

5481-482

03/06/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

MAR - 6 2008

Mr. Jon C. Wood  
Amvac Chemical Corporation  
4695 McArthur Court, Suite 1250  
Newport Beach, CA 92600

Subject: Label amendment  
Fly Killer D  
EPA Reg. No. 5481-482  
Your submission dated December 10, 2007

Dear Mr. Wood:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments listed below:

On page 4, change the heading "General Use Restrictions" to "USE RESTRICTIONS".

A stamped copy of the label is enclosed for your records. Submit two (2) copies of the final printed label before you release the product for shipment bearing the revised labeling.

Sincerely,

*Rita Kumar*

Rita Kumar

Senior Regulatory Specialist

Insecticide-Rodenticide Branch

Registration Division (7505P)

E-mail: [kumar.rita@epa.gov](mailto:kumar.rita@epa.gov)

Enclosure

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**RESTRICTED USE PESTICIDE**  
**DUE TO EYE AND SKIN CORROSIVITY HAZARD**  
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 Applicators Certification.

# FLY KILLER D

Contains **DIBROM®** Naled Insecticide

**CONTROLS FLIES, MOSQUITOES, GNATS, AND DROSOPHILA**  
FOR USE ONLY IN COMMERCIAL PEST CONTROL AND PUBLIC HEALTH OR PEST ABATEMENT PROGRAMS. NOT FOR USE IN AND AROUND THE HOME BY HOMEOWNERS OR PEST CONTROL OPERATORS.

**ACTIVE INGREDIENT:**

Naled (1,2-dibromo-2,2-dichloroethyl dimethyl phosphate).....36.0%

**INERT INGREDIENTS:** .....64.0%

**TOTAL:** .....100.0%

Aromatic Petroleum Derivative Solvent (49%)

Contains 3.5 pounds active ingredient per gallon.

Contains petroleum distillates.

## KEEP OUT OF REACH OF CHILDREN DANGER / PELIGRO

Si usted no entiende 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.)

<b>FIRST AID</b>	
<b>Organophosphate</b>	
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Have a person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>EMERGENCY INFORMATION</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
FOR THE FOLLOWING EMERGENCIES, PHONE 24 HOURS A DAY:	
Transportation: CHEMTREC.....	1-800-424-9300
Other: AMVAC.....	1-323-264-3910
<b>NOTE TO PHYSICIAN</b>	
Naled is an organophosphate cholinesterase inhibitor. Contains petroleum distillates. Measurement of blood cholinesterase activity may be useful in monitoring exposure. If signs of cholinesterase inhibition appear, atropine sulfate is antidotal. 2-PAM (Protopam) is also antidotal and may be used in conjunction with atropine, but should not be used alone. Probable mucosal damage may contraindicate the use of gastric lavage. May pose an aspiration pneumonia hazard.	

SEE SIDE/BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND DIRECTIONS FOR USE.

EPA Reg. No. 5481-482  
EPA Est. No. 5481-CA-1

**AMVAC**  
4100 E. Washington Blvd.  
Los Angeles, CA 90023 U.S.A

**ACCEPTED**  
CONTAINER  
in EPA Letter Dated:  
MAR - 6 2008  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
As amended, for the pesticide  
Registered under EPA Reg. No.  
5481-482

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**PRECAUTIONARY STATEMENTS**

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**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**DANGER: Corrosive.** Causes irreversible eye damage. Causes skin burns. May be fatal if swallowed. Harmful if inhaled or absorbed through the skin. Do not get in eyes, on skin, or on clothing. Do not breathe vapor or spray mist. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Some materials that are chemical-resistant to this product are Barrier laminate, Butyl Rubber, Nitrile Rubber, and Viton.

Mixers, loaders, applicators, and other handlers using engineering controls must wear:

- Protective eyewear (goggles, face shield, or safety glasses)
- Long-sleeved shirt and long pants
- Chemical resistant gloves (barrier laminate, butyl rubber, nitrile rubber, or viton, selection category E)
- Socks plus shoes

See engineering controls for additional requirements.

Mixers, loaders, applicators and other handlers engaged in those handler activities for which use of an engineering control is not possible, such as cleaning up a spill or leak and cleaning or repairing contaminated equipment, must wear:

- Protective eyewear (goggles, face shield, or safety glasses)
- Coveralls over long-sleeve shirt and long pants
- Chemical-resistant gloves
- Chemical-resistant footwear plus socks
- Chemical-resistant apron if exposed to the concentrate
- Chemical-resistant headgear for overhead exposure
- A respirator with an organic-vapor removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23G), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH-approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P, and HE prefilter.

**USER SAFETY REQUIREMENTS**

Users should:

- 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. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

**ENGINEERING CONTROLS**

Mixers and loaders supporting aerial or ground applications must use a closed system designed by the manufacturer to enclose the pesticide to prevent it from contacting handler or other people *AND* the system must be functioning properly and must be used and maintained in accordance with the manufacturer's written operating instructions. The system must be capable of removing the pesticide from the shipping container and transferring it into mixing tanks and/or application equipment. At any disconnect point, the system must be equipped with a dry disconnect or dry couple shut-off device that is warranted by the manufacturer to minimize drippage to not more than 2 mL per disconnect point.

In addition, mixers and loaders must:

- Wear the personal protective equipment required above for mixers/loaders,

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- Have immediately available for use in an emergency, such as a broken package, spill, or equipment breakdown, the PPE specified above for handlers engaged in those activities for which use of an engineering control is not possible
- If the system operates under pressure, protective eyewear must be worn

Pilots must use an enclosed cockpit and must wear the PPE specified above for applicators using engineering controls. When entering or leaving an aircraft contaminated by pesticide residues, pilots must wear chemical-resistant gloves of the type specified in the PPE section of this label, and must store used gloves in a closed, chemical-resistant container inside the cockpit.

Applicators using motorized ground-equipment must use an enclosed cab with a nonporous barrier that totally surrounds the occupant and prevents contact with pesticides outside the cab. The cab must either have a properly functioning ventilation system that is used and maintained according to the manufacturer's written operating instructions or the occupant must wear a respirator as specified in the PPE above.

In addition, applicators must:

- Wear the personal protective equipment required in the PPE section of this labeling for applicators
- Be provided and have immediately available for use in case of an emergency when they must exit the cab, the PPE specified in the PPE section of this labeling for handlers engaged in those activities for which use of an engineering control is not possible.
- Take off any PPE that was worn in the treated area before reentering the cab
- Store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

**User Safety Recommendations**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE 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 pesticide is toxic to fish, aquatic invertebrates, and wildlife. Before making the first application in a season, consult with the primary State agency responsible for regulating the use of pesticides to determine if permits are required or regulatory mandates exist. Do not apply over water (e.g., lakes, swamps, rivers, permanent streams, natural ponds, marshes or estuaries), except to target areas where mosquitoes may rest. Do not apply within 8 hours following rainfall or irrigation, or in areas where intense or sustained rainfall is forecasted to occur within 24 hours following application.

Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body. Do not contaminate water when disposing of equipment washwaters or rinsate.

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 visiting the treatment area, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or the tribe during a natural disaster recovery effort. To minimize hazard to

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bees, avoid applying more than two hours after sunrise or two hours before sunset, limiting application to times when bees are least active.

**PHYSICAL OR CHEMICAL HAZARDS**

**COMBUSTIBLE.** Keep out of reach of children. Do not use or store near heat, open flame, sparks or hot surfaces. Use only in well ventilated area. Keep container closed. Clean up spills immediately. Liquid evaporates and forms vapor (fumes) which can catch fire and burn with explosive violence. Invisible vapor spreads easily and can be set on fire by many sources such as pilot lights, welding equipment and electrical motors and switches. Fire hazard is greater as liquid temperature rises above 85°F. Do not heat this container. Replace cap or bung. Emptied container still contains hazardous or explosive vapor or liquid. May corrode metal spray equipment. Wash equipment thoroughly after use.

**DIRECTIONS FOR USE**

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

**READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.**

**TANK MIXES**

**NOTICE:** Tank mixing or use of this product with any other product which is not specifically and expressly authorized by the label shall be the exclusive risk of user, applicator and/or application advisor.

Read and follow the entire label of each product to be used in the tank mix with this product.

**FLY KILLER D IS FOR USE ONLY BY TRAINED PERSONNEL IN AGRICULTURE, COMMERCIAL, PEST CONTROL AND PUBLIC HEALTH OR PEST ABATEMENT PROGRAMS. NOT FOR HOMEOWNER USE.**

**APPLICATION EQUIPMENT:** Aerial application must be made with closed cockpit aircraft.

**General Use Restrictions**

Do not use in edible product areas of food processing plants, restaurants, or other areas where food is prepared or processed commercially. Do not use in serving areas while food is exposed. 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 treatment area during application.

**DIRECTIONS**

**AS A SPACE SPRAY FOR CONTROL OF HOUSE FLIES, LITTLE HOUSE FLIES, MOSQUITOES, GNATS AND FRUIT FLIES (DROSOPHILA SPECIES) IN AND AROUND DAIRY BARN, LIVESTOCK BARN, PIG PENS, POULTRY HOUSES, FEED LOTS, CATTLE PENS, GARBAGE DUMPS, OUTSIDE MEAT PACKING ESTABLISHMENTS (INCLUDING FEDERALLY INSPECTED), PENS, DOCKS, RAMPS, DISPOSAL AREAS AND CIDER MILLS:** Use 5 teaspoonfuls of Fly Killer D in 1 gallons water (2 fl. oz. in 2½ gallons (0.06 lbs a.i.) or 2 pts. in 40 gallons) and direct the spray throughout the fly infested area such as dairy and stock barns, spraying around and above animals but not directly at animals. Repeat as necessary. Do not use inside dwellings or in milk processing rooms. **For increased residual control,** concentrate spray application to walls, beams, rafters and around windows, doorways and other fly resting areas. Add ½ lb. sugar or ½ pt. Karo® syrup in 40 gallons of water for best results.

**FRUIT FLIES (DROSOPHILA SPP.) IN AND AROUND FOOD PROCESSING PLANTS, LOADING DOCKS, CULL PILES AND REFUSE AREAS AND CIDER MILLS:** Use 2 fl. oz. (0.06 lbs. a.i.) in 2½ gallons water (5 pts. in 100 gallons). Apply as a coarse spray to walls, floors, doorways, windows, refuse and cull piles. Apply every 5 to 7 days as long as necessary to maintain control. Do not apply to cull fruit or refuse piles to be fed to livestock. Avoid contamination of feeds, foodstuffs and food processing machinery. Do not apply when plants are in operation or when foods are present or exposed. Do not spray surfaces which will come into contact with foods. Cover food containers during spraying periods.

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Use in areas where food is processed or prepared is prohibited.

**ADULT MOSQUITOES, GNATS, AND HOUSE FLY CONTROL - FEED LOTS INCLUDING DAIRY CATTLE:** For use only by personnel trained in commercial pest control, public health or pest abatement programs. It is not necessary to avoid farm buildings and dairy barns. Time application for peak infestation and repeat as necessary. **AIRCRAFT APPLICATIONS:** Use 5 teaspoonfuls of Fly Killer D in 1 gallon water or 2 fl. oz. (0.06 lbs a.i.) in 2½ gallons to give 1 to 2 ½ gallons diluted spray per acre. **MIST BLOWER APPLICATION:** Use 1½ gallons of Fly Killer D in 100 gals. water. Calibrate equipment (rate of travel and output) to apply 0.1 lb. a.i./A. Treat shrubbery and vegetation where mosquitoes may rest. Shrubby and vegetation around stagnant pools, marshy areas, ponds and shore lines may be treated. Direct application to water is prohibited. Allow a minimum of 7 days before retreatment unless monitoring demonstrates that mosquitos have re-infested the area.

**Do not apply under conditions involving possible drift to food, forage or other plantings that might be damaged or the crops thereof rendered unfit for sale, use or consumption.**

**ADULT MOSQUITOES, GNATS, AND HOUSE FLY CONTROL – PASTURES, WOODLANDS, SWAMPS:** For use oly by personnel trained in commercial pest control, public health or pest abatement programs. Time application for peak infestation and repeat as necessary. **AIRCRAFT APPLICATIONS:** Use 2 fl. oz. (0.06 lbs a.i.) in 2½ gallons per acre. **MIST BLOWER APPLICATION:** Use 1½ gallons of Fly Killer D in 100 gals. water. Calibrate equipment (rate of travel and output) to apply 0.1 lb. a.i./A. Treat shrubbery and vegetation where mosquitoes may rest. Shrubby and vegetation around stagnant pools, marshy areas, ponds and shore lines may be treated. Direct application to water is prohibited. Allow a minimum of 7 days before retreatment. Grazing of lactating dairy cattle on treated areas is prohibited.

**Do not apply under conditions involving possible drift to food, forage or other plantings that might be damaged or the crops thereof rendered unfit for sale, use or consumption.**

**STORAGE AND DISPOSAL**

**PROHIBITIONS:** Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited.

**STORAGE:** Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Do not store diluted spray. Make new dilution for each use. Store in cool, dry place. For help with any spill, leak, fire or exposure involving this material, call day or night Chemtréc at 1-800-424-9300.

**PESTICIDE DISPOSAL:** This product is 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:** Triple rinse (or equivalent). Do not reuse container. Dispose of in a sanitary landfill or by other procedures allowed by State and local authorities.

**It is required that this product be used in a CLOSED SYSTEM. This container may require a tank adapter. For questions regarding tank adapters, call AMVAC Customer Service at 1-888-462-6822 (1-888-GO-AMVAC).**

**LIMITED WARRANTY AND DISCLAIMER**

The manufacturer warrants (a) that this product conforms to the chemical description on the label; (b) that this product is reasonably fit for the purposes set forth in the directions for use, subject to the inherent risks referred to herein, when it is used in accordance with such directions; and (c) that the directions, warnings, and other statements on this label are based upon responsible experts' evaluations of reasonable tests of effectiveness, of toxicity to laboratory animals and to plants and residues on food crops, and upon reports of field experience. Tests have not been made on all varieties of food crops and plants, or in all states or under all conditions.

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW THERE ARE NO EXPRESS WARRANTIES OTHER THAN THOSE SET FORTH HEREIN. THE MANUFACTURER NEITHER**

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**MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE, TO MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OF FITNESS FOR A PARTICULAR PURPOSE, OR ANY WARRANTY OF QUALITY OR PERFORMANCE. THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS OR CAUTIONS.**

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT, SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.**

**AMVAC offers this product, and Buyer accepts it, subject to the foregoing Limited Warranty which may be varied only by agreement in writing signed by an authorized representative of AMVAC.**

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