

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

August 4, 2014

Anne Downs
Senior Registration Specialist
Wilbur-Ellis
841 W. Elkhorn Blvd
Rio Linda, CA 95673

Subject: Label Notification per PRN 98-10 – Add California Proposition 65 language and update Storage and Disposal language
Product Name: Sevin 5 Bait
EPA Registration Number: 2935-366
Application Date: 7/10/2014
Decision Number: 493519

Dear Ms. Downs,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The Agency acknowledges the following label changes:

1. The addition of California Proposition 65 language
2. Update to the Storage and Disposal language

The label submitted with the application has been stamped "Notification" and will be placed in our records. If you have any questions, you may contact Jacquelyn Marchese at 703-347-0559 or via email at marchese.jacquelyn@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Meredith F. Laws".

Meredith F. Laws, Chief
Insecticide-Rodenticide Branch
Registration Division (7505P)
Office of Pesticide Programs



WILBUR-ELLIS®
Ideas to Grow With™

SEVIN® 5 BAIT

N-METHYL CARBAMATE

ACTIVE INGREDIENT		By Wt.
Carbaryl (1-naphthyl N-methylcarbamate).....		.5%
OTHER INGREDIENTS		<u>95%</u>
TOTAL.....		100%

NOTIFICATION

08/04/2014

EPA Reg. No. 2935-366

EPA Est. No. 2935-CA-1

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
Have product container or label with you when calling a poison control center or doctor, or going for treatment. Poison Control Center: 1-800-222-1222	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 • Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none"> • Call a poison control center or doctor for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
Note To Physician: Carbaryl is an N-methyl carbamate insecticide which is a cholinesterase inhibitor. Specific antidote consists of atropine. Narcotics and other sedatives should not be used. Drugs like 2-PAM (pyridine-2-aldoxime methiodide) are NOT recommended.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution: Harmful if swallowed. Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are natural rubber, polyethylene or neoprene. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders, applicators, and other handlers must wear:

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

In addition, handlers loading bait formulations into airplanes under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and allied state programs must wear a NIOSH-approved dust/mist filtering respirator with NIOSH/MSHA approved number prefix TC-21C or a NIOSH-approved respirator with any N, R, P or HE filter.

Aerial application is prohibited, *except* for aerial applications under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and/or allied state programs.

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.

ENGINEERING CONTROLS

Pilots applying applications under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program or related state programs must use an enclosed cockpit in a manner that is consistent with the WPS for Agricultural Pesticides [40 CFR 170.240(d)(6)]. In addition, the cockpit air intake must be located above the bait release point and the bait bin must be completely separate from the cockpit.

Flaggers supporting aerial applications permitted above must use an enclosed cab that meets the definition in the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(5)] for dermal protection. In addition, flaggers must:

- wear long-sleeve shirt, long pants, shoes, and socks,
- *either* wear a NIOSH-approved dust/mist filtering respirator with NIOSH/MSHA approval number prefix TC-21C or a NIOSH-approved respirator with an N, R, P, or HE filter **OR** use an enclosed cab that is declared in writing by the manufacturer or by a government agency to provide at least as much respiratory protection as this type of respirator,
- be provided and have immediately available for use in an emergency when they must exit the cab in the treated area: chemical-resistant gloves and chemical-resistant headgear and, if using an enclosed cab that provides respiratory protection, a respirator of the type specified above,
- take off any PPE that was worn in the treated area before re-entering the cab, and
- store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

When applicators use enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(5)), the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- 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. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to aquatic invertebrates. 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. Do not apply when weather conditions favor drift from area treated. Drift and run-off may kill aquatic invertebrates in water adjacent to treated areas. Do not contaminate water by cleaning equipment or disposal of wastes. Do not contaminate water when disposing of equipment washwaters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions, and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the "Restricted-entry interval (REI)". The REI for carbaryl is 12 hours unless otherwise specified in the directions for use associated with each crop.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water, are:

- Coveralls over short-sleeve shirt and short-pants
- Chemical-resistant footwear plus socks
- Chemical-resistant gloves made of any waterproof material
- Chemical-resistant headgear if overhead exposure

When the Restricted-Entry Interval for a crop is 7 days or longer, you must notify workers of the application by warning them orally and by posting warning signs at entrances to treated area.

For the control of cutworms, armyworms, field crickets, house crickets, mole crickets, darkling beetles, grasshoppers, sowbugs and ants (except fire ants, harvester ants, pharaoh ants and carpenter ants).

IMPORTANT PRE-HARVEST AND GRAZING USE INFORMATION

Tolerances established under the Federal Food, Drug and Cosmetic Act permit the sale of crops bearing probable Carbaryl residues when Carbaryl is used in accordance with label directions.

If Carbaryl insecticide is used in accordance with label directions, carrot tops, sugar beet tops and corn forage may be grazed or harvested for use as feed for dairy and meat animals without resulting in illegal residues in milk or meat.

APPLICATION METHOD

This product may be applied only by ground using a mechanical spreader or underground shank applicator. Do not apply by hand, spoon or belly grinder. **EXCEPTION:** Aerial applications only to rangeland are allowed only under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and/or allied state programs.

Commodity	Use Rate
Asparagus	<p><u>Application to Spears:</u> Apply 20 lbs. per acre per application with a maximum yearly usage of 60 lbs. per acre.</p> <p><u>Applications to Ferns (after harvest of spears):</u> Apply 40 lbs. per acre per application with a maximum yearly usage of 80 lbs. per acre.</p> <p>•IMPORTANT: Total combined maximum yearly usage for spears and ferns is 100 lbs. per acre.</p> <ul style="list-style-type: none"> •Retreatment interval = 3 days •Do not apply within 1 day of harvest. •Do not make more than 3 applications to spears. Do not make more than 2 applications to ferns.
Garden Beets (roots), Carrots, Horseradish, Radish, Parsnip, Rutabaga, Salsify, Turnips (roots)	<p>Apply 40 lbs. per acre per application with a maximum yearly usage of 120 lbs. per acre.</p> <ul style="list-style-type: none"> •Retreatment interval = 7 days. •Do not apply within 7 days of harvest. •Do not make more than 3 applications per year.
Garden Beets (tops), Turnips (tops)	<p>Apply 40 lbs. per acre per application with a maximum yearly usage of 120 lbs. per acre.</p> <ul style="list-style-type: none"> •Retreatment interval = 7 days. •Do not apply within 14 days of harvest. •Do not make more than 3 applications per year.
Chinese Cabbage, Collards, Kale, Mustard Greens	<p>Apply 40 lbs. per acre per application with a maximum yearly usage of 120 lbs. per acre.</p> <ul style="list-style-type: none"> •Make applications only within 30 days of crop emergence or transplanting. •Retreatment interval = 7 days. •Do not apply within 14 days of harvest. •Do not make more than 3 applications per year.
Broccoli, Brussel Sprouts, Cabbage, Cauliflower, Kohlrabi	<p>Apply 40 lbs. per acre per application with a maximum yearly usage of 120 lbs. per acre.</p> <ul style="list-style-type: none"> •Make applications only within 30 days of crop emergence or transplanting. •Retreatment interval = 7 days. •Do not apply within 3 days of harvest •Do not make more than 3 applications per year.

Commodity	Use Rate
Corn (field & pop)	Apply 40 lbs. per acre per application with a maximum yearly usage of 160 lbs. per acre. <ul style="list-style-type: none"> •Retreatment interval = 14 days. •Do not apply within 14 days of harvest (forage, silage). •Do not apply within 48 days of harvest (grain, fodder). •Do not make more than 4 applications per year. •Restricted-entry interval (REI) = 24 hours. •EXCEPTION: the REI is 21 days for workers detassling corn. Hand Harvesting is prohibited.
Corn (sweet)	Apply 40 lbs. per acre per application with a maximum yearly usage of 320 lbs. per acre. <ul style="list-style-type: none"> •Retreatment = 3 days. •Do not apply within 2 days of harvest (ears). •Do not apply within 14 days of harvest (forage). •Do not apply within 48 days of harvest (fodder). •Do not make more than 8 applications per year. •Restricted-entry interval (REI) = 24 hours. •EXCEPTION: the REI is 21 days for workers detassling corn. Hand harvesting is prohibited.
Cucumber, Melon, Squash	Apply 20 lbs. per acre per application with a maximum yearly usage of 120 lbs. per acre. <ul style="list-style-type: none"> •Retreatment interval = 7 days. •Do not apply within 3 days of harvest. •Do not make more than 6 applications per year.
Pistachios (Non-bearing trees only)	Only for use on trees that will not bear fruit for one year from the date of application. Apply 40 lbs. per acre per application with a maximum yearly usage of 200 lbs. per acre. <ul style="list-style-type: none"> •Retreatment interval = 7 days. •If weed or cover crop bloom is present, mow orchard or between rows prior to applying this product.
Potato	Apply 40 lbs. per acre per application with a maximum yearly usage of 120 lbs. per acre. <ul style="list-style-type: none"> •Retreatment interval = 7 days. •Do not apply within 7 days of harvest. •Do not make more than 3 applications per year.
Sugar Beets	Apply 30 lbs. per acre per application with a maximum yearly usage of 60 lbs. per acre. <ul style="list-style-type: none"> •Retreatment interval = 14 days. •Do not apply within 28 days of harvest (roots, forage). •Do not make more than 2 applications per year.
Tomato, Pepper, Eggplant	Apply 40 lbs. per acre per application with a maximum yearly usage of 160 lbs. per acre. <ul style="list-style-type: none"> •Retreatment interval = 7 days. •Do not apply within 3 days of harvest. •Do not make more than 4 applications per year.
Pasture & grasses (grown for hay or seed)	Apply 30 lbs. per acre per application with a maximum yearly usage of 60 lbs. per acre. <ul style="list-style-type: none"> •Retreatment interval = 14 days. •Do not apply within 7 days of harvest or grazing. •Do not make more than 2 application per year.

Commodity	Use Rate
<p>Rangeland</p> <p>Ground application only</p> <p>USDA Aphis Program for Mormon Cricket and Grasshopper Suppression</p>	<p>Apply 20 lbs. per acre.</p> <ul style="list-style-type: none"> • Do not make more than one application per year. <p>Apply 4 lbs. per acre per application with a maximum yearly usage of 8 lbs. per acre.</p> <ul style="list-style-type: none"> •Retreatment interval = 14 days •Do not make more than 2 applications per year. •Do not apply within 14 days of grazing •Use of a flaky cereal grain bait is prohibited. <p>Aerial application is allowed only through USDA Aphis and affiliated state grasshopper and Mormon Cricket suppression programs.</p>

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container only and keep sealed. Store in a cool, dry and closed storage area. Keep container tightly closed when not in use. Reduce stacking height where local conditions, such as humidity or pallet overhang, can affect package strength. Use caution when moving, opening, closing or pouring.

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:

NONREFILLABLE CONTAINER: Do not reuse or refill this container. 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.

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 the product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

ALL STATEMENTS MADE HEREIN ARE SUBJECT TO APPLICABLE LAW, AND TO THE EXTENT THERE IS ANY INCONSISTENCY OR CONTENTION, APPLICABLE LAW SHALL GOVERN.

The Directions for Use of the product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of many different factors including, without limitation, manner of use or application, weather, combination with other products, or crop conditions. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Manufacturer and Seller harmless from any claims relating to such factors. Seller warrants that this product conforms to the chemical description on the label.

EXCEPT FOR THIS WARRANTY, THE PRODUCT IS FURNISHED "AS-IS," AND NEITHER SELLER NOR MANUFACTURER MAKES ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE SELECTION, PURCHASE OR USE OF THIS PRODUCT; SELLER AND MANUFACTURER SPECIFICALLY DISCLAIM ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEYOND WHAT IS STATED ON THE LABEL. Buyer and User accept all risks arising from any use of this product, including without limitation, uses contrary to label instructions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or Manufacturer.

Neither Manufacturer nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE BUYER OR USER, 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 THIS PRODUCT, OR, AT THE ELECTION OF MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

These Conditions of Sale and Limitation of Warranty and Liability shall be interpreted, unless otherwise required by the law of the state of purchase, in accordance with the laws of the State of California, excluding its conflicts of laws rules, and may not be amended by any oral or written agreement.

WILBUR-ELLIS[®] Logo and IDEAS TO GROW WITH[®] are registered trademarks of Wilbur-Ellis Company.

Sevin[®] is a registered trademark of Tessengerlo Kerley, Inc.

Warning: This product contains a chemical known to the State of California to cause cancer.

F-070714

**In Case of Emergency, Call CHEMTREC:
(800) 424-9300**

**WILBUR-ELLIS COMPANY
PO BOX 16458
FRESNO, CA 93755
(559) 442-1220**

Batch Code _____