

655-691

9/28/2012

1/9



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Decision 469902

332 5-923014
1300
September 28, 2012

Prentiss, LLC
c/o Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332

Attention: Mr. Michael Kellogg

Subject Rotenone Fish Toxicant Powder
EPA Reg. No. 655-691
Your Notification Received August 31, 2012

Purpose The Agency has received your submission for Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 and 2007-4, to make changes to the Storage and Disposal, warranty, First Aid, and company address texts.

Review The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and 2007-4 and has found that the action falls within the scope of these PR Notices. The label submitted with the application has been stamped "Notification", and will be posted on EPA's website.

Questions

If you have questions about this letter, please contact me at 703-305-5407 (phone) or peacock.dan@epa.gov (E-Mail).

Sincerely,



Daniel B. Peacock, Biologist
Insecticide-Rodenticide Branch
Registration Division (7505P)

File Location

Dan Peacock, F:\DBP Documents\Backup, 16gb Flash Drive\Notifications\Letters\Letters DPeacock\655-691, Not 8-31-2012, St-Dis, war, other, OK, 9-28-2012.doc



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 655-691	2. EPA Product Manager J. Hebert	3. Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted
4. Company/Product (Name) Prentiss LLC / Prentox Rotenone Fish Toxicant Powder	PM# 7	
5. Name and Address of Applicant (Include ZIP Code) Prentiss LLC c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332 <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"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of minor label revisions per PRN 98-10 and PRN 2007-4. See p. 2 of this application for certification statements.

NOTIFICATION

SEP 28 2012

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify) Lined fiber drum
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 110.23 lbs. (50 kg)		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Michael Kellogg	Title Agent	Telephone No. (Include Area Code) (253) 853-7369
Certification 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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Agent	
4. Typed Name Michael Kellogg	5. Date 8/29/2012	

4/9

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

August 29, 2012

COURIER DELIVERY

John Hebert (PM 7)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE: Prentiss LLC – Prentox Rotenone Fish Toxicant Powder (EPA Reg. No. 655-691)
Notification of Revision to Container Disposal Language per PRN 2007-4 and Minor Label
Revisions per PRN 98-10

Dear Mr. Hebert,

On behalf of Prentiss LLC, please find the enclosed notification of revision to the container disposal language per PRN 2007-4 for Prentox Rotenone Fish Toxicant Powder.

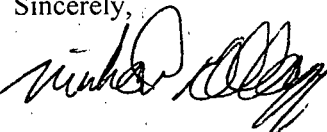
We are also making additional minor label revisions permitted by PRN 98-10 as follows:

- 1) Updated company name and address (per PRN 98-10 this can be accomplished via non-notification).
- 2) Removed the NPIC telephone number and language from the First Aid section as Prentiss maintains contracts with both PROSAR and CHEMTREC whose telephone numbers are being added in place of NPIC.
- 3) Added a “Conditions of Sale and Limitation of Warranty and Liability” section.

In support of this notification application, we submit the following documents:

- 1. Application for Pesticide Registration (EPA Form 8570-1)
- 2. One (1) copy of the Prentox Rotenone Fish Toxicant Powder label with changes tracked
- 3. One (1) copy of the Prentox Rotenone Fish Toxicant Powder label with changes incorporated
- 4. Certification with Respect to Label Integrity
- 5. One (1) copy of the Prentox Rotenone Fish Toxicant Powder on CD
- 6. Letter of Authorization

Please feel free to contact me by phone (253) 853-7369 or by email at Mike@PyxisRC.com if you have any questions or need any additional information.

Sincerely,


Michael Kellogg

Enclosures

5/9

000655-00691.20120928.
Notification

RESTRICTED USE PESTICIDE
DUE TO AQUATIC, ACUTE ORAL AND INHALATION TOXICITY
For retail sale to, and use by, Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.



NOTIFICATION

SEP 28 2012

Rotenone
Fish Toxicant Powder

ACTIVE INGREDIENTS:

Rotenone- Minimum Guaranteed 8.74% w/w
Other Associated Resins 13.11%

OTHER INGREDIENTS 78.15%

TOTAL 100.00% w/w

ROTENONE ASSAY _____ % ROTENONE

PRENTOX® - Registered Trademark of Prentiss LLC

KEEP OUT OF REACH OF CHILDREN

DANGER (skull and crossbones) POISON (in red)

FIRST AID

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

If swallowed:	<ul style="list-style-type: none"> • Call a Poison Control Center, physician, or PROSAR at 866-257-4118 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 physician. • Do not give anything by mouth to an unconscious or convulsing person.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a Poison Control Center, physician, or PROSAR at 866-257-4118 immediately for treatment advice.
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a Poison Control Center, physician, or PROSAR at 866-257-4118 for treatment advice.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a Poison Control Center, physician, or PROSAR at 866-257-4118 for treatment advice.

For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call 866-257-4118.

SEE INSIDE LABEL BOOKLET FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND DIRECTIONS FOR USE.

For Chemical Spill, Leak, Fire, or Exposure, Call: CHEMTREC 1-800-424-9300
For Medical Emergencies Only, Call: 866-257-4118

6/9

Manufactured by:
Prentiss LLC
2155 West Croft Circle
Spartanburg, SC 29302

EPA Reg. No. 655-691
EPA Est. No. 655-GA-1
NET CONTENTS:

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER

Fatal if inhaled or swallowed. Harmful if absorbed through the skin. Causes moderate eye irritation. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not breathe dust. Use a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C) or a NIOSH approved respirator with any N, R, P or HE filter. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish. Fish kills are expected at recommended rates. Consult your State Fish and Game Agency before applying this product to public waters to determine if a permit is needed for such an application. Do not contaminate untreated water when disposing of equipment washwaters.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store only in original container, in a dry place inaccessible to children and pets. If spilled, sweep up and dispose of as below.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment then offer for recycling if available or dispose of 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.

DIRECTIONS FOR USE

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

USE RESTRICTIONS:

Use against fish in lakes, ponds, and streams (immediately above lakes and ponds).

Since such factors as pH, temperature, depth, and turbidity will change effectiveness, use this product only at locations, rates, and times authorized and approved by appropriate State and Federal fish and wildlife agencies. Rates must be within the range specified in the labeling.

Properly dispose of dead fish and unused product. Do not use dead fish as food or feed.

Do not use water treated with rotenone to irrigate crops or release within 1/2 mile upstream of a potable water or irrigation water intake in a standing body of water such as a lake, pond or reservoir.

Note to User: Adjust pounds of Rotenone according to the actual Rotenone Assay as noted under the Ingredient Statement on this label. For example, if the required amount of 5% rotenone is 21 pounds, and the Rotenone Assay is 7%, use 5/7 of 21 pounds or 15 pounds of this product to yield the proper amount of active rotenone.

APPLICATION DIRECTIONS:

Treatment of Lakes and Ponds

1. Application Rates and Concentrations of Rotenone

The actual application rates and concentrations of rotenone needed to control fish will vary widely, depending on the type of use (e.g. selective treatment, normal pond treatment, etc.) and the factors listed above. The table below is a general guide for the proper rates and concentrations.

2. Total Amount of Product Needed for Treatment

To determine the total number of pounds needed for treatment, divide the number of acre-feet covered by one pound for a specific type of use (e.g., selective treatment, etc.), as indicated in the table below, into the number of acre-feet in the body of water.

General Guide to the Application Rates and Concentrations of Rotenone Needed to Control Fish in Lakes and Ponds¹

Type of Use	No. of Acre-Feet Covered by One Pound	Parts Per Million	
		Active Rotenone	5% Product
Selective Treatment	3.7 to 2.8	0.005 - 0.007	0.10 - 1.3
Normal Pond Use	0.74 to 0.37	0.025 - 0.050	0.5 - 1.0
Remove Bullheads or Carp	0.37 to 0.185	0.050 - 0.100	1.02 - 2.0
Remove Bullheads or Carp in Rich Organic Ponds	0.185 to 0.093	0.100 - 0.200	2.0 - 4.0
Pre-impoundment Treatment Above Dam	0.123 to 0.074	0.150 - 0.250	3.0 - 5.0

¹Adapted from Kinney, Edward, 1965 Rotenone in Fish Pond Management, USDI Washington D.C. Leaflet FL-576.

Computation of acre-feet for lake or pond: An acre-foot is a unit of water volume having a surface area of one acre and a depth of one foot. Make a series of transects across the surface, taking depths with a measured pole or weighted line. Add the measurements and divide by the number made to determine the average depth. To compute total acre-feet, multiply this average depth by the number of surface acres, which can be determined from an aerial photograph or plat drawn to scale.

3. Pre-Mixing Method of Application

Pre-mix one pound of Rotenone with 3 to 10 gallons of water. Uniformly apply over water surface or bubble through underwater lines. Alternately place undiluted powder in burlap sack and trail behind boat. When treating deep water (20 to 25 feet) weight bag and tow at desired depth.

4. Removal of Taste and Odor

Rotenone treated waters do not retain a detectable taste or odor for more than a few days to a maximum of one month. Taste and odor can be removed immediately by treatment with activated charcoal at a rate of 30 ppm for each 1 ppm Rotenone remaining (Note: As Rotenone detoxifies, less charcoal is required).

5. Restocking

Waters treated with this product detoxify within 2 to 4 weeks after treatment, depending on pH, temperature, water hardness, and depth. To determine if detoxification has occurred, place live boxes containing samples of fish to be stocked in treated waters. More rapid detoxification can be accomplished by adding Potassium Permanganate or chlorine at a 1:1 ratio with the concentration of rotenone applied, plus sufficient additional compound to satisfy the chemical oxidation demand caused by organic matter that may be present in the treated water.

Treatment of Streams Immediately Above Lakes and Ponds

The purpose of treating streams immediately above lakes and ponds is to improve the effectiveness of lake and pond treatments and not to control fish in streams per se. The term "immediately" means the first available site above the lake or pond where treatment is practical.

In order to treat a stream immediately above a lake or pond, you must select a concentration of active rotenone, compute the flow rate of a stream, calculate the application rate, select an exposure time, estimate the amount of product needed, and follow the method of application.

1. Concentration of Active Rotenone

Select the "Concentration of Active Rotenone" based on the type of use from those on the table. For example, if you select "Normal Pond Use" you could select a concentration of "0.025 Parts per Million".

2. Computation of Flow Rate for Stream

Select a cross section of the stream where the banks and bottom are relatively smooth and free of obstacles. Divide the surface width into 3 equal sections and determine the water depth and surface velocity at the center of each section. In slowly moving streams, determine the velocity by dropping a float attached to 5 feet of loose, monofilament fishing line. Measure the time required for the float to move 5 feet. For fast-moving streams, use a longer distance. Take at least three readings at each point. To calculate the flow rate from the information obtained above, use the following formula:

$$F = \frac{Ws \times D \times L \times C}{T}$$

where F = flow rate (cu. ft./sec.), Ws = surface width (ft.), D = mean depth (ft.), L = mean distance traveled by float (ft.), C = constant (0.8 for rough bottoms and 0.9 for smooth bottoms), and T = mean time for float (sec.).

For example, after using the above formula, you might have computed the stream's flow rate to be "10 cu. ft. per sec."

3. Calculation of Application Rate

In order to calculate the application rate (expressed as "pound per sec"), you convert the rate in the table (expressed as "pound per acre-foot"), to "pound per cu. feet" and multiply by the flow rate (expressed as "cu. ft. per sec."). Depending on the size of the stream and the type of equipment, the rate could be expressed in other units, such as "ounces per hr."

The application rate for the stream above is calculated as follows:

$$R_s = R_p \times C \times F$$

where R_s = Application Rate for Stream (lb/sec), R_p = Application Rate for Pond (lb/acre feet), C = 1 acre foot/43560 cu. ft., and F = Flow Rate (cu.ft/sec).

In the example, the Application Rate for Stream would be:

$$R_s = 1 \text{ lb}/0.74 \text{ acre-foot} \times 1 \text{ acre-foot}/43560 \text{ cu. ft.} \times 10 \text{ cu. ft./sec.}$$
$$R_s = .00031 \text{ lb/sec or } 17.9 \text{ oz./hr.}$$

4. Exposure Time

The "Exposure Time" would be the period of time (expressed in hours or seconds) during which target fish should not enter the lake or pond under treatment. In the example, this period of time could be 4 hours.

5. Amount of Product

Calculate the "Amount of Product" for a stream by multiplying the "Application Rate for Stream" by the "Exposure Time". In the example, the "Amount of Product" would be 71.6 oz. (17.9 oz./hr. x 4 hr.) or 4.5 lb.

RE-ENTRY STATEMENT

Do not allow swimming in rotenone-treated water until the application has been completed and all pesticide has been thoroughly mixed into the water according to labeling instructions.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and 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.

The Directions for Use of this Product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Prentiss LLC or Seller. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Prentiss LLC and Seller harmless for any claims relating to such factors.

Prentiss LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. To the extent consistent with applicable law, this warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Prentiss LLC, and Buyer and User assume the risk of any such use. To the extent consistent with applicable law, PRENTISS LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent consistent with applicable law Prentiss LLC or Seller shall not 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 PRENTISS LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) 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 PRENTISS LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

To the extent consistent with applicable law, Prentiss LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Prentiss LLC.

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