

2393-185

10-17-2002

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060.

(A) <h1 style="margin: 0;">EPA</h1>	United States Environmental Protection Agency Office of Pesticide Programs (H7505C) Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other Notification	OPP Identifier Number <h2 style="margin: 0;">279848</h2>
	Application for Pesticide:		

Section I

1. Company/Product Number 2393-185	2. EPA Chemical Manager Dan Peacock	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Hopkins Zinc Phosphide Bait	PM# 4	
5. Name and Address of Applicant (Include ZIP Code) HACO, Inc. PO Box 7190 Madison, WI 53707 <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

NOTIFICATION
OCT 17 2002

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

Pursuant to PR-Notice 98-10, we are hereby notifying the Agency of a change to our "Notice of Warranty."

Section III

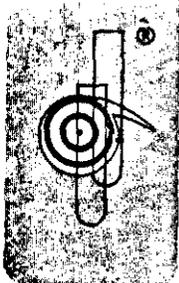
1. **Material This Product Will Be Packaged In:**

Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No <small>*Certification must be submitted.</small>	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No <table border="1"> <tr> <th>If "Yes," Unit Package Wt.</th> <th>No. Per Container</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>	If "Yes," Unit Package Wt.	No. Per Container			Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No <table border="1"> <tr> <th>If "Yes," Package Wt.</th> <th>No. Per Container</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>	If "Yes," Package Wt.	No. Per Container			2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) Cardboard box
If "Yes," Unit Package Wt.	No. Per Container										
If "Yes," Package Wt.	No. Per Container										
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product								
6. Manner In Which Label Is Affixed To Product <input type="checkbox"/> Lithograph Other (_____) <input type="checkbox"/> Paper Glued <input 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 Judith A. Thompson	Title Registration Manager	Telephone No. (Include Area Code) (608) 221-7378
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 		
4. Typed Name Judith A. Thompson	3. Title Registration Manager, Rodenticides 5. Date October 10, 2002	



HACO, inc.

P.O. Box 7190, Madison, WI 53707
(608) 221-6200 • FAX (608) 221-6208

October 10, 2002

Document Processing Desk (NOTIF)
Office of Pesticide Programs - H7504C
U.S. Environmental Protection Agency
Crystal Mall, Room 266A
1921 Jefferson Davis Highway
Arlington, VA 22202

Airborne
8718810892

RE: Hopkins® Zinc Phosphide Bait
EPA Reg. No. 2393-185

Gentlemen/Ladies:

Pursuant to PR-Notices 98-10, we are hereby notifying the Agency of a change to our "Notice of Warranty."

Following is my statement as required by PR-Notice 98-10:

"On behalf of HACO, Inc, I certify that this notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the Confidential Statement of Formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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."

In compliance with the PR-Notice regarding notifications, enclosed is a copy of the "before" labeling and "after" labeling.

If you should have any questions regarding this matter, please do not hesitate to contact me at 608-221-7378.

Sincerely,

Judith A. Thompson
Registration Manager, Rodenticides

Enclosures

cc: Jane Millman (w/copy of Notification and the "before" & "after" labels)
Dan Peacock (w/copy of Notification and the "before" & "after" labels)

RESTRICTED USE PESTICIDE

DUE TO HAZARD TO NON-TARGET SPECIES

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.

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Hopkins

ZINC PHOSPHIDE BAIT

For spot treatment around burrows in orchards, vineyards and sugarcane fields and on rangelands and noncrop areas. For broadcasting by ground spreader or aircraft in orchards, sugarcane fields and/or noncrop areas. For broadcasting by ground spreader in vineyards.

NOTIFICATION

OCT 17 2002

"After"
Bag Label



ACTIVE INGREDIENT:

Zinc Phosphide

2.0%

INERT INGREDIENTS:

98.0%

Total 100.0%

**KEEP OUT OF THE REACH OF CHILDREN
WARNING**

AVISO PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta haya sido explicada ampliamente.
TRANSLATION: TO THE USER: If you cannot read English, do not use this product until the label has been fully explained to you.

STATEMENT OF PRACTICAL TREATMENT

Any persons applying zinc phosphide products and experiencing signs and symptoms such as nausea, abdominal pain, tightness in the chest, or weakness, should be seen by a physician immediately.

IF SWALLOWED: Immediately call a Poison Control Center or physician, or transport the patient to the nearest hospital. Do not drink water. Do not administer anything by mouth or make the patient vomit unless advised to do so by a physician. **IF IN EYES:** Flush with plenty of water. Get medical attention if irritation persists. **IF ON SKIN:** Remove contaminated clothing and wash affected areas with soap and water.

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **STORAGE:** Keep dry. Protect from direct contact with water or excessive moisture. Store in a well ventilated area not accessible to children, pets, domestic animals or wildlife. Keep away from heat and open flame. Once opened, do not store bag for prolonged period. In case of puncture, use overslip bag and securely close.

PESTICIDE DISPOSAL: 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.

See attached booklet for additional precautionary statement, re-entry and directions for use.
Do not use this product unless attached booklet has been read.

CONDITIONS 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.

Manufacturer and Seller warrant 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. 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 Manufacturer, and Buyer and User assume the risk of any such use. **MANUFACTURER AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.**

IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF MANUFACTURER 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 MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

Manufacturer and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of Manufacturer.

E.P.A. Reg. No. 2393-185

Manufactured For: **HACO, inc.**
P.O. Box 7190, Madison, WI 53707 U.S.A.

E.P.A. Est. No. 61262-WI-1
Code TOU 123456789 (RN/OU)

NET CONTENTS

50 LBS. (22.68 KILOS)