

352-728

4/9/2010

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



OFFICE OF
PREVENTION, PESTICIDES,
AND TOXIC SUBSTANCES

April 9, 2010

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

Dear Dr. Carver:

Subject: Amended labeling to revise the container handling statements
DuPont™ RYNAXYPYR® TECHNICAL
EPA Registration No. 352-728
Your submission dated March 31, 2010

The proposed labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, is acceptable.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label or durably marked on the container itself. This information can be added by non-notification per PR Notice 98-10.

A stamped copy is enclosed for your records. Please submit two copies of your final printed labeling before you release the product for shipment. Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). If you have any questions, please contact Julie Chao by phone at: (703) 308-8735, or by email at: chao.julie@epa.gov.

Regards,

Kable Bo Davis
Acting Product Manager (07)
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure



DuPont™ Rynaxypyr® Technical

FOR FORMULATION OF INSECTICIDES ONLY

ACTIVE INGREDIENT	BY WEIGHT
Chlorantraniliprole: 3-Bromo-N-[4-chloro-2-methyl-6-[(methylamino)carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide.....	95.3%
OTHER INGREDIENTS	4.7%
	TOTAL 100.0%

EPA Reg. No. 352-728

EPA Est. _____

KEEP OUT OF REACH OF CHILDREN

FIRST AID

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

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

When used as directed, this product does not present a hazard to humans or domestic animals.

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 Pollution 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.

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 Terrestrial Food Crop uses:

- Fruit, caneberry, subgroup 13-07A
- Fruit, citrus, group 10
- Fruit, pome, group 11
- Fruit, small vine climbing, except fuzzy kiwifruit, subgroup 13-07F
- Fruit, stone, group 12
- Fruit, tropical: including acerola, atemoya; avocado; biriba; black sapote; canistel; cherimoya; custard apple ilama; feijoa; guava; jaboticaba; longan; lychee; mamey sapote; mango; papaya; passionfruit; pulasan; rambutan; sapodilla; soursop; Spanish lime; star apple; starfruit; sugar apple; wax jambu; add White sapote (Casimiroa), and other cultivars and/or hybrids of these.
- Grass forage, fodder and hay, group 17
- Herbs and spices, group 19
- Non-grass animal feeds, group 18
- Nut, tree, group 14
- Vegetables, Brassica leafy, group 5
- Vegetables, cucurbit, group 9
- Vegetables, foliage of legume, group 7
- Vegetables, fruiting, group 8
- Vegetables, leafy, except Brassica, group 4
- Vegetables, legume, group 6
- Vegetables, tuberous and corm, subgroup 1C
- Artichoke, asparagus, banana, cacao, coffee, corn (field and sweet), cotton, crambe, figs, grape, hare's ear mustard, hops, jojoba, lesquerella, lunaria, milkweed, peppermint tops and spearmint tops, mustard, okra, oil radish, olives, persimmons, pineapple, pistachios, plantain, pomegranates, poppy seed, prickly pear cactus, rapeseed, rice, rose hip, sesame, sugarcane, tallowwood, and tea oil plant

ACCEPTED

APR - 9 2010

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

EPA. Reg. No: 352-728

2. **Terrestrial Non-Food Crops** - Indoor Ornamentals (including interiorscapes; excluding greenhouses), landscape ornamentals and turf grass (including sod farms);
 3. Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
 4. 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: Do not subject to temperatures below 32 degrees F. 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. Not for use or storage in or around the home.

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: Refer to the Net Contents section of this product's labeling for the applicable "Nonrefillable Container" or "Refillable Container" designation.

Nonrefillable Plastic and Metal Containers (Capacity Equal to or Less Than 50 Pounds): Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then, for Plastic Containers, 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 ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Nonrefillable Plastic and Metal Containers (Capacity Greater Than 50 Pounds): Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then, for Plastic Containers, 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 ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Nonrefillable Plastic and Metal Containers, e.g., Intermediate Bulk Containers [IBC] (Size or Shape Too Large to be Tipped, Rolled or Turned Upside Down): Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying the contents from this container into application equipment or mix tank and before final disposal using the following pressure rinsing procedure. Insert a lance fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Nonrefillable Paper or Plastic Bags, Fiber Sacks including Flexible Intermediate Bulk Containers (FIBC) or Fiber Drums With Liners: Nonrefillable container. Do not reuse or refill this container. Completely empty paper or plastic bag, fiber sack or drum liner 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 paper or plastic bag, fiber sack or fiber drum and liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

Refillable Fiber Drums With Liners: Refillable container (fiber drum only). *Refilling Fiber Drum:* Refill this fiber drum with DuPont™ RYNAXYPYR® Technical containing chlorantraniliprole only. Do not reuse this fiber drum for any other purpose. Cleaning before refilling is the responsibility of the refiller. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. *Disposing of Fiber Drum and/or Liner:* Do not reuse this fiber drum for any other purpose other than refilling (see preceding). Cleaning the container (liner and/or fiber drum) before final disposal is the responsibility of the person disposing of the container. Offer the liner for recycling if available or dispose of liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner. To clean the fiber drum before final disposal, completely empty the fiber drum by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer the fiber drum for recycling if available or dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

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All Other Refillable Containers: Refillable container. *Refilling Container:* Refill this container with DuPont™ RYNAXYPYR® Technical containing chlorantraniliprole only. Do not reuse this container for any other purpose. Cleaning before refilling is the responsibility of the refiller. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn out threads and closure devices. If damage is found, do not use the container, contact DuPont at the number below for instructions. Check for leaks after refilling and before transporting. If leaks are found, do not reuse or transport container, contact DuPont at the number below for instructions. *Disposing of Container:* Do not reuse this container for any other purpose other than refilling (see preceding). Cleaning the container before final disposal is the responsibility of the person disposing of the container. To clean the container before final disposal, use the following pressure rinsing procedure. Insert a lance fitted with a suitable tank cleaning nozzle into the container and ensure that the water spray thoroughly covers the top, bottom and all sides inside the container. The nozzle manufacturer generally provides instructions for the appropriate spray pressure, spray duration and/or spray volume. If the manufacturer's instructions are not available, pressure rinse the container for at least 60 seconds using a minimum pressure of 30 PSI with a minimum rinse volume of 10% of the container volume. Drain, pour or pump rinsate into application equipment or rinsate collection system. Repeat this pressure rinsing procedure two more times. Then, for Plastic Containers, 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 ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Outer Foil Pouches of Water Soluble Packets (WSP): Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or, dispose of the empty outer foil pouch in the trash as long as WSP is unbroken. If the outer pouch contacts the formulated product in any way, the pouch must be triple rinsed with clean water. Add the rinsate to the spray tank and dispose of the outer pouch as described previously.

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.

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 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 APPLICABLE 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. 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 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. To the extent consistent with applicable law that allows such requirement, 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: _____

OR

Refillable Container

Net: _____

**E. I. du Pont de Nemours and Company
1007 Market Street
Wilmington, Delaware 19898 U.S.A.**

Made in U.S.A.