



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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Martin Deubler Nufarm Americas, Inc. 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527

SEP 2 2 2010

Subject:

Notification; Per PR-Notice 98-10

Mallet 2.5 G Insecticide EPA Reg. No. 228-502

Date Submitted: September 9, 2010

Dear Mr. Deubler:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated September 9, 2010 for the product referenced above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please contact me at (703) 306-0415 or davis.kable@epa.gov.

Sincerely,

Kable Bo Davis

Entomologist

Insecticide-Rodenticide Branch Registration Division (7505P)

Form Approved. OMB No. 2070-0060

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		Application	n for Pesti	cide - Sec	tion			
1. Company/Product Num 228-502)er		ŀ	A Product Mai is Eagle	nager		3. P	roposed Classification
4. Company/Product (Nam Mallet 2.5 G Insecticide	i. Company/Product (Name) Mallet 2.5 G Insecticide		PM# 1					THOUSE THE RESTRICTED
5. Name and Address of A Nufarm Americas, I 150 Harvester Drive Burr Ridge, IL 6052	nc. e, Suite 200	ode)	(b)(i), to: EPA	, my product	is simi	lar or idention	al in co	FIFRA Section 3(c)(3) omposition and labeling
		****	Section	- iI				
Amendment - Explain below. Resubmission in response to Agency letter dated Notification - Explain below. Final printed labels in repsonse to NOTIFICATION Agency letter dated "Me Too" Application. SEP 2 2 2010 Explanation: Use additional page(s) if necessary. (For section I and Section II.) Label notification consistent and 98-10, see cover letter for detailed explanation. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula				EP 2 2 2010				
	ent with the terms of PF d penalties under secti	R Notice 98-10	and 40 CFR 15	2.46, this proc				FRA and I may be subject
Child-Resistant Packaging Yes No * Certification must be submitted	Unit Packaging Yes X No If "Yes" Unit Packaging wgt	No. per	Water Soluble Yes X No If "Yes" Package wgt	No. per		2. Type of C	Metal Plastic Glass Paper	r Specify)
3. Location of Net Conten X Label 6. Manner in Which Label	Container	1	0 and 50 Pou	unds Oth	<u> </u>	cation of Labe	l Directi	ions
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	·		Section -					C C O C
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I certify that the sta I acknowledge that both under applicab	tements I have made or any knowlingliy false or e law.	Certifica n this form and misleading sta	all attachments	thereto are tro punishable by	ie, accu fine or i	rate and com	plete. or	6. Data Application c Received ccc (Starriped)
2. Signature	X /		з. ты• Registrati	. πս Registrations Specialist			C CCC	
		5. Data 09/09/2010			τιυς τιυς			



Nufarm Americas Inc.

150 Harvester Drive, Suite 200 Burr Ridge, IL 60527

Telephone: (630) 455.2000 Facsimile: (630) 455.2001

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www.us.nufarm.com

September 9, 2010

Via Overnight Courier

Venus Eagle (PM-01)
Document Processing Desk (NOT)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Subject:

Mallet 2.5 G Insecticide

EPA REG. No. 228-502

Label Notification per PR Notice 98-10

Dear Ms. Eagle:

Nufarm Americas Inc. would like to add language to subject product's label. The proposed language is consistent with PR Notice 98-10. We have added the following language for NYDEC: "Not for sale, sale into, distribution and/or use in Nassau, Suffolk, Kings, and Queens counties in the state of New York."

To process this request please find enclosed the following:

- Application for Pesticide Registration EPA form 8570-1
- Revised labeling with areas of change clearly identified (1 copy)
- Revised labeling clean (1 copy)
- CD containing the proposed labeling, file name: 000228-00502.20100909.PRN98-10.pdf

If you should have any questions regarding this matter, please feel free to contact at martin.deubler@us.nufarm.com or at (630) 455-2037.

Sincerely,

Martin Deubler

Registrations Specialist

Nufarm Americas, Inc.

Highlighted

Mallet® 2.5 G INSECTICIDE

FOR SYSTEMIC INSECT CONTROL IN ORNAMENTAL PLANTS

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Not for sale, sale into, distribution and/or use in Nassau, Suffolk, Kings, and Queens counties in the state of New York.

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

NOTIFICATION

SEP 2 2 2010

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. (____L)
000228-00502.20100909.PRN98-10

PRECAUTIONARY 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.

	FIRST AID
IF IN EYES	 Hold eye open and rinse slowly and gently with water for 15 to 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	 Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice.

HOT LINE NUMBER

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.

NOTE TO PHYSICIAN

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.

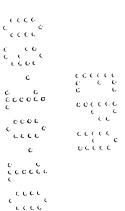
DO NOT contaminate water when disposing of equipment washwaters.

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.



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 ½ to ½ cup; 4 to 8 ft. – use ½ to 1 cup. Use the high rate within the range 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 alternate specific use directions for single application / yr)

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

Aphids

Armored Scales (suppression)

Borers

Round-headed (including Eucalyptus longhorned)

Flat-headed (including Alder and Bronze birch)

Bark beetles (suppression)

Fungus Gnats

Japanese beetle (adults)

Lace bugs

Leaf beetles (including Elm leaf & Viburnum leaf beetles)

Leafhoppers (including Glassy-winged sharpshooter)

Leafminers (including Birch and Boxwood)

Mealybugs

Pine tip moth larvae

Psyllids

Royal Palm bugs

Root weevil larvae (including Black vine weevil)

Sawfly larvae

Soft scales (including lobate lac scales)

Thrips

Whiteflies (including fig [ficus] whitefly)

White grub larvae (including Japanese beetle, Chafers, European

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chafer, Oriental beetle, Asiatic garden beetle)

WHERE TO APPLY

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

Apple Crabapple Loquat Mayhaw Oriental Pear

Pear

Pecan 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

<u>Tree with one trunk</u>: 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.

<u>Trees with multiple trunks:</u> 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 X 0.75 = 24 increments. [24 X 0.125 cups = 3 cups] [24 X ___ capfuls = ___ capfuls] [24 X 0.65 oz = 15.6 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 tbspl
- 5 gallon container = 1 1/4 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 afound the tree a distance of approximately 2 feet out from the base of tree. For trees with a distance around the trunk of [>] [greater (ກິລຸກ] 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 [5] [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.

DO NOT apply more than 16 lbs of product (0.4 lbs ai) / acre or 0.37 lbs (6 oz.) of product / 1000 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 DELIVEREDTOYOU 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 PARTICULARTRADE 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 RISING 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.TOTHE, 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 eggs. οσέσυ will be refunded.

Mallet is a registered trademark of Nufarm Americas, Inc.

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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.
- [Protects/Defends/Guards] trees, shrubs, and plants from listed 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 listed insects and prevents re-infestation
- 6. Ready to spread granules- no mixing
- 7. Up to 12 months [of insect] [Protection/Defense/Control/Prevention] [against listed insects]
- 8. Insect [Protection/Defense/Control/Prevention] for up to 12 months
- 9. [Protects/Defends/Guards] for up to 12 months
- 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. 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)
- (4 lbs) [Covers/Protects/Defends/Guards/Treats] 13 shrubs that are 2 feet tall. (will vary by same proportion based on net contents)
- 20. No dark green rings [around/at tree base]
- 21. [Provide sufficient nutrition with / For best feeding results use] Miracle-Gro Tree & Shrub Fertilizer Spikes or other Miracle-Gro products
- 22. Easy [to use] Measuring [cap]
- 23. Quick & Easy Measuring [cap]
- 24. AccuDose Measuring [cap]
- 25. 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)
- 26. [Formulated for/Developed for] [large[r] areas] [large numbers of trees] [& shrubs]
- 27. Up to Year-long [Protection/Defense/Control/Prevention] for trees & shrubs.
- 28. Systemic [Protection/Defense/Control/Prevention] from/against/for/of [any combination of listed insects].
- 29. Easy to use/apply [granules] [Just sprinkle at plant base] [for up to 12 months of worry-free care]
- 30. Kills and prevents listed insects [like.. any combination of listed insects] for up to 12 months.
- 31. Compare and save!
- 32. [Lots of trees?] [and shrubs?] Save money, [buy insect product name] [the] [concentrated/the concentrate] [product]

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LABEL HISTORY

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)
000228-00502.20100805.MASTER	RV080510	EPA Approval
000228-00502.20100909.PRN98-10	RV090910	NYDEC County Restriction Statement