



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

FEB 23 1994

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Marvin H. Alphin ABBOTT LABORATORIES CHEMICAL AND AGRICULTURAL PRODUCTS DIV. 1401 Sheridan Road North Chicago, IL 60064

Subject:

Label Amendment Submission of 07/06/93 in Response to PR Notice 93-7

EPA Reg. No. 275-55 DIPEL 10G GRANULAR

IMPORTANT NOTICE:

This Letter Requires You to Submit a Notification to the Office

of Compliance Monitoring within 20 Days.

## Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

### SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.

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Each notification must include the following information:

- 1. Registrant's name and addiess.
- 2. EPA Registration number of the product for which the labeling was submitted.
- 3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

- 1. Quantity of the product that has been sold or distributed.
- 2. EPA Producing Establishment number.
- 3. Location of the product, if known.
- 4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

### Submit the notification to:

Michael Wood, Director
Compliance Division, (7203)
Worker Protection Notification
Office of Compliance Monitoring
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

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IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

## WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the WPS labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have neither been reviewed nor accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

### WHAT YOU NEED TO DO NEXT:

Submit the required notification. Then by the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

 BEFORE selling or distributing any product bearing the final printed labeling as amended

#### AND

• WITHIN one year from date of this acceptance.

Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

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Hand or courier deliveries of final labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,

Jim Tompkins, Deputy Chief Registration Support Branch Registration Division (7505W)

Attachment

cc: Office of Compliance Monitoring

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division

Marvin H. Alphin ABBOTT LABORATORIES CHEMICAL AND AGRICULTURAL PRODUCTS DIV 1401 SHERIDAN RD NORTH CHICAGO IL 60064

Comment for: EPA Reg Nr.275-55 DIPEL 10G GRANULAR

The following specific comments pertain to your WPS labeling submission concerning the product cited above:

The glove requirement for early entry in the Agricultural Use Requirements box on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Waterproof gloves". The exact location is shown in Sections F and G on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

Correct the typographical errors circled on your proposed label.

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## Biological Insecticide

## DIPEL\* 10G Granules

	N/E	INICE		IENT:
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Bacillus thuringiensis, var. kurstaki,	
1600 International Units of Potency per mg.*	0.32%
Inert Ingredients:	99.68%
TOTAL	100.00%
101AL	

<sup>\*</sup>This product contains 0.726 Billion IU/lb.

Potency units should not be used to adjust use rates beyond those specified in the Directions For Use Section.

KEEP OUT OF REACH OF CHILDREN CAUTION

ACCEPTED
with COMMENTS
In EPA Letter Dated

FEB 2 3 1994

EPA Reg. No. 275-55 EPA Est. No. 33762-IA-1 LIST NO. 5541-04-06 Under the Federal Insecticide, Fundicide, and Redenticide Act as amended, for the posticide registered under EPA Reg. No.

## STATEMENT OF PRACTICAL TREATMENT

In case of contact, immediately flush eyes or skin with plenty of water. Get medical attention if irritation persists.

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS (AND DOMESTIC ANIMALS)

Caution:

Avoid inhalation or contact with eyes, skin or clothing.

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## Personal Protective Equipment

Some meterials that are chemical resistant to this product are listed below.

Applicators and other handlers must wear.

- Long-sleeved shirt and long pants.
- Shoes plus socks.

Follow manufacturer a restrictions for cleaning/maintaining PPE. If no such instructions for washables use detergent and not water. Keep and wash PPE separately from other laundry.

## **User Safety Recommendations**

Users should:

Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

### **ENVIRONMENTAL HAZARDS**

Keep out of lakes, ponds, or streams. Do not contaminate water by cleaning of equipment or disposal of wastes.

#### **DIRECTIONS FOR USE**

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

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## AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nursenes, and precipitate workers on farms, forests, nursenes, and precipitate of product of agricultural workers on farms, forests, nursenes, and residence and residence of the statements of this label about specific instructions and exceptions personal protective applicance. (PPE) and restricted entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- \* Coveralls
- \* Shoes plus socks

#### STORAGE AND DISPOSAL

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

STORAGE: Store in a cool, dry place.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

## **GENERAL INFORMATION**

DiPel 10G is a granular formulation of *Bacillus thuringiensis* variety *kurstaki*, designed specifically as a selective insecticide for control of certain leaf-eating caterpillars (Lepidoptera). For practical determinations of active ingredient, DiPel 10G can be expressed as a 10% formula of DiPel WP. The active ingredient in DiPel 10G is a

DiPel 10G.epa Page 3 of 4 07-06-93 stomach poison and therefore must be eaten by larvae to be effective. Climatic extremes such as heavy rain or strong wind shortly after treatment may act to remove DiPel 10G from the feeding zone making re-treatment necessary.

#### NOTICE

Local conditions may affect the use of DiPel 10G. Consult State Agricultural Extension or Experiment Station Specialists for specific recommendations related to local crop protection problems. Abbott makes no warranty, express or implied, including the warranties of commercially acceptable quality and/or fitness for any particular purpose concerning this material, other than those which are contained on this label.

## **APPLICATION**

Crop	Pest	Rate	Comments
Seed Corm, Field Corm, Popcorm and Sweet Corm	European Corn Borer, (Ostrinia nubilalis). First and Second Generation	10 lbs/acre	Ground or aerial aquipment first Generation: Apply DiPel 10G directly to corn whorls. Treat seed corn
	Southwestern Cerm Berer (Distrace grandiesella)  Fall Armyworm (Spodoptere frugiperda)	5-10 lbs/acre banded over- row with ground application  10 lbs/acre	whorls. Treat seed corn when 25 percent of plants show shot hole feeding in the whorls and field corn when 35 percent of whorls show feeding. Larvae should be small and present at this time. Satisfactory control cannot be expected if treatment is delayed to higher injury levels or after larvae have begun stalk boring.  Second Generation: Apply DiPel 10G when a field count shows 50 egg masses per 10G plants and the first hatch is occurring or follow your State Extension Service recommendation. Under conditions of intensive population pressure, a second application may be necessary.  Grown er aerial equipment Apply DiPel 10G directly to corn whorls. Treat sweet corn when 10-12 percent of plants show feeding in the whorls. Field corn should be treated when 75 percent of the plant whorls show feeding damage. Treatment thresholds vary for different types of corn so consult State Agricultural Extension specialists for specific recommendations. Under high pest pressure, a second application may be necessary.
Tebecco	Tebacce Budwerm ( <u>Hallethis</u> <u>virescens</u> )	5-10 lbs/acre	Ground equipment Apply DiPel 10G by hand er properly calibrated machanical ground equipment.

**9**1993

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