs:** For shrubs [<] [less than] 3 feet tall, apply product evenly to the soil 1 foot out from the base of the shrub. For shrubs [>] [greater than] 3 feet tall, apply product evenly to the soil 2 feet out from the base of the shrub.

**Container plants:** Spread required amount of product evenly over the potting soil around the base of plant foliage and water thoroughly. For the first 10 days **DO NOT** water the container to the point that water overflows or leaks out the bottom of container. For indoor plantings, bring outdoors to make treatment and return plantings indoors when no excess water is present.

**USE RESTRICTIONS**

- DO NOT** apply near fish pools, ponds, streams or lakes.
- DO NOT** apply to soils which are frozen, waterlogged, or saturated which will reduce delivery of product into the root zone of the plants.
- DO NOT** make more than 1 application per year.

7  
29

**DO NOT** apply more than 16 lbs of product ( ) (s ai) / acre or 0.37 lbs (6 oz.) of product / ( ) square feet / year.  
**DO NOT** apply to bearing fruit trees (apple, crabapple, loquat, Mayhaw, pear, quince) within 21 days of harvest  
**DO NOT** apply to bearing nut trees (pecan) within 7 days of harvest.  
**DO NOT** use kitchen utensils to measure or apply this product.

**STORAGE AND DISPOSAL**

**DO NOT** contaminate water, food, or feed by storage or disposal.  
**PESTICIDE STORAGE:** Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, or feed. Store in original containers and out of the reach of children, preferably in a locked storage area.  
**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. Improper disposal of excess pesticide is a violation of Federal law.  
**SPILLS:** If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material.  
**DO NOT** walk through spilled material. Dispose of as directed for pesticides above, or apply uncontaminated product according to Directions For Use. Keep unauthorized people away. For chemical spill, leak, fire, or exposure, you may contact CHEMTREC at 800-424-9300.  
**CONTAINER DISPOSAL:** Nonrefillable container. **DO NOT** reuse or refill this container. Offer for recycling if available, or if recycling is not available, place empty container in trash.

**WARRANTY DISCLAIMER**

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

**LIMITATION OF LIABILITY**

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BYWAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you **DO NOT** agree with or **DO NOT** accept any of the directions for use, the warranty disclaimers, or limitations on liability, **DO NOT** use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV072910)

Mallet is a registered trademark of Nufarm Americas, Inc.

**NOTE TO REVIEWER:**

THE FOLLOWING MARKETING CLAIMS MAY APPEAR ON PRODUCT LABEL, ADVERTISING LITERATURE, AND WEBSITES FOR PRODUCTS UTILIZING **OPTION 1** SPECIFIC USE DIRECTIONS:

1. For use on outdoor landscapes and interior plantscapes.
2. (4 lbs) Treats 20 small trees or shrubs.
3. [Protects/Defends/Guards] Trees & Shrubs from listed insects.
4. [Protects/Defends/Guards] new growth
5. Systemic insecticide taken up by roots and carried through the entire plant.
6. Kills insects and prevents re-infestation

THE FOLLOWING MARKETING CLAIMS MAY APPEAR ON PRODUCT LABEL, ADVERTISING LITERATURE, and WEBSITES FOR PRODUCTS UTILIZING **OPTION 2** SPECIFIC USE DIRECTIONS:

1. [Protects/Defends/Guards] Trees & Shrubs from listed insects.
2. [Protects/Defends/Guards] trees, shrubs, and plants from insect damage with one easy treatment
3. [Protects/Defends/Guards] new growth
4. Systemic insecticide taken up by roots and carried through the entire plant.
5. Kills insects and prevents re-infestation
6. Ready to spread granules- no mixing
7. Up to 12 months [of insect] [Protection/Defense/Control/Prevention] [against insects]
8. Insect [Protection/Defense/Control/Prevention] for up to 12 months
9. [Protects/Defends/Guards] for up to 12 months
10. Provides up to [1,2... 12] months continuous release [Protection/Defense/Control/Prevention] [for trees] [&] [shrubs] [guaranteed! or your money back]
11. [concentrated] [for use on] [Covers/[Protects/Defends/Guards]/Treats] [large areas / large numbers of trees & shrubs]
12. [concentrated] [for use on] [Treats / For] larger areas
13. Rainproof/Rainfast [Protection/Defense/Control/Prevention]
14. Guaranteed [Results] or your money back
15. Great value!
16. Great value per tree [&/or shrub]!
17. Treats 50% More [Trees & Shrubs]\*
  - \* vs. Bayer Advanced Tree & Shrub Granule [EPA Reg. No. 72155-72]
  - \* vs. 4 lb 1.1% Imidacloprid Formula [EPA Reg. No. 72155-72]
  - \* vs. Ortho Tree & Shrub Insect Control Ready-To-Spray [EPA Reg. No. 228-525-239]
  - \* vs. 32 oz. 1.47% Imidacloprid liquid concentrate formula [EPA Reg. No. 228-525-239]
18. (4 lbs) [Covers/Protects/Defends/Guards/Treats] 11 trees that measure 8 inches around trunk. (will vary by same proportion based on net contents)
19. (4 lbs) [Covers/Protects/Defends/Guards/Treats] 13 shrubs that are 2 feet tall. (will vary by same proportion based on net contents)
20. (4 lbs) [Covers/Protects/Defends/Guards/Treats] Treats 125, 5-gallon containers; (will vary by same proportion based on net contents)
21. No dark green rings [around/at tree base]
22. [Provide sufficient nutrition with / For best feeding results use] Miracle-Gro Tree & Shrub Fertilizer Spikes or other Miracle-Gro products
23. Easy [to use] Measuring [cap]
24. Quick & Easy Measuring [cap]
25. AccuDose Measuring [cap]
26. Coverage Chart: (will vary by same proportion based on net contents)
  - a. (4 lbs) 11 trees (8 inches around)
  - b. (4 lbs) 13 shrubs (2 feet tall)
  - c. (4 lbs) 125 containers (5 gallon size)
27. [Formulated for/Developed for] [large[r] areas] [large numbers of trees] [& shrubs]
28. Year-long [Protection/Defense/Control/Prevention] for trees & shrubs.
29. Systemic [Protection/Defense/Control/Prevention] from/against/for/of [any combination of listed insects].
30. Easy to use/apply [granules] [Just sprinkle at plant base] [for up to 12 months of worry-free care]
31. Kills and prevents listed insects [like.. any combination of listed insects] for up to 12 months.
32. Compare and save!
33. [Lots of trees?] [and shrubs?] Save money, [buy insect product name] [the] [concentrated/the concentrate] [product]



LABEL HISTORY

9/9

File Name	Revision Mark	Comment
000228-00502.20091102.Rev_Use_Dir	RV110209	Revised Use Directions
000228-00502.20100128.MASTER	RV012810	EPA Approval
000228-00502.2010720.Revised_Label	RV072010	Agency Initiated Action (state request via SLITS)