

3377-27

12/29/2011 *packet*

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ann M. Oxford
Manager, Regulatory Affairs
Albemarle Corporation
451 Florida Street
Baton Rouge, LA 70801

DEC 29 2011

Subject: M-B-R 98 Technical
EPA Registration Number 3377-27
Phase 2 Red Mitigation Amendment dated May 27, 2011
Decision Number 459260

Dear Ms Oxford:

The amended labeling referred to above, submitted in connection with reregistration of methyl bromide under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended is acceptable provided the following label revision is made and the following conditions are met:

LABEL REVISION

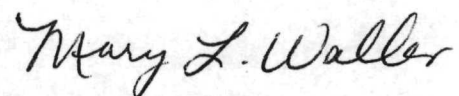
Revise the seventh sentence to read "Only correctly trained and PPE-equipped workers are permitted to perform such cleanup."

CONDITIONS

1. EPA has determined that the risk mitigation measures on the revised label for this product are necessary to adequately protect human health and the environment. Therefore, pursuant to 40 CFR § 152.130(d), EPA has decided that no product bearing previously approved labeling may be sold or distributed (released for shipment) by its registrant after December 1, 2012. Wherever state approval is required for sale or distribution of this product with this new labeling, EPA strongly encourages you to submit an application to the state authority as soon as possible. You should be aware that the Agency does not intend to modify the December 1, 2012 deadline because of any failure to obtain state approvals.
2. Submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

One copy of the label stamped "Accepted with comments" is enclosed for your records. Please note that future submissions must meet the legibility requirements as specified in the label review manual. See the label review manual, chapter 2, page 8 at <http://www.epa.gov/oppfead1/labeling/lrm/chap-03.pdf>. If you have any questions, you may contact me via email, waller.mary@epa.gov or by phone at (703) 308-9354.

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicides Branch
Registration Division (7504P)

Enclosure

M-B-R 98 TECHNICAL

A NEMATOCIDE, INSECTICIDE, HERBICIDE FOR FORMULATION INTO END-USE PRODUCTS INTENDED FOR USE AS SOIL FUMIGANTS

ACTIVE INGREDIENT: METHYL BROMIDE.....98%
OTHER INGREDIENT: CHLOROPICRIN.....2%
TOTAL.....100%

KEEP OUT OF REACH OF CHILDREN
ANGER
PELIGRO



SI Listed no entiendo la etiqueta, busque a alguien para que se la explique a Usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

IN ALL CASES OF EXPOSURE, GET MEDICAL ATTENTION IMMEDIATELY. TAKE PERSON TO A DOCTOR OR EMERGENCY TREATMENT FACILITY.

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.
IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

IF ON SKIN OR CLOTHING: 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: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

NOTE TO PHYSICIAN

Early symptoms of overexposure are dizziness, headache, nausea and vomiting, weakness and collapse. Lung edema may develop 2 to 48 hours after exposure, accompanied by cardiac arrhythmias; these effects are the usual cause of death. Repeated overexposure can result in blurred vision, staggering gait and mental imbalance, with probable recovery after period of no exposure. Blood bromide levels suggest the occurrence, but not the degree of exposure. Treatment is symptomatic. See the product MSDS for additional information.

ALBEMARLE CORPORATION
451 Florida Street
Baton Rouge, LA 70801

In case of an emergency endangering life or property involving this product, call collect (225) 344-7147.

EPA Reg. No. 3377-27

EPA Est. No. _____

PRECAUTIONARY STATEMENTS HAZARD TO HUMANS AND DOMESTIC ANIMALS DANGER

EXTREMELY HAZARDOUS LIQUID AND VAPOR UNDER PRESSURE. DO NOT BREATHE VAPOR. INHALATION MAY BE FATAL OR CAUSE SERIOUS ACUTE ILLNESS OR DELAYED LUNG, NERVE OR BRAIN INJURY. LIQUID OR VAPOR CAN CAUSE SERIOUS SKIN OR EYE INJURY WHICH MAY HAVE A DELAYED ONSET. DO NOT GET LIQUID ON SKIN, IN EYES OR ON CLOTHING.

This product contains chlorpicrin as a warning odorant. Chlorpicrin may be irritating to the upper respiratory tract, and even at low levels can cause painful irritation to the eyes, producing tearing. If these symptoms occur, leave the area immediately.

PERSONAL PROTECTIVE CLOTHING

Wear loose-fitting or well ventilated long-sleeved shirt and long pants, shoes and socks, full-face shield or safety glasses with brow and temple shields when handling liquid product. (Do NOT wear goggles.) A respirator is required if the acceptable air concentration level (5 ppm) for methyl bromide is exceeded at any time. The respirator must be one of the following types: (a) a supplied air respirator (MSHA/NIOSH approved number prefix TC-19C), (b) a self-contained breathing apparatus (SCBA) (MSHA/NIOSH) approved number prefix TC-13F). Do not wear jewelry, gloves, goggles, rubber protective clothing, or rubber boots when handling. Methyl bromide is heavier than air and can be trapped inside clothing and cause skin injury. If liquid spills or splashes on clothing, shoes or socks, remove them immediately. Do not reuse until the clothing is thoroughly aerated or ventilated and cleaned. Discard clothing and shoes that have been heavily drenched or contaminated with this product.

ENVIRONMENTAL HAZARD

This pesticide is toxic to mammals, birds, fish, and aquatic invertebrates. 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.

PHYSICAL AND CHEMICAL HAZARDS

M-B-R 98 Technical is nonflammable. There is no danger from fire or explosion in use concentrations. Do not apply gas directly to metal surfaces because of possible corrosive effect on certain metals. Do not use containers or equipment made of magnesium, aluminum or their alloys. Contents under pressure. Do not store or use near heat or open flame.

WARNING: Contains Methyl Bromide, a substance which harms public health and environment by destroying ozone in the upper atmosphere.

ACCEPTED
with **COMMENTS**
In EPA Letter Dated

1a/29/2011

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 3377-27

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 a pre-plant soil fumigant for uses, users, and locations that at the time of the application qualify for exemptions under the Montreal Protocol (e.g., critical use exemption or quarantine and preshipment exemption uses) and for the following uses that do not qualify for exemptions: Peppers (grown for fresh market in CA), Tomato (grown for fresh market in CA), Caneberries (Raspberries, Blackberries, Boysenberries), Ginger (HI), Vitalea Onion (GA), Golf Course Tees, Greens, and Fairways, Athletic Fields, and Tobacco Seedling Trays. All end use products that contain Directions for Use for crops/use sites that at the time of the application do not qualify for exemptions under the Montreal Protocol or that are not listed above must be changed to remove those crops/use sites. All structural/space uses have been cancelled.

Methyl bromide formulated into end-use products containing 98% methyl bromide must contain directions for use only for the following uses: orchard replant; ornamentals (hot gas method only); forest seedlings; golf course tees, greens, and fairways (hot gas method only); athletic fields (hot gas method only); and quarantine uses. All other use sites and use patterns are prohibited and must be removed from the end-use product labeling.

Methyl bromide cannot be formulated into end-use products labeled for pre-plant uses without the use of taps with the exception of California orchard replant for Critical Use Exemption (CUE) use using the deep broadcast application method and hand held tree-hole applications.

Methyl bromide cannot be formulated into end-use products labeled for pre-plant or pre-transplant uses unless the end-use registrant makes available to certified applicators who purchase or apply the end-use product a registrant developed training program approved by EPA. The training program must provide information on (1) how to correctly apply the fumigant, including how to comply with new label requirements; (2) how to protect handlers and bystanders; (3) how to determine buffer zone distances; (4) how to complete an FMP and the post-application summary; (5) how to determine when weather and other site-specific factors are not favorable for fumigant application; (6) how to comply with required GAPs and how to document compliance with GAPs in the FMP; and (7) how to develop and implement emergency response plans. The registrant developed training program must be made available at least annually to the certified applicators. The end-use registrant must be able to provide, upon request, the names, addresses, and certified applicator license and/or certificate number of persons who successfully complete the registrant developed training program.

Methyl bromide cannot be formulated into end-use products labeled for pre-plant or pre-transplant uses unless the end-use registrant ensures Buffer Zone signs suitable for posting buffer zones or templates for the buffer zone signs are available to its downstream distributors/customers who in turn will provide the signs at the point of sale. Templates may be downloaded from http://www.epa.gov/pesticides/registration/soil_fumigants/index.htm

The Buffer Zone sign must meet the following standards:

- Signs must remain legible during the entire posting period, and must meet the general standards outlined in the WPS for sign size, text size, and legibility (see 40 CFR §170.120).

Contents of Sign



-- "DO NOT ENTER/NO ENTREE"
-- "Methyl Bromide [Name of Product] Fumigant BUFFER ZONE,"
-- space for contact information for the certified applicator in charge of the application.

[Note to end-use registrant: When products have more than one active ingredient, include both ingredients on the sign.]

This product may be used to formulate products for specific uses(s) not listed on the MUP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

SPILL AND LEAK PROCEDURE

Evacuate everyone from the immediate area of the spill or leak. For entry into affected area to correct problem wear the personal protective equipment (including prescribed respirators) specified in the Hazards to Humans section of this labeling. Move leaking or damaged containers outdoors or to an isolated location. Observe strict safety precautions. Work up wind, if possible. Allow spilled fumigant to evaporate. Only correctly trained and PPE-equipped handlers are permitted to perform such cleanup. Do not permit entry into the spill or leak area by any other person until the air concentration level of methyl bromide is measured to be less than 5ppm.

Contaminated soil, water, and other cleanup debris is a toxic hazardous waste. Report spill to the National Response Center (800-424-8802) if the reportable quantity of 1000 lbs. is exceeded.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. PESTICIDE STORAGE AND HANDLING

Store in secure manner either outdoors under ambient conditions or indoors in a well ventilated area. Post as a pesticide storage area.

PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. 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

When a tank car or iso tank is unloaded, close all valves and install and securely tighten the plugs in the valve outlets. Close and secure the dome cover on the railcar or iso tank.

WARRANTY

Seller makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. To the extent allowable under State Law, Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instructions.

Net Contents: _____ lbs.