

352-594

7/30/2009

1042

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



OFFICE OF  
PREVENTION, PESTICIDES,  
AND TOXIC SUBSTANCES

July 30, 2009

Dr. Richard A. Carver  
E. I. du Pont de Nemours & Company  
Crop Protection  
P.O. Box 30  
Newark, DE 19714-0030

Dear Dr. Carver:

Subject: Amended labeling to add bushberries and garden beets  
Dupont™ Indoxacarb Technical  
EPA Registration No. 352-594  
Your Submission Dated July 29, 2009

The proposed labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, is acceptable. Submit two copies of your final printed labeling before you release the product for shipment. A stamped copy is enclosed for your records.

**As a condition of registration, you must submit to the Agency, within 12 months from the date of this letter, an immunotoxicity study (OPPTS Guideline 870.7800). This study is now required under the new 40 CFR Part 158 data requirements.**

If you have any questions, please contact Julie Chao at (703) 308-8735 or [chao.julie@epa.gov](mailto:chao.julie@epa.gov).

Regards,

A handwritten signature in black ink, appearing to read "John Hebert".

John Hebert  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure



# DuPont™ Indoxacarb Technical

ACCEPTED

JUL 30 2009

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

## FOR FORMULATION OF INSECTICIDES ONLY

### 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

### INERT INGREDIENTS

EPA Reg. No. 352-594

By Weight

52.7%

47.3%

TOTAL 100.0%

EPA Est. 352-AL-1

EPA. Reg. No. 352-594

### 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. Causes 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, brassica (cole) leafy vegetables, bushberries, corn (sweet), cranberry, cucurbit vegetables, eggplant, fruiting vegetables, garden beet, grape, leafy vegetables, okra, peanut, peppermint, pome fruit, southern pea, soybean, spearmint, stone fruit, and tuberous & corm vegetables.

**Terrestrial Nonfood** — golf course turf and landscape 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. To the extent consistent with applicable law, 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, DUPONT MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESSED OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

NET \_\_\_\_\_

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

Made in U.S.A.

2009