

769-722

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAY 04 2009

Diana Williams
Value Garden Supply
P.O. Box 585
St. Joseph, MO 64502

Dear Ms. Williams:

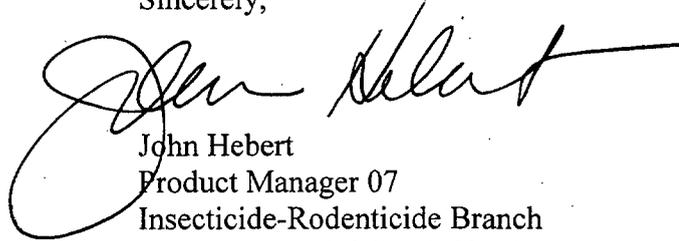
Subject: Amendment of labels to revise PPE per new occupational risk assessment of temephos
Temexx 5G Larvicide, EPA Reg No. 769-722
Temexx 1G Larvicide, EPA Reg No. 769-723
Temexx 2G Larvicide, EPA Reg No. 769-725
Temexx Mini-G Larvicide, EPA Reg No. 192-213
Temexx Micro-G Larvicide, EPA Reg No. 192-215
Your Submissions Dated: January 19, 2009

The labeling referred to above submitted in connection with the Federal Insecticide, Fungicide and Rodenticide Act, as amended are acceptable provided you make the following changes:

- Revise the "Engineering Controls" sections to what it was before this submission: "Pilots must use an enclosed cockpit and must wear chemical resistant gloves when entering or leaving an aircraft contaminated by pesticide residues..." Until route-specific occupational exposure data can be developed, the Temephos RED document must still be followed for granular products.
- Revise the heading "General Precautions and Restrictions" to read: "Precautions and Restrictions" since the term "general" can imply that the information following is advisory.
- Under the heading "Aerial Spray Drift Management" replace "should" with "must" so that the following sentences read:
 - "Where states have more stringent regulations, they must be observed."
 - "The applicator must be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information."
- In the "Application Rates" table, revise any sentence that reads: "The rate recommended for..." with "The rate specified for..." since rates are mandatory.
- In the warranty statement, add the phrase: "to the extent consistent with applicable law" to the beginning of the last sentence: "The buyer assumes any risk..."

A stamped copy of the labeling is enclosed for your records. Please submit one final printed copy of the labeling before releasing the product for shipment. If you have any questions regarding this label, please contact Autumn Metzger at (703) 305-5314.

Sincerely,



John Hebert
Product Manager 07
Insecticide-Rodenticide Branch
Registration Division (7505P)

30A7

Temexx 5G Larvicide

For Control of Mosquito Larvae

| | |
|------------------------------------|--------|
| Active Ingredient: | |
| Temephos (CAS No. 3383-96-8) | 5.0% |
| Other Ingredients: | 95.0% |
| <hr/> | |
| Total: | 100.0% |

Temexx 5G Larvicide contains 5.0 % 0,0,0',0' -tetramethyl 0,0-thiodi-p-phenylene phosphorothioate

KEEP OUT OF REACH OF CHILDREN

CAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

ACCEPTED
With COMMENTS

In EPA Letter Dated:

MAY 04 2009

Under the Federal Insecticide, Fungicide
and Rodenticide Act, As amended, for the
pesticide Registered under EPA Reg. No:

769-722



EPA Reg. No 769-722
EPA Est. No. 44616-MO-1

Value Garden Supply, LLC
St. Joseph, MO 64502

Net Contents: 50 lbs., Bulk
U.S. Standard Measure

| | |
|---|--|
| First Aid (Organophosphate) | |
| 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 by mouth-to-mouth, if possible. •Call a poison control center or doctor for further treatment advice. |
| If in eyes | <ul style="list-style-type: none"> •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. |
| HOT LINE NUMBER (Organophosphate) | |
| Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For medical Emergencies call: 1-800 858-7378 | |
| NOTE TO PHYSICIAN | |
| Temephos is a cholinesterase inhibitor. Treat symptomatically. | |

**PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals**

CAUTION. Harmful if inhaled. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Avoid breathing dust. Wash hands before eating, drinking, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuses.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are butyl rubber. If you want more options, follow the instructions for category F, H, K, L on an EPA chemical-resistance category selection chart.

Loaders, ground applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes and socks,
- Chemical resistant gloves

Aerial applicators and flaggers must wear:

- Long-sleeved shirt and long pants,
- Shoes and socks,
- Protective eyewear (flaggers only)

In addition loaders supporting aerial applications must wear:

- A NIOSH-approved dust mist filtering respirator with MSHA/NIOSH approval number prefix TC-21C or a NIOSH-approved respirator with any N,R,P, or HE filter.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should 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.

ENGINEERING CONTROLS

Pilots must wear chemical resistant gloves when entering or leaving an aircraft contaminated by pesticide residues. Used gloves must be stored in a closed chemical resistant container, such as a plastic bag, to prevent contamination of the inside of the cockpit.

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic organisms such as stone flies, water fleas, and shrimp. Non-target aquatic organisms in waters treated with this product may be killed. Some populations reestablish rapidly, but diversity may be affected. Avoid use of maximum application rate in ecologically sensitive areas. Do not contaminate water by cleaning of equipment or disposing of wastes. For information on endangered species consult EPA's web site: www.epa.gov/espp/.

DIRECTION FOR USE

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

This product may only be applied by public health officials, personnel of mosquito abatement districts and other similar government agencies or personnel under contract to these entities.

Do not use this product for any uses other than those specified on the label.

Do not apply to crops used for food, forage, or pasture.

GENERAL PRECAUTIONS AND RESTRICTIONS

Do not allow this product to drift.

Application of this product by Belly-Grinder is prohibited.

Do not mix or dilute this product with water before application.

AERIAL SPRAY DRIFT MANAGEMENT

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications. **These requirements do not apply to applications using dry formulations.**

1. The distance of the outer most nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Where states have more stringent regulations, they should be observed.

The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information.

Aerial Drift Reduction Advisory Information

Aerial Drift Reduction Advisory: This section is advisory in nature and does not supercede the mandatory label requirements.

Wind

Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Sensitive Areas

The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, non-target bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g. when wind is blowing away from the sensitive areas).

BROADCAST GROUND OR AERIAL APPLICATIONS

This product may be applied for control of mosquito and midge larvae, to areas such as but not limited to: standing water, moist areas, woodland pools, shallow ponds, edges of lakes, swamps, marshes, tidal waters, intertidal zones of sandy beaches, water high in organic content, catch basins, drainage pipes in urban areas, and tire piles. Do not apply to lakes, reservoirs or bodies of water used as a source of potable water.

Use minimum or lower rates (see chart below) in areas with open water containing low organic matter and little or no emergent vegetation. Use maximum rate in areas with high organic matter and dense vegetative cover, such as: swamps, marshes, or tidal waters.

This product may not be reapplied within 7 days of the date of the initial application unless monitoring indicates that larval populations have reestablished, or weather conditions have rendered initial treatments ineffective.

SPOT APPLICATIONS

This product may be applied as a spot treatment pre-hatch to catch basins and similar areas which breed mosquitoes. Follow Use Directions for Broadcast Applications.

CONTAINER BREEDING SITES (Applications to tire piles and other container breeding sites to control Aedes albopictus or other container breeding mosquito species.)

Broadcast Application: Apply to sides and tops of tire piles using hand held granular application equipment, vehicle-mounted blower applicators or other suitable equipment for application of granular larvicides. Apply at a rate of one (1) pound of product per 100 sq. ft. of tire pile surface area. Repeat applications every thirty (30) days or when monitoring indicates that larval populations have reestablished or weather conditions have rendered the initial treatments ineffective.

Spot Applications to Container Sites: For individual tires and other small container mosquito breeding sites, apply one-quarter (1/4) of a teaspoon of product per container.

APPLICATION RATES

| Pests Controlled | Area to be treated | Lb./acre | Lb. a.i./acre | Application Instructions |
|---------------------------|---|----------|---------------|---|
| Mosquito and Midge larvae | Standing water, shallow ponds, edge of lakes, woodland pools. | 1 - 2 | 0.05 - 0.1 | Apply uniformly by ground or air equipment. Use lower rates of application in open water with low organic matter, and little or no emergent vegetation. Use higher rates of application in areas with high organic matter and dense vegetative cover. |
| | Tidal water, marshes, swamps and waters high in organic matter content. | 2 - 4 | 0.1 - 0.2 | The rate recommended for standing water may be applied as a spot treatment to catch basins and similar breeding areas for mosquitoes. |
| | Highly polluted waters. | 5 - 10 | 0.25 - 0.5 | |

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal. Open dumping is prohibited.

Storage: Store in original container in a secured dry storage area. Prevent cross-contamination with other pesticides and fertilizers. If container is damaged or spill occurs, use product immediately or dispose of product and damaged container as indicated below.

Pesticide Disposal: Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited. Pesticide wastes are toxic. 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: 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 burning. If burned, stay out of smoke.

NOTICE: To the extent consistent with applicable law seller's guaranty shall be limited to the terms of the label and subject thereto. The buyer assumes any risk to persons or property arising out of use or handling and accepts the product on these conditions.

Proposed amended labeling 01 19 09