

352-400

10/14/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

10/14/2010

Patricia G. Devine
E.I. DuPont de Nemours and Company
Stine-Haskell Research Center
PO Box 30
Newark, DE 19714-0030

Subject: DuPont Oxamyl Technical 42 Insecticide/Nematicide, EPA Reg. # 352-400, (D# 432748)
label amendment submitted 4/26/2010; revised 7/6/2010, 9/16/2010, 10/7/2010
acceptable (10/7/2010 version)

Dear Ms. Devine:

The revised labeling referenced above, submitted in connection with the registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is ACCEPTABLE. This amendment updates the container handling statements in the Storage and Disposal section using custom text agreed upon between DuPont and EPA. Directions have been tailored to the actual container types used for this product.

Submit two (2) copies of your final printed labeling incorporating the above changes prior to releasing your product for shipment. If the above provision is not complied with the registration will be subject to cancellation in accordance with FIFRA Section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

A copy of the label stamped "accepted" is enclosed for your records.

If you have any questions please contact Tom Harris at (703) 308-9423, harris.thomas@epa.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Hebert", written over a large, stylized circular flourish.

John Hebert
Product Manager
Insecticide Rodenticide Branch
Registration Division (7505C)

enclosure

ACCEPTED
10/14/2010

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Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under:



DuPont™ Oxamyl technical 42

insecticide/nematicide

EPA Reg. No: 352-400

FOR FORMULATION USE ONLY

ACTIVE INGREDIENT:

Oxamyl: Methyl N N -dimethyl-N-[(methylcarbamoyl)oxy]-1-thiooxamimidate 42%

INERT INGREDIENTS 58%

BY WEIGHT

TOTAL 100%

EPA Reg. No. 352-400

EPA Est. No. _____

KEEP OUT OF REACH OF CHILDREN

DANGER  POISON

FIRST AID

Contains an N-methyl carbamate that inhibits cholinesterase.

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or 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 eye. 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.

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.

ATROPINE IS AN ANTIDOTE SEEK MEDICAL ATTENTION AT ONCE IN ALL CASES OF SUSPECTED POISONING.

If symptoms appear (see SYMPTOMS), get medical attention.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-441-3637 for emergency medical treatment information.

SYMPTOMS - Oxamyl poisoning produces effects associated with anticholinesterase activity which may include weakness, blurred vision, headache, nausea, abdominal cramps, discomfort in the chest, constriction of pupils, sweating, slow pulse, muscle tremors.

NOTE TO PHYSICIAN - Treatment: Atropine sulfate should be used for treatment. Administer repeated doses, 1.2 to 2.0 mg. intravenously every 10 to 30 minutes until full atropinization is achieved. Maintain atropinization until the patient recovers. Artificial respiration or oxygen may be necessary. Allow no further exposure to any cholinesterase inhibitor until recovery is assured. Do not use morphine or 2-PAM.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER-POISON: Fatal if swallowed. Corrosive. Causes irreversible eye damage. May be fatal if inhaled. Do not breathe vapor. Do not get in eyes or on clothing. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash clothing before reuse.

HANDLE THE CONCENTRATE ONLY WHEN WEARING THE FOLLOWING PROTECTIVE CLOTHING AND EQUIPMENT:

Wear a protective suit of one or two pieces that covers all parts of the body except the head, hands, and feet. Wear chemical-resistant gloves, chemical-resistant apron and chemical-resistant shoes, shoe coverings or boots. Wear goggles or a face shield. Wear a pesticide respirator approved by the National Institute for Occupational Safety and Health (NIOSH) and the Mine Safety and Health Administration (MSHA). Wash thoroughly with soap and water after handling and before eating or smoking. Remove contaminated clothing and wash before reuse.

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For medical emergencies involving this product, call toll free 1-800-441-3637.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms and wildlife. 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 to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PHYSICAL AND CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame. Keep container closed. Use with adequate ventilation.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Only for formulation into an insecticide/nematicide.

1. For the following uses:

Terrestrial Food Crops: Apple, apples (nonbearing), bananas, cantaloupe, carrots, celery, cherry (nonbearing), citrus fruits, citrus fruits (nonbearing), cotton, cucumber, eggplant, garlic, ginger, honeydew melons, onions (dry bulb), peach (nonbearing), peanuts, pear, pear (nonbearing), peppers, peppermint, pineapple, plantain, potato, pumpkin, spearmint, squash, sweet potato, tomato, watermelons and yams.

Terrestrial Nonfood Crops: Tobacco.

2. Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;

3. Uses for experimental purposes that are in compliance with USEPA requirements.

Products formulated from this product will require registration with the Environmental Protection Agency.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store product only in original container, in a cool, dry industrial location inaccessible to children and pets. Do not use or store in or around the home.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, 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 Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER HANDLING: Refer to the Net Contents section of this product's labeling for the applicable type of container designation.

NONREFILLABLE CONTAINERS: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse and store rinsate for later use or disposal. Then, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local authorities.

Do not transport if this container is damaged or leaking. If the container is damaged, leaking or obsolete, or in the event of a major spill, fire or other emergency, contact DuPont at 1-800-441-3637, day or night.

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LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read This Limitation of Warranty and Liability Before Buying or Using This Product. If the Terms Are Not Acceptable, Return the Product at Once, Unopened, and the Purchase Price Will Be Refunded.

DuPont warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purpose stated in the directions under normal use conditions. DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT SHALL DUPONT OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BUYER'S OR USER'S BARGAINED FOR EXPECTATION IS CROP PROTECTION, THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE EXCLUSIVE LIABILITY OF DUPONT OR SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, TORT OR STRICT LIABILITY), WHETHER FROM FAILURE TO PERFORM OR INJURY TO CROPS OR OTHER PLANTS, AND RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT, OR AT THE ELECTION OF DUPONT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

Buyer and all users shall promptly notify DuPont or a DuPont Ag Retailer of any claims, whether based on contract, negligence, strict liability, other tort or otherwise or be barred from any remedy.

This Limitation of Warranty and Liability may not be amended by any oral or written agreement.

Nonrefillable Container Net: _____

E. I. du Pont de Nemours and Company, 1007 Market Street, Wilmington, DE U.S.A.

Made in U.S.A.

TD-175 100410