

2393-493

4/7/2003

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

April 7, 2003

$\frac{300}{17}$ 5-628739

HACO, Inc.
P.O. Box 7190
Madison, WI 53707

Attention: Ms. Judith A. Thompson

Subject: Diphacin 110-A Concentrate Rodenticide
EPA Reg. No. 2393-493
Your amended application of January 22, 2003

Purpose The purpose of this submission is to revise your labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and PR Notice 2001-1.

Review of label We have reviewed the revised labeling. The labeling submitted with the above letter, is acceptable, provided that you make the following change and submit a copy of final printed labels prior to releasing the product for sale.

1. After the product name revise the text to read as follows:

A vertebrate pesticide only for formation into registered manufacturing-use and end-use products for the following uses: terrestrial non-food/non-feed; indoor nonfood; residential outdoor, forestry, and aquatic, non-food outdoor, to control vertebrate pests specified in the use directions.

A copy of the stamped label is enclosed for your records.

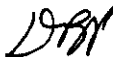
Existing stocks Stocks of existing labels may be used for eighteen (18) months.

Consequence for non-compliance If this condition is not complied with, the registrations will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of this condition.

Questions

If you have questions about this letter, please contact me at 703-305-5407 (by phone), 703-305-6596 (by fax), or peacock,dan@epa.gov (by E-Mail).

Sincerely yours,



Daniel B. Peacock, Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

**Letter
location**

Disk 90,A:\Diphacinone\2393-493, revised label, 4-7-2003.wpd February 5, 2003

DIPHACIN® 110-A

CONCENTRATE RODENTICIDE

For Formulation Only into Registered Rodenticide Manufacturing Concentrates and/or Registered End-Use Rodenticides For the Control of Vertebrate Pests Specified on this Label

ACTIVE INGREDIENT: Diphacinone* 2.0%
INERT INGREDIENTS:..... 98.0%
TOTAL 100.0%
*2-Diphenylacetyl-1,3-indandione

ACCEPTED
with COMMENTS
in EPA Letter Dated:

APR 7 2003

Keep Out of Reach of Children

WARNING

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 2393-493

WARNING: May be fatal if swallowed, inhaled or absorbed through the skin. Causes contact with skin, eyes or clothing. Do not breathe dust

When mixing bait, use a dust filtering respirator (MSHA/NIOSH approval number prefix TC-21c) or a NIOSH approved respirator with any R, P, or HE filter. Use chemical-resistant gloves when mixing bait. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash clothing before reuse.

This material may reduce the clotting ability of the blood and cause bleeding. Exposure during pregnancy should be avoided. Do not contaminate feed or foodstuffs.

FIRST AID	
Have label with you when obtaining treatment advice	
If swallowed	<ul style="list-style-type: none"> Call a poison control center, doctor, or 1-800-228-5635, ext. 136, immediately for treatment advice. Have a 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 doctor.
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
If inhaled	<ul style="list-style-type: none"> Move person to fresh air If person is not breathing call an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.
If in Eyes	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 20 minutes Remove contact lenses if present, after the first 5 minutes, then continue rinsing eye.
<ul style="list-style-type: none"> Call a poison control center, doctor, or 1-800-228-5635, ext. 136, immediately for treatment advice. Note to Physician: If ingested, administer Vitamin K₁, intramuscularly or orally as indicated in bishydroxycoumarin overdose. Repeat as necessary based on monitoring of prothrombin times. 	

NET CONTENTS:

EPA Reg. No. 2393-493
EPA Est. No. 61282-WI-1

Manufactured for: HACO, Inc.
PO Box 7190•Madison, WI 53707
CODE (U.R.I.NN) 12345 (I/NN)

ENVIRONMENTAL HAZARDS

This product is toxic to mammals and birds. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

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

Only for formulation into Bait Products for:

- (1) use in and around homes, agricultural and industrial buildings, and similar man-made structures and in sewers to control Norway rats, roof rats, and house mice and use in non-crop areas, forests, parks, nurseries, dormant and non-bearing orchards, rangeland, and crop land (manual application underground or around burrow entrance) to control Polynesian rats, ground squirrels, chipmunks, muskrats, jackrabbits, cotton-tail rabbits, meadow mice, deer mice, meadow voles, pine voles, prairie voles, pocket gophers, or mongooses.
- (2) uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of the registration; and
- (3) uses for experimental purposes that are in compliance with USEPA requirements.

STORAGE AND DISPOSAL

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

STORAGE

Store in original container in a well ventilated area separately from fertilizer, feed, or foodstuffs and away from products with strong odors. Avoid cross-contamination with other pesticides. Spillage or leakage should be contained, moistened and carefully swept up avoiding inhalation of dust. Wash area of spill with detergent and water.

PESTICIDE DISPOSAL

Wastes resulting from the use of this product may be disposed of onsite or at an approved waste disposal facility.

CONTAINER DISPOSAL

Metal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state or local authorities.

Fiber boxes with liners:

Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Then dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If box is contaminated and cannot be reused, dispose of in the same manner.

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.

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