



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

January 30, 2015

Norma C. Pangilinan, Ph.D.
Bayer Environmental Science
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Label Amendment – Add Additional Marketing Claims, Resistance Management Group Number, and Other Minor Labeling Changes
Product Name: CHIPCO TOPCHOICE INSECTICIDE
EPA Registration Number: 432-1217
Application Date: October 21, 2014
Decision Number: 496710

Dear Dr. Pangilinan:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

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

Page 2 of 2
EPA Reg. No. 432-1217
Decision No. 496710

with FIFRA section 6. If you have any questions, please contact Maggie Rudick by phone at 703-347-0257, or via email at rudick.maggie@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'KBD', enclosed within a large, loopy oval shape.

Kable Bo Davis, Product Manager 3
Invertebrate & Vertebrate Branch 1
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

ACCEPTED

01/30/2015

Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under
EPA Reg. No. 432-1217

GROUP

2B

INSECTICIDE

RESTRICTED USE PESTICIDE**DUE TO TOXICITY TO AQUATIC INVERTEBRATES**

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

CHIPCO® Topchoice® Insecticide

[ABN: Senture™ Insecticide]

For Pest Control Operators and Commercial Use Only

[Solenopsis spp. Image]

[Ctenocephalides spp Image]

[Ixodidae Image]

Editorial Note – [Bracketed text] is optional language

- Contains Fipronil
- Controls Imported Fire Ants *Solenopsis* spp.
- Easy and Quick to Apply
- Ready to Use
- Season Long Control of Imported Fire Ants *Solenopsis* spp.
- Guaranteed to Work or Money Back
- Up to One Year Control of Imported Fire Ants *Solenopsis* spp.

ACTIVE INGREDIENT:

*Fipronil: 5-amino-1-(2,6-dichloro-4-(trifluoromethyl) phenyl)-4-((1,R,S)-(trifluoromethyl)sulfinyl)

-1-H-pyrazole-3-carbonitrile0.0143%

OTHER INGREDIENTS:.....99.9857%

TOTAL: 100.0000%

EPA Reg. No. 432-1217

EPA Est. No. XXX

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUCIÓN

See side panel for additional precautionary statements

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do understand this label, find someone to explain it to you).

For **MEDICAL** and **TRANSPORTATION** Emergencies **ONLY** Call 24 Hours A Day 1-800-228-5635

For **PRODUCT USE** Information Call 1-800-331-2867

FIRST AID**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.

If swallowed:

- Call a poison control center or doctor immediately for treatment advice.
- Have a person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by a 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 rinsing eye.
- Call a poison control center or doctor for treatment advice.

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

NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient.

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through the skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

SYMPTOMS OF POISONING: In severe cases of overexposure by oral ingestion, lethargy, muscle tremors, and, in extreme cases, possibly convulsions, may occur.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators, mixers, loaders, and persons cleaning application equipment must wear long sleeved shirt and long pants, waterproof gloves, and shoes plus socks.

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems or enclosed cabs, in a manner that meets the requirements listed in the Worker Protection Standard (WPS) or agricultural practices (40 CFR 170.240 (d) (4-6), the handler PPE requirement may be reduced or modified as specified in the WPS. Important: When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for applicators and other handlers, and have such PPE immediately available for use in an emergency, such as a spill or equipment breakdown. Follow manufacturer's instructions for cleaning/maintaining PPE. If no 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 body thoroughly and put on clean clothing.

Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds, fish, aquatic and estuarine (tidewater dwelling) invertebrates. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Cover, incorporate or clean up granules that are spilled. Do not contaminate water when disposing of equipment washwater or rinsate. Do not apply within 15 feet of bodies of fresh water: lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, and commercial fish ponds. A 15 foot buffer of uniform groundcover must exist between application zone and bodies of freshwater (uniform ground cover is defined as land which supports vegetation of greater than 2 inches throughout).

Do not apply within 60 feet of estuarine bodies of water. Estuarine water bodies are brackish, tidal water such as bays, mouths of rivers, salt marshes, and lagoons.

In order to reduce risk to birds, ensure that the application is spread evenly over the treatment area.

Florida Applications:

Do not use this product within 500 feet of areas occupied by the threatened Florida scrub jay, bluetail mole skink, or sand skink. In addition, for the protection of the threatened bluetail mole skink and sand skink, apply only to turf grass and allow at least a 30-foot untreated buffer of turf grass when adjacent to scrub habitat (i.e., xeric upland) in the following counties: Highlands, Lake, Marion, Orange, Osceola, Polk, and Putnam. For guidance, consult the Florida Department of Agriculture and Consumer Services.

For application to urban turf or lawns in Florida, follow the Best Management practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries, available on the internet at http://www.flaes.org/pdf/BMP_Book_final.pdf

AGRICULTURAL USE REQUIREMENTS

Use this product in accordance with its labeling and with the Worker Protection Standard, 40 CFR 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notifications to workers and restricted-entry intervals. The requirements in this box only apply to sodfarm uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours.

PPE required for entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- coveralls
- waterproof gloves
- shoes plus socks

NON AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are not within the scope of the Worker Protection Standard (WPS) for agricultural pesticides (40CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Always wear protective clothing and use appropriate equipment during application and handling. Avoid contact with granules. Avoid breathing dust.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

RESTRICTED USE PESTICIDE

Read entire label before using this product.

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.

For USE ON TURFGRASS, LANDSCAPE BEDS, AND OUTDOOR NURSERY SITES FOR CONTAINERIZED ORNAMENTAL PLANTS

PRODUCT RESTRICTIONS

- Always wear protective clothing and use appropriate equipment during application and handling.
- Do not apply to pastures or grazing lands.

PRODUCT PRECAUTIONS

- Apply this pesticide when the potential for drift to nearby bodies of water is minimal (wind speed is 10 mph or less and the wind is blowing away from the body of water).
- Avoid contact with granules.
- Avoid breathing dust.

PRODUCT INFORMATION

Apply CHIPCO Topchoice Insecticide to control Imported Fire Ants *Solenopsis* spp. in turfgrass and landscape beds in accordance with the application rate table.

Compatibility studies with other pesticides, fertilizers, and other biologically active materials have not been completed. Do not apply in combination with other materials.

No phytotoxic response on any turfgrass species has been observed to date.

SPECIFIC USE DIRECTIONS

BROADCAST TREATMENT

This product can only be used in the USDA APHIS Imported Fire Ant Quarantine areas within the following states and Puerto Rico:

Alabama	Louisiana	South Carolina
Arkansas	Mississippi	Tennessee
California (Coachella Valley Only)*	New Mexico	Texas
Florida	North Carolina	Virginia

Georgia

Oklahoma

Before using this product, refer to the USDA APHIS Imported Fire Ant Quarantine web site:

http://www.aphis.usda.gov/plant_health/plant_pest_info/fireants/downloads/fireant.pdf or search the APHIS web site by zip code to determine if the area to be treated is located within the APHIS Imported Fire Ant Quarantine area.

http://www.aphis.usda.gov/plant_health/plant_pest_info/fireants/fireantquery.php. **If the zip code for the area to be treated does not appear in the APHIS Imported Fire Ant Quarantine zone, you must notify and consult with the county's extension agent prior to treating.**

Consult your State or Federal plant protection inspector, or your county agent for assistance regarding exact areas under regulation and requirements for moving regulated articles.

In areas within the prescribed buffer zone for estuarine or fresh bodies of water as stated in the Environmental Hazards section of this label, applicators may use Maxforce® FC Fire Ant Bait (EPA Reg. No. 432-1433). Refer to the Maxforce® FC Fire Ant Bait label for application information.

Make application with broadcast equipment that is capable of applying 87 lbs of product/A.

Do not apply more than 1 application per year of 87 lbs of product/A. Two applications (87 lbs/A per application) may only be used on sodfarms within the USDA APHIS Quarantine areas. Do not make more than one application per year of 0.0125 lbs fipronil/A. Two applications of 0.0125 lbs of fipronil/A may only be used on sodfarms within the USDA APHIS Quarantine areas.

Calibrate and adjust equipment prior to application to ensure that the proper rate of product will be applied.

***California:** This product can only be used in the Coachella Valley. Applications can only be made from April through September.

The primary purpose of this product is for Imported Fire Ants *Solenopsis* spp. control.

SITES	PESTS CONTROLLED	APPROXIMATE LENGTH OF CONTROL	APPLICATION RATE OF CHIPCO Topchoice		APPLICATION DIRECTIONS
			POUNDS PRODUCT PER ACRE	POUNDS PRODUCT PER 1,000 SQ FT	
<u>Turfgrass</u> Golf turf Sports fields Commercial lawns Cemeteries Parks Campsites Recreational areas Home Lawns School grounds Sodfarms <u>Landscape beds</u>	Imported Fire Ants [<i>Solenopsis</i> spp.]	1 year	87	2	Imported Fire Ants <i>Solenopsis</i> spp.: Make applications to control existing Imported Fire Ants <i>Solenopsis</i> spp. populations and/or to exclude Imported Fire Ants <i>Solenopsis</i> spp. populations. For best results, water or irrigate treated turf after application. Do not broadcast or apply over impervious surfaces such as but not limited to paved or concrete roads, sidewalks, driveways, walkways, nor broadcast near any storm drains. In areas within the prescribed buffer zone for estuarine or fresh bodies of water as stated in the Environmental Hazards section of this label, applicators may use Maxforce® FC Fire Ant Bait (EPA Reg. No. 432-1433). Refer to the Maxforce® FC Fire ant Bait label for application information.
OUTDOOR NURSERY SITES FOR CONTAINERIZED ORNAMENTAL PLANTS		1 year	87	2	Use for control of Imported Fire Ants <i>Solenopsis</i> spp. with an application to outdoor nursery sites prior to the placement of containerized plants onto the treated area. • Do not apply to field grown nursery stock. • Do not apply to bareground, hard and/or impervious surfaces e.g. concrete, asphalt, highly compacted soil surfaces, plastic film, or wood surfaces. • Do not apply to areas where plants grown for food will be placed.

When treating for Imported Fire Ants *Solenopsis* spp. the following pests will be controlled for a limited time:

PESTS CONTROLLED	APPROXIMATE LENGTH OF CONTROL
Mole Crickets <i>Scapteriscus</i> spp.	4 months
Nuisance ants [<i>Lasius neoniger</i>]	3 months
Fleas [<i>Ctenocephalides</i> spp.]	1 month
Ticks [<i>Dermacentor</i> spp., <i>Rhipicephalus</i> sp., <i>Ixodes</i> spp.]	1 month

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Do not store in or around the home. Store unused product in original container only, out of reach of children and animals. NEVER TRANSFER THIS PRODUCT TO ANOTHER CONTAINER FOR STORAGE.

PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide is a violation of Federal law.

Contamination with this product will render water, food or feed unfit for human or animal consumption. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

IN CASE OF SPILL

Sweep up spilled granules, transfer to a marked container, and dispose of wastes on site or at an approved waste disposal facility.

CONTAINER HANDLING

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or if allowed by State and local authorities, by open burning. If container is burned, stay out of smoke.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

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Chipco Choice is specially formulated and sold by Bayer Environmental Science for the control of fire ants and selected insects according to the directions on this label. The purchase price of Chipco Choice includes a royalty whereby the purchaser acquires a prepaid license under which purchaser agrees to employ the purchased quantity of Chipco Choice only for the above-specified uses under Bayer's United States patent rights and to provide notice of the terms and conditions of this license to any subsequent purchaser. Uses of Chipco Choice other than those specified on this label are not licensed through the purchase of this product and the use of this product for other purposes may violate this license and patent rights of Bayer or the exclusive license rights granted to BASF.

Maxforce® FC Fire Ant Bait, Chipco, and Topchoice are registered trademarks of Bayer.

NET CONTENTS:

PRODUCED FOR



Bayer Environmental Science

Bayer Environmental Science
A Division of Bayer CropScience LP
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