

1021-1670

07/10/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Steven K. Ditto
McLaughlin Gormley King Company
8810 10th Avenue North
Minneapolis, MN 55427

JUL 10 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated June 16, 2009 for:

EPA Registration 1021-1670 NYLAR®Fire Ant Bait 2629

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.

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 nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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	United States Environmental Protection Agency Washington, DC 20460	Registration Amendment Other	OPP Identifier Number
		X	
	Application for Pesticide - Section I		

1. Company/Product Number 1021-1670	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) NYLAR® Fire Ant Bait 2629	PM# 10	
5. Name and Address of Applicant (Include Zip Code) McLaughlin Gormley King Company 8810 10TH AVE N MINNEAPOLIS, MN 55427 <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

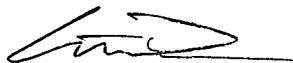
<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification pursuant PR Notice 2007-4

Section - III

1. Material This Product Will Be Packaged In:			
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	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
*Certification must be submitted If "Yes" Unit Packaging wgt.		No. per container	
If "Yes" Package wgt.		No. per container	
3. Location of Net Contents information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 -10 Lbs.	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 type="checkbox"/> Lithograph <input type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Steven K. Ditto	Title Registration Specialist	Telephone No. (Include Area Code) (763) 544-0341
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 Registration Specialist	
4. Typed Name Steven K. Ditto	5. Date 6/16/2009	



McLAUGHLIN GORMLEY KING COMPANY
8810 Tenth Avenue North • Minneapolis, MN 55427-4319 U.S.A.
763-544-0341 • 800-645-6466 • Fax 763-544-6437 • www.mgk.com

June 16, 2009

Document Processing Desk (NOTIF)
U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs (H7504P)
Room S-4900, One Potomac Yard
2777 South Crystal Dr.
Arlington, VA 22202-4501

Via Courier

Subject: NYLAR® Fire Ant Bait 2629
EPA Reg. No. 1021-1670
Notification Per PR-Notice 2007-4

Dear Sir or Madam:

By Notification we are changing the storage and disposal language to comply with the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment".

Enclosed are 2 copies of the label. One copy has changes highlighted.

Notification of label change per PR Notice 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.

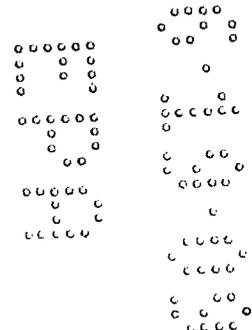
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Registration Specialist

Enclosure



NOTIFICATION

NYLAR® Fire Ant Bait 2629



McLAUGHLIN GORMLEY KING COMPANY

JUL 10 2009

8810 Tenth Avenue N. / Minneapolis, Minnesota 55427-4319 U.S.A. - Telephone (763) 544-0341

[] OR () indicates alternate or optional wording

NYLAR® is an insect growth regulator similar to the naturally occurring insect growth hormones which interferes with [stops] their growth or development

NYLAR® inhibits worker replacement in fire ant colonies

NYLAR® kills [controls] developing immature fire ants and degenerates the reproductive organs of the queen

NYLAR® provides a shift in caste differentiation from worker fire ants to sexual forms

NYLAR® reduces the quantity of the worker brood within two weeks

NYLAR® reduces the colony size by up to 85% in one month and by up to 96% in two months

NYLAR® causes total colony death within six months

Effective in the control of The Red Imported Fire Ant [Solenopsis invicta] [and other Solenopsis species] and the Big-Headed Ant

Easy to use granular formulation

Fire ants seek out the NYLAR® bait and take it back to the colony

NYLAR® breaks the reproductive life cycle of the fire ant causing starvation of the colony

Worker fire ants bring the bait into the mound, feed it to the queens, reducing egg production leading to colony death

ACTIVE INGREDIENT:

2-[1-Methyl-2-(4-phenoxyphenoxy) ethoxy] pyridine 0.50%

OTHER INGREDIENTS 99.50%

100.00%

NYLAR® - Registered trademark of McLaughlin Gormley King Company

KEEP OUT OF REACH OF CHILDREN CAUTION

Net Weight _____ Lbs.

Manufactured by:

Mc LAUGHLIN GORMLEY KING COMPANY

8810 Tenth Avenue North

Minneapolis, MN 55427

EPA Reg. No. 1021-1670

EPA Est. No. 1021-MN-2

PRECAUTIONARY STATEMENTS

CAUTION

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark.

For information regarding medical emergencies or pesticide incidents, call 1-888-740-8712.

Nylar® Fire Ant Bait 2629 is a slow acting, highly effective fire ant control product. Fire ant workers pick up the bait granules and take it back to the colony. Within 3 to 4 weeks there is substantial colony mortality and within eight weeks the majority of the colony population has been eliminated.

Worker fire ants bring the Nylar® Fire Ant Bait 2629 into the mound and feed it to both the queen and the immature fire ants thereby preventing worker replacement. Due to degeneration of reproductive organs, the fire ant queen cannot replace workers. The lack of worker replacement results in colony death as the existing worker ants age and die.

DIRECTIONS FOR USE

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

READ ALL DIRECTIONS COMPLETELY BEFORE USE

For best results, follow directions for specific use areas.

Nylar® Fire Ant Bait 2629 is intended to be applied by lawn care operators and landscape personnel for outdoor use to control red imported fire ants in the following sites.

- Uncultivated, nonagricultural areas including airports, roadsides, highway rights-of-way, utility rights-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, museums, libraries, sport facilities (golf courses), and office buildings.
- Residential/domestic sites, defined as areas associated with the household or home life including, but not limited to, apartment complexes, condominiums, and patient care areas of nursing homes, mental institutions, hospitals, or convalescent homes

WHEN TO APPLY:

Nylar® Fire Ant Bait 2629 should be applied in the early Spring or Summer at the first sign of fire ant activity. Application may be made any time of day but is more effective when ants are actively foraging, usually when the soil temperature is above 60° F. Avoid application if rain is expected within 4 to 6 hours. Do not water treated area for 24 hours after application. In the event of prolonged rains after initial treatment, reapplication may be necessary.

In areas where large mounds remain active, areas of heavy infestation or reinfestation occurs, a second application of Nylar® Fire Ant Bait 2629 may be advisable after 12 to 16 weeks to maintain sufficient levels of active ingredient. In very large mounds, some worker fire ants may persist for a while after the queen is dead. For 7-10 days after treatment, do not apply any other fire ant pesticide. This is to allow sufficient time for the worker ants to seek out the bait and take it back to the mound. After 14 days, it may be desirable to apply a registered Fire Ant pesticide to kill remaining foraging ants.

INDIVIDUAL MOUND TREATMENT:

Do not disturb the mound. Do not apply to top of mounds. Apply 1 to 4 level tablespoons of Nylar® Fire Ant Bait 2629 per mound, uniformly distributing material 3 to 4 feet around the mound. Re-treat after 12 to 16 weeks if needed.

BROADCAST OR AERIAL APPLICATION:

Apply uniformly with equipment calibrated to give the correct dosage. Apply at 1 to 1.5 lb of product per acre or the equivalent rate of 0.35 to 0.5 oz per 1000 sq. ft. Retreat after 12 to 16 weeks if needed.

BIG-HEADED ANT (Pheidole megacephala) CONTROL

Apply uniformly with ground or hand-held equipment calibrated to deliver the correct dosage. Apply at 1 to 1.5 lb of product per acre (or 0.35 to 0.5 oz per 1000 sq. ft.). Treat surrounding areas, adjacent borders, and fence lines to help prevent ant migration into the treated areas. Repeat after 12 to 16 weeks if needed.

STORAGE AND DISPOSAL

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

STORAGE: Pesticide Storage

Store in a cool, dry place. Keep container closed. Post as a pesticide storage area. Always store pesticides in the original container. Store away from food, pet food, feed, seed, fertilizers, and veterinary supplies. Place liquid formulations on lower shelves and dry formulations above.

CONTAINER DISPOSAL: For plastic containers, triple-rinse (or equivalent) and offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by other approved State and Local procedures. For paper and plastic bags, completely empty bag into application equipment. Dispose of empty bag in a sanitary landfill, by incineration, or if allowed by State and Local authorities, by burning. If burned, stay out of smoke.

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

To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

Container Handling

Nonrefillable container. Do not reuse or refill this container.

[For plastic containers:]

[Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment. Fill the container ¼ full with water and recap. Shake for 10 seconds. Store rinsate for disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.]

[For paper and plastic bags:]

[Completely empty bag into application equipment. Then offer for recycling if available or 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.]