

352-594

11/30/2005

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

November 30, 2005

Mr. Jonathan A. Janis
E.I du Pont de Nemours & Company
DuPont Crop Protection
Stine-Haskell Research Center
P.O. Box 30
Newark, DE 19714-0030

Dear Mr. Janis:

Subject: Revised label for DuPont Indoxacarb Technical--Addition of Use Sites
EPA Reg. No.: 352-594
Your Submission Dated October 20, 2005

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable provided you make the following changes before you release the product for shipment bearing the amended labeling:

1. Under the "Directions for Use" section, change the heading "Terrestrial Nonfood Crops" to "Terrestrial Nonfood". Additionally, revise the listing appearing after this heading to read as, "golf course turf and **landscape** ornamentals, noncrop/nongrazed areas."
2. Based on the 6(a)(2) information contained in the October 2005 study, "Magnitude of DPX-KN128 and IN-KN127 Residues in Cotton Gin Trash Following Application of DPX-KN128 150EC Experimental Insecticide or DPX-MP062 150SC Insecticide—2004 USA" (MRID 466845-01) the reported residues of EPA Reg. No. 352-598 exceed the current tolerance for cotton gin byproducts. Therefore, due to the current risk cup issues with indoxacarb and the inability to increase existing tolerances, you must delete cotton from the technical label and submit a revised label for the end use product, EPA Reg. No. 352-598, reflecting this deletion within thirty days of this letter.

Submit two copies of your final printed labeling before you release the product for shipment. A stamped copy is enclosed for your records. If you have any questions, please contact Ann Hanger at (703) 306-0395 or hanger.ann@epa.gov.

Sincerely yours,

John Hebert

Product Manager 7
Insecticide/Rodenticide Branch
Registration Division (7505C)

Enclosure



DuPont™ Indoxacarb Technical

FOR FORMULATION OF INSECTICIDES ONLY

ACCEPTED
with COMMENTS
In EPA Letter Dated:
NOV 30 2005

ACTIVE INGREDIENT

Indoxacarb: (S)-methyl 7-chloro-2,5-dihydro-2-[[[(methoxycarbonyl)[4-(trifluoromethoxy)phenyl]amino]carbonyl]indeno[1,2-e][1,3,4]oxadiazine-4a(3H)-carboxylate By Weight 52.7%

INERT INGREDIENTS

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 352-594 47.3%

EPA Reg. No. 352-594

EPA Est. 352-AL-1

TOTAL 100.0%

KEEP OUT OF REACH OF CHILDREN WARNING FIRST AID

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.

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 to rinse the eye. Call a poison control center or doctor immediately for treatment advice.

If on skin: Remove contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor immediately for treatment advice.

If inhaled: Remove person to fresh air. If person is not breathing, call an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor immediately for treatment advice.

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.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Warning! May be fatal if swallowed. Cause moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Harmful if inhaled. Avoid breathing dust, vapor, or spray mist. Remove contaminated clothing and wash clothing before reuse.

Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other public 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 plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.
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 DISPOSAL: FOR DRUMS: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner. **FOR PLASTIC CONTAINERS:** Triple rinse (or equivalent) the container and then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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.

1. For the following uses:

Terrestrial Food Crops — alfalfa, apple, broccoll, brussels sprouts, cabbage, cauliflower, chinese broccoll, chinese cabbage (napa), chinese mustard cabbage, corn (sweet), cotton, eggplant, kohlrabi, lettuce (head and leaf varieties), peanut, pear, peppers (bell and non-bell), potato, soybean, tomato.

Terrestrial Nonfood Crops — golf course turf and ornamentals, noncrop/nongrazed areas.

Indoor, Domestic Indoor/Outdoor — ant baits, cockroach baits.

Domestic Outdoor — fire ant baits, landscape turf and ornamentals.

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.

NOTICE OF WARRANTY

DuPont warrants that this material conforms to the chemical description on the label thereof and is reasonably fit for the purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors such as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of DuPont. In no case shall DuPont be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the buyer. With regard to any formulator's product prepared from this manufacturing use product, DuPont disclaims any liability related to unsupported and unlisted uses not appearing on this label. DuPont MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESSED OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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E. I. du Pont de Nemours and Company, Wilmington, Delaware 19898 U.S.A.

Made in U.S.A. *efe*