

279-3124

10-3-2001

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OCT - 3 2001

Ms. Nancy J. Hilton
FMC Corporation
1735 Market Street
Philadelphia, PA 19103

Dear Ms. Hilton:

Subject: Amendment - Additional Uses-Sweet Corn, Rice, Leafy Vegetables (Except Brassica), Brassica Leafy Vegetables, Sugar Beets, Sugarcane, Corn (Field, Seed, Pop), Green Onions, and Alfalfa

Fury Technical Insecticide

EPA Registration No. 279-3124

Fury 1.5 EC Insecticide

EPA Registration No. 279-3125

Fury 1.5 EW Insecticide

EPA Registration No. 279-3126

Your submissions dated October 1, 2001

The Agency accepts your application for amended registration to add the subject crops to the subject labeling since you have agreed in writing to the following terms for conditional registration in accordance with FIFRA section 3(c)(7)(b)(c):

1. You will submit and/or cite all data required for registration/reregistration of your product under FIFRA sec.3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit responses required for reregistration of your product under FIFRA section 4.

2. The subject amendment is conditioned under the same terms and condition for data generation as stipulated in our November 15, 1993 letter for use of this product on cotton.

3. FMC Corporation agreed that the current synthetic pyrethroid mitigation measures are interim in nature and may be reconsidered or modified after review and evaluation of the Spray Drift Task Force.

4. You understand that this registration will expire on November 15, 2003. You further understand that it is EPA's stated intent to, by November 15, 2003, complete its review of all relevant data and other information that are available to the Agency, and to make FIFRA section 3(c)(5) or other appropriate regulatory decisions for cotton-use synthetic pyrethroids and other crops conditionally registered based on the Agency's review of such data/information and considering statutory and regulatory criteria for such decisions.

5. You will submit product information (pounds or gallons produced) for this product for the fiscal year in which the added uses are conditionally registered, in accordance with FIFRA section 29. The fiscal year begins October 1 and ends September 30. The production information will be submitted to the Agency no later than November 15 following the end of the preceding fiscal year.

The information should be submitted to:

U.S. Environment Protection Agency
Office of Pesticide Program (7504C)
Document Processing Desk
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

6. You have agreed to submit the data listed below, conducted in accordance with the 40CFR Part 158 Test Guidelines unless the Agency concludes that the additional information submitted (faxed) on September 25, 2001 negates the need to redo these studies:

Title of Study	Guideline Reference No.	Date Due
Aerobic Aquatic Metabolism	162-4	September 1, 2002
Anaerobic Aquatic Metabolism	162-3	September 1, 2002

*Negotiable pending further discussions between you and the Agency.

You agreed to submit two copies of the revised final printed label for the record.

You should note if you fail to satisfy any of the conditions imposed on this registration, e.g., you fail to submit the required data by the specified deadlines or the data submitted were not generated in accordance with the applicable test guidelines, EPA may issue a notice to cancel this use under FIFRA 6(e).

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You should also note that, regardless of whether you satisfy all applicable conditions, this conditional registration will expire automatically on November 15, 2003. Sale and distribution of the subject product bearing labeling for subject uses after November 15, 2003 will be illegal.

Finally, once the required data have been submitted and evaluated, EPA will entertain an application to amend the registration of the subject product to allow the unconditional use on cotton and other crops without any special restrictions on the duration of the registration.

A copy of the label is enclosed for your records.

Sincerely yours,

George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505C)

Enclosure

Fury™ Technical

Insecticide

An Insecticide for Formulating Use Only

EPA Reg. No. 279-3124 EPA Est. 279-MD001

Active Ingredient

S-Cyano (3-phenoxyphenyl)methyl
(±) cis/trans 3-(2,2-dichloroethenyl)-
2,2 dimethylcyclopropane carboxylate,
and related isomers* 88.00%

Inert Ingredients 12.00%
100.00%

* Cis/trans isomer ratio: Max 55% (±) cis and Min. 45%
(±) trans
U.S. Patent Pending

KEEP OUT OF REACH OF CHILDREN WARNING

FIRST AID

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further 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 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 eye. Call a poison control center or doctor for treatment advice.

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

HOTLINE 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 1-800-331-3148 for emergency medical treatment information.

Note to Physician: Vomiting should be supervised by a physician or the professional staff because of the possible pulmonary damages by aspiration of the solvent.

For Emergency Assistance Call (800) 331-3148.

PRECAUTIONARY STATEMENTS Hazards to Humans

Warning

May be fatal if swallowed. Harmful if absorbed through the skin, eyes or clothing. Wash thoroughly with soap and water after handling. The active ingredient may cause sensitization in some individuals.

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates. 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. For guidance, contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

Only for formulation into an insecticide for the following use(s): brassica (cole) leafy vegetables group, bulb vegetables, cotton, leafy vegetables group, sugar beets, sugarcane, field, seed, and pop corn, alfalfa, sweet corn, rice, cattle ear tags and pecans. Uses for which U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and uses for experimental purposes that are in compliance with U.S. EPA requirements.

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

STORAGE AND DISPOSAL

Pesticide Storage

Do not store below 40°F.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food or feed by storage or disposal.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call FMC: 1-(800)-331-3148.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

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

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. Do not cut or weld metal containers.

This Material Requires Further Mixing Before Use

Formulators using this product are responsible for obtaining EPA registration for their formulated products.

NOTICE

Seller warrants that the product in this container conforms to its chemical description contained hereon and is reasonably fit for its intended purpose when used in accordance with proper manufacturing practices and procedures and under normal conditions of use. Neither this warranty nor any other warranty of **MERCHANT-ABILITY** or **FITNESS** for a particular purpose, expressed or implied, extends to use or handling of this product contrary to proper manufacturing practices and procedures, or under abnormal conditions or conditions not reasonably foreseeable to Seller, or to use by mixture, chemical reaction or formulation with other substances not specifically recommended in writing by Seller, and Buyer assumes all risk of any such use. Any damages arising from breach of warranty or negligence shall be limited to direct damages not exceeding the purchase price paid for this product by Buyer, and shall not include incidental or consequential damages such as, but not limited to, loss of profits or values.

Fury and []—FMC Trademarks



FMC Corporation
Agricultural Chemical Group
Philadelphia PA 19103

Fury_Technical_10-1-01

ACCEPTED
with COMMENTS
in EPA Letter Dated

OCT - 3 2001

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

279-3124

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