

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

December 9, 2020

Mr. Thomas A. Lennan Regulatory Affairs Specialist McLaughlin Gormley King Company D/B/A MGK 8810 10<sup>th</sup> Avenue North Minneapolis, MN 55427-4319

Subject: Label Amendment – Addition of CA-Specific Restrictive Language & Incorporation of Label Mitigation for *Registration Review* Product Name: MGK Formula 3144 EPA Registration Number: 1021-2827 Application Dates: January 13, 2020 & January 29, 2020 Decision Numbers: 559211 & 560225

Dear Mr. Lennan:

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.

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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. If you have any questions, please contact Mr. Carmen J. Rodia, Jr. by phone at (703) 306-0327, or via email at *Rodia.Carmen@epa.gov*.

Sincerely,

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Shanta Adeeb, Product Manager 10 Invertebrate-Vertebrate Branch 2 Registration Division (7505P) Office of Pesticide Programs

Enclosure: Stamped "Accepted" Amended Master Label

# MGK<sup>®</sup> Formula 3144

PYRIPROXYFEN	GROUP	7C	INSECTICIDE
CLOTHIANIDIN	GROUP	4A	INSECTICIDE

# [ABNs: Azula<sup>™</sup> Insecticide; Sumari<sup>®</sup> Insecticide; Tarien<sup>™</sup> Insecticide; Astelis<sup>™</sup> Insecticide]

[] Indicates optional language

Kills ants Kills ants by contact for up to three months Dual mode of action Two active ingredients Residual efficacy on ants for up to three months Residual control of listed insects<sup>2</sup> Kills listed hard-to-kill pests such as ants<sup>1</sup> Contains NyGuard<sup>®</sup> Contains an IGR For indoor and outdoor use For outdoor broadcast use\* Indoor and outdoor residual for ants Controls ants indoors and outdoors up to 90 days Broad spectrum [insecticide] [formula] Kills wide variety of pests/insects as listed<sup>1</sup> Kills (Listed Pests)<sup>1</sup> Use/Apply up to 4 times per year outdoor at low rate Use/Apply up to 2 times per year outdoor at high rate

ACTIVE INGREDIENTS:	
Clothianidin	3.20%
Pyriproxyfen	3.90%
OTHER INGREDIENTS	92.90%
	100 00%

This product contains 0.269 lbs. Clothianidin per gallon and 0.328 lbs. Pyriproxyfen per gallon.

MGK<sup>®</sup>, NyGuard<sup>®</sup>, Sumari<sup>®</sup> - registered trademarks of McLaughlin Gormley King Company. Azula<sup>™</sup>, Tarien<sup>™</sup> and Astelis<sup>™</sup> - trademarks of McLaughlin Gormley King Company.

## KEEP OUT OF REACH OF CHILDREN

See inside booklet for [Precautionary Statements,] Directions for Use and Storage and Disposal Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information regarding medical emergencies or pesticide incidents, call 1-888-740-8712.

Manufactured for:

7325 Aspen Lane North Minneapolis MN 55428

EPA Reg. No. 1021-2827

EPA Est. No. 1021-MN-2

Net Contents

\* NOT REGISTERED FOR THIS USE IN CALIFORNIA 3144\_1021-2827\_1120 **ACCEPTED** 12/09/2020

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 1021-2827

#### PRECAUTIONARY STATEMENTS

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, applicators, and other handlers must wear long-sleeved shirt, long pants, socks and shoes.

Follow the 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.

#### USER SAFETY RECOMMENDATIONS

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

#### ENVIRONMENTAL HAZARDS

This product is toxic to aquatic organisms, including fish and invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutter or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid runoff to water bodies or drainage systems. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not apply where runoff is likely to occur.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively foraging in the treatment area.

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate.

### **PROTECTION OF POLLINATORS**



Users should:

APPLICATION RESTRICTIONS EXIST FOR THIS PRODUCT BECAUSE OF RISK TO BEES AND OTHER INSECT POLLINATORS. FOLLOW APPLICATION RESTRICTIONS FOUND IN THE DIRECTIONS FOR USE TO PROTECT POLLINATORS.

Look for the bee hazard icon in the Directions for Use for each application site for specific use restrictions and instructions to protect bees and other insect pollinators.

#### This product can kill bees and other insect pollinators

Bees and other insect pollinators will forage on plants when they flower, shed pollen, or produce nectar.

Bees and other insect pollinators can be exposed to this pesticide from:

- o Direct contact during foliar applications, or contact with residues on plant surfaces after foliar applications
- Ingestion of residues in nectar and pollen when the pesticide is applied as a seed treatment, soil, tree injection, as well as foliar applications.

When using this product, take steps to:

- Minimize exposure of this product to bees and other insect pollinators when they are foraging on pollinator attractive plants around the application site.
- Minimize drift of this product on to beehives or to off-site pollinator attractive habitat. Drift of this product onto beehives or off-site to
  pollinator attractive habitat can result in bee kills.

Information on protecting bees and other insect pollinators may be found at the Pesticide Environmental Stewardship website at: <a href="http://pesticidestewardship.org/PollinatorProtection/Pages/default.aspx">http://pesticidestewardship.org/PollinatorProtection/Pages/default.aspx</a>.

Pesticide incidents (for example, bee kills) should immediately be reported to the state/tribal lead agency. For contact information for your state, go to: <u>www.aapco.org</u>. Pesticide incidents should also be reported to the National Pesticide Information Center at: <u>www.npic.orst.edu</u> or directly to EPA at: <u>beekill@epa.gov</u>

# PHYSICAL OR CHEMICAL HAZARDS

Do not apply this product around electrical equipment due to the possibility of shock hazard.

<sup>1</sup>KILLS: Ants (including Red Imported Fire Ants, Harvester, Pharaoh and Carpenter Ants), Asian Lady Beetles, Kudzu Bugs, Brown Marmorated Stink Bugs, Centipedes, Springtails, Crickets, Mole Crickets, Earwigs, Fleas, German Cockroaches, House Flies, Millipedes, Mosquitoes, Pillbugs, Silverfish, Sowbugs, Chinch Bugs, Aphids, Crane Flies, June Beetles, Japanese Beetles, Oriental Beetles, Boxelder Bugs, and Scales.

<sup>2</sup>CONTROLS: Ants (including Red Imported Fire Ants, Harvester, Pharaoh and Carpenter Ants), Asian Lady Beetles, Kudzu Bugs, Brown Marmorated Stink Bugs, Springtails, Crickets, Mole Crickets, Earwigs, Millipedes, Pillbugs, Silverfish, Sowbugs, Chinch Bugs, Aphids, Crane Flies, June Beetles, Japanese Beetles, Oriental Beetles, Boxelder Bugs, and Scales.

#### DIRECTIONS FOR USE

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

#### Read and follow ALL label directions when [using] [applying, treating with] this product.

#### PESTICIDE RESISTANCE MANAGEMENT

For resistance-management, MGK Formula 3144 [Brand Name] contains both a Group 4A and 7C insecticides. Any insect population may contain individuals naturally resistant to MGK Formula 3144 [Brand Name] and other Group 4A and 7C insecticides. The resistant individuals may dominate the insect population if this group of insecticides are used repeatedly at the same use sites. Appropriate resistance management strategies should be followed.

To delay insecticide resistance, consider:

- Rotate the use of MGK Formula 3144 [Brand name]]or other group 4A and 7C insecticides.
- Avoiding the consecutive use of MGK Formula 3144 [Brand Name] or other Group 4A and 7C insecticides that have a similar target site of action, on the same insect species.
- Basing insecticide use on a comprehensive IPM program.
- Monitor after application for unexpected target pest survival or unexpected adult emergence. If the levels suggest the presence of
  resistance, consult with your local university specialist
- Adopt an integrated pest management program for insecticide use that includes scouting, uses historical information related to
  pesticide use, record keeping and which considers cultural, biological and other chemical control practices.
- Contacting your local extension specialist, certified crop adv
- isors, and/or manufacturer for insecticide resistance management and or IPM recommendations for the specific site and resistance pest problem

#### USE RESTRICTIONS

- NOT REGISTERED FOR SALE, DISTRIBUTION OR USE IN THE STATE OF NEW YORK.
- OUTDOOR USES IN THE STATE OF CALIFORNIA ARE STRICTLY LIMITED TO PREMISE/PERIMETER APPLICATIONS TO BUILDINGS OR STRUCTURES.Do not apply to humans, animals, clothing or human bedding.
- Do not apply within aircraft cabins.
- Do not use in outdoor residential misting systems.
- Do not apply to household pets. Cover fish tanks prior to application near tanks.
- Do not apply in food/feed areas of food handling establishments.
- When applying in residential or commercial structures, do not allow spray to contact food or food-containing surfaces, feed or water supplies. Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated with this product.
- Do not allow application to drip or runoff from surfaces. Do not water the treated area to the point of runoff.
- Do not apply this product in poultry houses with a mechanically pressurized handgun.
- Not for use on plants being grown for sale or other commercial use. Not for use in nurseries, sod farms and golf courses.
- Keep all people and pets out of areas (indoors and outdoors) being treated and restrict access to these areas until all surfaces are dry.
- For outdoor applications: Do not apply more than 0.4 lbs. Clothianidin per acre per year or 1.49 gallons of MGK<sup>®</sup> Formula 3144 [Product name] per acre per year or more than 4.35 fl. oz. of MGK Formula 3144 [Product name] per 1,000 sq. ft. per year.

#### SPRAY DRIFT ADVISORIES:

Take precautions to minimize spray drift.

#### **USE AREAS**

For use, indoors and outdoors, in non-food areas: backyards\*, lawns\*, trees\*, ornamental landscaping\*, recreational areas\*, parks\* and athletic fields\*. Also for use in and around homes, schools, warehouses, office buildings, apartment buildings, theaters, hotels, resorts, industrial buildings, motels, camp sites/campgrounds, aircraft cargo areas, kennels, livestock and poultry housing, horse stables, feed lots, zoos, food processing plants, food service establishments, restaurants, outdoor dining areas, supermarkets and grocery stores, transportation equipment, truck trailers, railroad cars and food manufacturing and warehousing establishments.

Use only in areas described. For best results, follow directions for specific use areas.

This product should not stain or cause damage to painted or varnished surfaces, plastics, fabrics, or other surfaces where water applied alone causes no damage. Treat a small area and allow it to dry to determine whether staining will occur.

#### APPLICATION METHODS

Outdoor broadcast spray treatment\* Foliar spray treatment\* Spot, crack and crevice treatment Structural perimeter treatment Surface spray treatment

#### **APPLICATION EQUIPMENT**

Including: Backpack mist blowers Backpack sprayers Handheld sprayers Mist sprayers Mechanical sprayers

\* NOT REGISTERED FOR THIS USE IN CALIFORNIA 3144\_1021-2827\_1120

#### Power sprayers

#### **MIXING INSTRUCTIONS**

MGK Formula 3144 [Product name] should be diluted with water only and applied with hand-pressurized or power-operated equipment. Do not mix this product with oil. Clean equipment before and after use. Agitate the container of MGK Formula 3144 [Product name] before diluting by inverting it several times. For dilution, add approximately half the required water to the tank and then add the appropriate amount of MGK Formula 3144 [Product name]. Agitate and slowly add the remaining water. Agitate the mixture thoroughly before using and occasionally during use to ensure dispersion. Avoid excessive application.

Active Ingredient	Final % Concentration of Active Ingredient (1 fl. oz. per gallon)	Final % Concentration of Active Ingredient (2 fl. oz. per gallon)	
Clothianidin	0.025%	0.05%	
Pyriproxyfen	0.030%	0.06%	
Total % Concentration of all Active Ingredients	0.055%	0.11%	

#### INDOOR USE TO KILL LISTED PESTS

Application Site	Pest	Dilution Rate In Water	Application Method(s)
Residential homes, business, office complexes, commercial, institutional and industrial buildings, multi-family residential complexes, Hospital, nursing homes, airports, and schools.	Ants (including Red Imported Fire Ants, Harvester, Pharaoh and Carpenter Ants), Asian Lady Beetles, Kudzu Bugs, Brown Marmorated Stink Bugs, Centipedes, Springtails, Crickets, Mole Crickets, Earwigs, Fleas, House Flies, Millipedes, Pillbugs, Silverfish, Sowbugs, Chinch Bugs, Aphids, Crane Flies, June Beetles, Japanese Beetles, Oriental Beetles, Boxelder Bugs, and Scales. German Cockroaches, Mosquitoes	1 fl. oz. per gallon or 1 fl. oz. in sufficient water to cover 1,000 sq. ft.	Spot treatment Crack and crevice
		2 fl. oz. per gallon or 2 fl. oz. in sufficient water to cover 1,000 sq. ft.	Spot treatment Crack and crevice

#### For small volume indoor applications, see mixing chart below.

Apply as spot or crack and crevice. Low rate is equivalent to 1 fl. oz. per gallon. High rate is equivalent to 2 fl. oz. per gallon.

Volume	Low rate	High rate
Pint (16 fl. oz.)	1/8 fl. oz.	1/4 fl. oz.
Quart (32 fl. oz.)	1/4 fl. oz.	1/2 fl. oz.
Half Gallon (64 fl. oz.)	1/2 fl. oz.	1 fl. oz.
<sup>3</sup> ⁄ <sub>4</sub> Gallon (96 fl. oz.)	3/4 fl. oz.	1.5 fl. oz.

#### SPECIFIC USE DIRECTIONS

**Listed Crawling Insects/Pests**: Including: German Cockroaches, Centipedes, Crickets, Millipedes, Earwigs, Silverfish. Make spot and/or crack and crevice applications into harborage areas, cracks and crevices, entry points, under refrigerators, vending machines, around pipe and along baseboards. When applying to German roaches and centipedes, directly spray the pests.

Ants: Make spot, crack and crevice and/or voids applications where ants may be foraging and/or nesting, including, around doors window frames, under sinks, around pipes, attic venting and other areas where ants may find access or nest.

Fleas: Apply to infested areas, including rugs, floors, carpets, upholstered furniture, pet beds and resting areas, directly contacting fleas while spraying.

House Flies: Directly spray house flies.

#### OUTDOOR USE

OUTDOOR APPLICATIONS IN THE STATE OF CALIFORNIA ARE LIMITED TO PREMISE AND PERIMETER TREATMENTS TO THE OUSTIDE SURFACES OF BUILDINGS OR STRUCTURE.

Application Site			Application Method(s)
Turfgrasses* and perimeters	Ants (including Red Imported Fire Ants, Harvester, Pharaoh	Light infestations:	Broadcast spray
around residential home	and Carpenter Ants), Asian Lady Beetles, Kudzu Bugs,	1 fl. oz. per gallon	treatment*,
lawns*, business, office	Brown Marmorated Stink Bugs, Springtails, Crickets, Mole	or 1 fl. oz. in	

		1	
complexes, commercial, institutional, industrial, multi- family residential complexes, airports, cemeteries*, parks*, playgrounds*, athletic fields*.	Crickets, Earwigs, Millipedes, Pillbugs, Silverfish, Sowbugs, Chinch Bugs, Aphids, Cutworms, Crane Flies, June Beetles, Japanese Beetles, Oriental Beetle, Boxelder Bugs, and Scales.	sufficient water to cover 1,000 sq. ft. Heavy infestations: 2 fl. oz. per gallon or 2 fl. oz. in sufficient water to cover 1,000 sq. ft.	Foliar spray treatment*, Spot treatment Take precautions to minimize spray drift.
Exterior Structural and Surrounding Areas	Ants (including Red Imported Fire Ants, Harvester, Pharaoh and Carpenter Ants), Asian Lady Beetles, Kudzu Bugs, Brown Marmorated Stink Bugs, Springtails, Crickets, Mole Crickets, Earwigs, Millipedes, Pillbugs, Silverfish, Sowbugs, Chinch Bugs, Aphids, Cutworms, Crane Flies, June Beetles, Japanese Beetles, Oriental Beetle, Boxelder Bugs, and Scales.	Light infestations: 1 fl. oz. per gallon or 1 fl. oz. in sufficient water to cover 1,000 sq. ft. Heavy infestations: 2 fl. oz. per gallon or 2 fl. oz. in sufficient water to cover 1,000 sq. ft.	Spot treatment Treat pests directly where they harbor, rest, trail or hide. Treat structural voids around entryways including doors and windows, utility entry points, behind siding, weep holes, eaves, around lights and garbage cans.

#### Specific Use Directions

**Ants:** Make broadcast\*, spot and/or crack and crevice applications to any foraging trails, where ants are present. Make spot and/or crack and crevice applications to all exterior entry points around the structure. Curative and preventative broadcast applications can be made to yards\*, lawns\*, fields\*, parks\*, cemeteries\*, and landscaping\*.

For up to 90 day residual control, apply at these rates per gallon or in sufficient water to cover 1,000 sq. ft.:

Surface/Location	Fire Ants	Pharaoh Ants	Carpenter Ants
Porous surface: outdoors	2 fl. oz.	2 fl. oz.	2 fl. oz.
Porous surface: indoors	1 fl. oz.	1 fl. oz.	2 fl. oz.
Non porous surface: outdoors	2 fl. oz.	1 fl. oz.	2 fl. oz.
Non porous surface: indoors	1 fl. oz.	1 fl. oz.	2 fl. oz.

Fleas: Directly spray fleas in lawns\*, yards\*, porches, patios or other areas fleas are present. Directly spray fleas in shaded areas where pets or feral animals frequent. Apply directly to fleas located in pet entry areas including steps and stoops and other areas where pets rest or sit for extended periods of time.

House Flies: Directly spray house flies where observed on surfaces of screens, doors, window frames, and porches, in garages, on foliage\* or wherever flies enter or congregate around or on the building. Directly spray house flies located inside and outside of trash cans, dumpsters and other areas where garbage is kept.

## STORAGE AND DISPOSAL

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

#### PESTICIDE STORAGE:

Store in a cool, dry place. Always store pesticides in the original container. Store away from food and pet food.

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:

Non-refillable container. Do not reuse or refill this container.

[For containers with capacities equal to or less than 5 gallons (18.9 L)]: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ 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. Offer for recycling if available for reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

[For containers with capacities greater than 5 gallons (18.9 L)]: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closers. Tip the 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. 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.

#### [Or for refillable containers]

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into rinsate collection system. Repeat this rinsing procedure two more times. 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.

#### [Or pressure rinsing instructions for container greater than 5 gallons:]

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Offer for recycling if available for reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.