



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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

DEC 1 7 2012

Dr. Larry Hodges
Bayer CropScience
2 T.W. Alexander Dr
P.O. Box 12014
Research Triangle Park, NC 27709

Subject:

Notification to add CA Proposition 65 statement to the label

LARVIN Technical EPA Reg. No. 264-343

Dear Dr. Hodges:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 29, 2012 for the product LARVIN Technical. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall 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, please call me directly at 703-305-5967 or e-mail me at gaines.jennifer@epa.gov.

Sincerely,

Jennifer Gaines

Wildlife Biologist

Insecticide-Rodenticide Branch Registration Division (7505P) Office of Pesticide Programs

Blacco mad in the state of		)				\	,	2/6
United States  Environmental Protection Age Washington, DC 20460			• .	Form App	V V	Registra Amenda Other	ation	O. Approvel expires 2-28-9 OPP Identifier Number
		Application	n for Pesti	cide - Sect	tion	1		
1. Company/Product Number 264-343			2. EPA Product Manager John Hebert			3. Pro	pposed Classification	
4. Company/Product (Name) Larvin Technical			PM# 7					
5. Name and Address of App Bayer CropScience L 2 T. W. Alexander Dri Research Triangle Pa	P ve	ode)	(b)(i), to: EPA	-	s sim	nilar opi <b>rje</b> n		FIFRA Section 3(c)(3) magnition and labeling 012
		<del></del>	Section -	- 11				
Amendment - Explain  Resubmission in responsion in regulation. Use addition Notification, per PR Notice 98 contains a chemical known to regulations at 40 CFR 152.46 it is a violation of 18 U.S.C. S of PR Notice 98-10 and 40 Cl and 14 of FIFRA.  1. Material This Product Will	below.  al page(s) if necessar  3-10: As required by Control the state of California  5, and no other change  ec. 1001 to willfully ma  FR 152.46, this product	ry. (For section alifornia Proposit to cause cancer, s have been macake any false stat	ion 65 the follow " This notification Ie to the labeling ement to EPA. I	Other - Expl Other - Expl One - Expl Other - Expl One -	er dat Application be as been with the tial statement of the	en added to the provisions of	e label on pof PR Notice	e 98-10 and EPA product. I understand that toonsistent with the terms
	T		Wasaa Calabla	Darlinging		2 7	Cantainan	
Child-Resistant Packaging  Yes  ✓ No  * Certification must be submitted	Unit Packaging  Yes  √ No  If "Yes" Unit Packaging wgt	No. per . container	Water Soluble  Yes  No  If "Yes"  Package wgt	No. per container	,	2. Type of	Metal Plastic Glass Paper Other (S	pecify)
3. Location of Net Contents I	nformation	4. Size(s) Reta	l Container		5. Lo	cation of Lat	oel Directio	ns
T el T 1		30 gal drum	gal drums & 260 gal bulk container					
6. Manner in Which Label is	Affixed to Product	Lithogra Paper g Stencile	aph lued ed	Other	•			
			Section -	IV			· · · · · · · · · · · · · · · · · · ·	
1. Contact Point   (Complete )	items directly below	for identification	of individual to	be contacted,	if nec	essary, to pr	ocess this	application.)
Name Larry R. Hodges			Title Registration Manager				Telephone No. (Include Area Code) 919-549- 2686	
I certify that the staten I acknowledge that any both under applicable I.  2. Signature	y knowlinglly false or aw.	misleading state	ill attachments t				-	6. Date Application Received (Stamped)
Ly	R. Hodges		Registration Mar.	ager	ر . در د ز	,	, ,	

5. Date

4. Typed Name

Larry R. Hodges

### Bayer CropScience

B A BAYER E R

Bayer CropScience 2 T.W. Alexander Drive P. O. Box 12014 Research Triangle Park, NC 27709 Tel: 919 549-2000

November 29, 2012

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

Re: LARVIN Technical (EPA Reg. No. 264-343): Amendment by Notification (per PR Notice 98-10) to Add the Required California Proposition 65 Statement to the Label.

To Whom It May Concern:

As allowed by PR Notice 98-10, we are notifying the Agency of a minor labeling amendment for LARVIN Technical (EPA Reg. No. 264-343). As required by California Proposition 65, the following statement has been added to the label, "This product contains a chemical known to the state of California to cause cancer."

"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 of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

In support of this action, you will find the following:

- EPA Form 8570-1. Application for Pesticide Amendment, dated November 29, 2012.
- The amended label, dated November 29, 2012.
- The amended label, dated November 29, 2012, with the change highlighted in yellow.

Please email me at <u>larry.hodges1@bayer.com</u> or phone me at (919) 549-2686 if you have any questions regarding this submission.

Sincerely,

Larry R. Hodges, Ph.D.

Registration Manager

DEC 17 2012

## **LARVIN®** Technical

# KEEP OUT OF REACH OF CHILDREN WARNING

For <u>MEDICAL</u> And <u>TRANSPORTATION</u> Emergencies <u>ONLY</u> Call 24 Hours A Day 1-800-334-7577 For <u>PRODUCT USE</u> Information Call 1-866-99BAYER (1-866-992-2937)

#### **FIRST AID**

IF SWALLOWED:	Immediately call a poison control center or doctor for treatment advice.					
	Do not induce vomiting unless told to do so by a poison control center or doctor.					
	Have person sip a glass of water if able to swallow.					
	Do not give anything by mouth to an unconscious person.					
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.					
	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 15-20 minutes.					
	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 mouth-to-mouth if possible.					
	Call a poison control center or doctor for further treatment advice.					

For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

**NOTE TO PHYSICIAN:** Thiodicarb is a cholinesterase inhibitor. Atropine sulfate is antidiotal. Opiates and cholinesterase inhibiting drugs are contraindicated. Treat cases symptomatically.

#### PRECAUTIONARY STATEMENTS

#### HAZARD TO HUMANS AND DOMESTIC ANIMALS

#### WARNING

May be fatal if swallowed or inhaled. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Do not breathe dust. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash before reuse.

#### **ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish, aquatic invertebrates, and mammals. 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 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.

#### **DIRECTIONS FOR USE**

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

#### **FORMULATION INSTRUCTIONS**

Only For Formulation Into an Insecticide, for (1) The Following Uses: Terrestrial Food Uses: Sweet corn, cotton, soybeans, leafy vegetables, broccoli, cabbage, cauliflower. Terrestrial Non-Food Uses: Ornamentals and non-crop areas. (2) Uses for Which USEPA has Accepted the Required Data and/or Citations of Data that the Formulator has Submitted in Support of Registration and (3) Uses for Experimental Purposes that are in Compliance with US EPA Requirements.

#### STORAGE AND DISPOSAL

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

#### PESTICIDE STORAGE

Store in cool, dry area, away from children and animals. Do not allow prolonged storage in areas where temperatures frequently exceed 122° F (50° C).

#### PESTICIDE DISPOSAL

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 Hazard Waste representative at the nearest EPA Regional Office for guidance.

#### **CONTAINER DISPOSAL**

Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill; or incineration, or if allowed by State and Local Authorities, by burning. If burned, stay out of smoke.

#### IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROPSCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

This product contains a chemical known to the state of California to cause cancer.

**NET CONTENTS: BULK** 

LARVIN is the registered trademark of Bayer.



Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)

LARVIN® Technical (PENDING) Approved 10/03/07, Notification 04/04/12, Notification 11/25/12