

352-627

8/18/2009

1087



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

AUG 18 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Tamika N. Davis-Cannon
DuPont Crop Protection
Stine-Haskell Research Center
P.O. Box 30
Newark, DE 19714-0030

Subject: Amended Container Disposal Instructions

Dear Ms. Davis-Cannon:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 27, 2009 for:

EPA Registration 352-627

DuPont Advion Fired Ant Bait

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, call me at 703 305-5409 or electronically at daniel.dani@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "Dani Daniel".

Dani Daniel
Registration Division (7505P)
Insecticide/Rodenticide Branch

NOTIFICATION

20097

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 352-627	2. EPA Product Manager John Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) DuPont Advion Fire Ant Bait	PM# 7	
5. Name and Address of Applicant (Include ZIP Code) DuPont Crop Protection Stine-Haskell Research Center P.O. Box 30 Newark, DE 19714-0030 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Amend Container Handling section per PRN 2007-4 to add additional containers. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
<i>* Certification must be submitted</i>		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container	5. Location of Label Directions <input type="checkbox"/> _____
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Tamika N. Davis-Cannon	Title Product Registrations Coordinator	Telephone No. (Include Area Code) 302-366-6074
Certification		6. Date Application Received (Stamped)
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		
2. Signature 	3. Title Product Registrations Coordinator	
4. Typed Name Tamika N. Davis-Cannon	5. Date July 27, 2009	

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DuPont Crop Protection
Stine-Haskell Research Center
P.O. Box 30
Newark, DE 19714-0030

Sent FedX and Electronic Mail

July 27, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard, Room S-4900, 4th Floor
2777 S. Crystal Drive
Arlington, VA 22202

Attn: John Hebert, PM Team 7

**RE: DuPont™ Advion® Fire Ant Bait
EPA Reg. No. 352-627
Amend Container Disposal Instructions per PRN 2007-4**

Dear Mr. Hebert:

E.I. du Pont de Nemours and Company (DuPont) hereby submits an application using the Notification option to make the following change to the above referenced DuPont product containing the active ingredient indoxacarb:

- Page 6: Revised the Container Handling section to include instructions for "Plastic Container, Bags or Fiber Sacks including Flexible Intermediate Bulk Containers (FIBC) or Fiber Drums With Liners"

Enclosed are the following documents to support this Notification:

- EPA Registration Application form 8570-1
- Three (3) copies of the revised DuPont Advion® Fire Ant Bait label
- Notification statement

If you have any questions concerning this Notification, please contact me at 302-366-6074 or at tamika.n.davis-cannon@usa.dupont.com.

Sincerely,


Tamika N. Davis-Cannon
Registration Product Manager, Professional Products

(Label code D-1472 072409)

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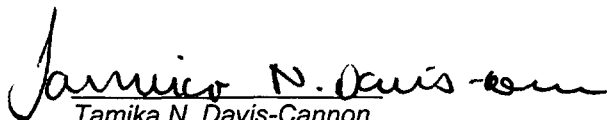


DuPont Crop Protection
Stine-Haskell Research Center
P.O. Box 30
Newark, DE 19714-0030

NOTIFICATION: July 27, 2009

**RE: DuPont™ Advion® Fire Ant Bait
EPA Reg. No. 352-627
Amend Container Disposal Instructions per PRN 2007-4**

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.



*Tamika N. Davis-Cannon
Product Registrations Coordinator
DuPont Professional Products*

7-27-09

Date

NOTIFICATION

Aug 1 2009

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DuPont™ Advion®

FIRE ANT BAIT

Professional Products

INTENDED FOR USE BY COMMERCIAL APPLICATORS ONLY

For control of imported fire ants, bigheaded ants, pavement ants, and turfgrass ants on lawns, recreational areas, golf courses and other noncrop/nongrazed areas.

<i>Active Ingredient</i>	<i>By Weight</i>
Indoxacarb (S)-methyl 7-chloro-2,5-dihydro-2-[[[(methoxy-carbonyl)[4(trifluoromethoxy)phenyl]amino]-carbonyl]indeno[1,2-e][1,3,4]oxadiazine-4a-(3H)-carboxylate	0.045%
<i>Other ingredients</i>	99.955%
TOTAL	100.0%

EPA Reg. No. 352-627

EPA Est. No. _____

Net Contents: _____

E.I. du Pont de Nemours and Company

1007 Market Street

Wilmington, Delaware 19898

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

For questions regarding emergency medical treatment, you may contact 1-800-441-3637 for information.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS (AND DOMESTIC ANIMALS)

CAUTION

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear:

Long-sleeved shirt and long pants.

Shoes plus socks.

Gloves.

Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for washables, use detergent and hot 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. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply where/when conditions could favor runoff. Cover, incorporate, or clean up granules that are spilled.

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment rinsewater.



The miracles of science™

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.

- Do not allow unprotected workers or other persons or pets in treated area during application.

DuPont™ ADVION® fire ant bait must be used only in accordance with Directions For Use on this label.

USE INFORMATION

ADVION® fire ant bait may be used to control imported fire ants, bigheaded ants, pavement ants and turfgrass ants in noncrop/nongrazed areas such as residential lawns, golf courses, recreational areas, industrial sites and other similar areas where imported fire ants, bigheaded ants, pavement ants and turfgrass ants are found. Refer to the Use Rate table for specific treatment site examples where this product may be used to control imported fire ants.

Precaution:

Compatibility studies with other pesticides, fertilizers, and other biologically active materials have not been completed. Do not apply in combination with other materials. Do not formulate this product into other end-use products.

When to apply:

ADVION® fire ant bait should be applied at the first sign of imported fire ant, bigheaded ant, pavement ant or turfgrass ant activity. Applications may be made at any time of the day, but are more effective when ants are actively foraging, usually when the soil surface temperature is above 60° F.

Up to 4 applications of ADVION® fire ant bait may be applied per year. These are generally applied at 12 to 16 week intervals. However, rainfall or irrigation within 2 to 3 hours

after application may reduce the effectiveness of ADVION® fire ant bait and a repeat application within 7 days may be necessary to achieve the desired level of control.

Do not apply if the area to be treated is wet with dew, irrigation or rainfall.

SPECIFIC USE DIRECTIONS

Broadcast Treatments

Make application with broadcast equipment capable of applying 1.5 pounds of ADVION® fire ant bait per acre. Calibrate and adjust equipment prior to application to ensure that the proper rate of product will be applied. Retreat after 12-16 weeks if needed.

Individual Mound Treatments

Do not disturb the mound. Do not apply to tops of mound. Apply 4 level tablespoons (0.5 oz) of ADVION® fire ant bait per mound, uniformly distributing the product 3-4 feet around the mound. Retreat after 12-16 weeks if needed.

Individual mound treatments: **Application Sites, Pest Controlled are the same as those listed below.**

USE RESTRICTIONS

- Do not use kitchen utensils for measuring. Keep measuring utensils with pest control pesticides away from children.
- Do not allow livestock or domestic animals to consume the bait.
- Do not apply this product through any type of irrigation system.
- Do not exceed 6 total pounds of ADVION® fire ant bait applied per acre per year.

Use Rate for ADVION® fire ant bait

Use Sites	Pest Controlled	Pound Product/Acre	Ounces Product per 1,000 sq ft
Home lawns, golf courses, athletic field and recreational turf; non-grazed and noncrop areas, parks, cemeteries, picnic areas, uncultivated non-agricultural areas, including airports, roadsides, highway right of ways, utilities right of way, campgrounds, and industrial sites; Institutional sites defined as areas around properties or facilities providing a service to public or private organizations including, but not limited to, hospitals, nursing homes, schools, universities, colleges, museums, libraries, sport facilities, and office buildings	Imported fire ants - <i>Solenopsis spp.</i> Bigheaded ants* <i>Pheidole megacephala</i> Pavement ants* <i>Tetramorium caespitum</i> Turfgrass ants* <i>Lasius neoniger</i>	1.5 lbs/A (6 lbs/A total or 4 applications in a 1 year period)	0.5 oz/1,000 sq ft

* Not approved for use on this species in CA

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store product in original container only in a location inaccessible to children and pets. Do not contaminate water, other pesticides, fertilizer, food or feed in storage.

PESTICIDE DISPOSAL: Do not contaminate water, food, or feed by storage or disposal. Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING:

Plastic Containers, Bags or Fiber Sacks including Flexible Intermediate Bulk Containers (FIBC) or Fiber Drums With Liners: Nonrefillable container. Do not reuse or refill this container. Completely empty plastic container or bag or fiber sack into manufacturing or application equipment by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer for recycling, if available or dispose of empty plastic container, bag, fiber sack or fiber drum with liner in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

NOTICE TO BUYER--Purchase of this material does not confer any rights under patents of countries outside of the United States.

DuPont will not be responsible for losses or damages resulting from use of this product in any manner not specifically stated on this label or other labels or bulletins published by DuPont. User assumes all risks associated with such non-specified use.

The DuPont Oval Logo, DuPont™ and ADVION® are trademarks or registered trademarks of E. I. duPont de Nemours and Company.

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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.

It is impossible to eliminate all risks associated with the use of this product. Such risks may arise from factors such as weather conditions, soil factors, off target movement, unconventional technique, presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of DuPont or Seller. These risks can cause: ineffectiveness of the product or other unintended consequences.

DuPont does not agree to be an insurer of these risks. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, WHEN YOU BUY OR USE THIS PRODUCT, YOU AGREE TO ACCEPT THESE RISKS.**

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 for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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, STRICT LIABILITY OR OTHER LEGAL THEORY) RESULTING FROM THE STORAGE, 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.

To the extent consistent with applicable law that allows such requirement, DuPont or its distributor must have prompt notice of any claim so that an immediate investigation of buyer's or user's claim can be made. Buyer and all users shall promptly notify DuPont or a DuPont distributor 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.