

5481-8972

09/14/2012

1/9

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D C 20460



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

SEP 14 2012

Karla Moran
Regulatory Consultant
AMVAC
4695 MacArthur Court, Suite 1250
Newport Beach, CA 92660

Subject Orthene Tobacco Insect Spray
 EPA Reg No 5481-8972
 Notification Application Dated July 12, 2012
 Minor label revisions and updating Storage and Disposal Instructions

Dear Ms Moran

The Agency has received your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10, dated July 12, 2012 for the subject product, EPA Reg No 5481-8972. The Registration Division (RD) has reviewed this request and finds that the actions requested fall within the scopes of PR Notices 2007-4 and 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at (703) 308-8043 or email lewis marianne@epa.gov

Sincerely,

Marianne Lewis
Insecticide-Rodenticide Branch
Registration Division (7505P)
Office of Pesticide Programs



United States
 Environmental Protection Agency
 Washington DC 20460

- Registration
 Amendment
 Other

OPP Identifier Number

29

Application for Pesticide - Section I

1 Company/Product Number 5481-8972	2 EPA Product Manager	3 Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company/Product (Name) Orthene Tobacco Insect Spray	PM#	
5 Name and Address of Applicant (Include Zip Code) Amvac Chemical Corporation 4695 MacArthur Court Suite 1250 Newport Beach CA 92660 <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

- Amendment Explain below Final printed labels in response to Agency letter dated _____
 Resubmission in response to Agency letter dated _____ "Me Too" Application
 Notification Explain below Other Explain below

Explanation Use additional page(s) if necessary (For Section I and Section II) Notification of Minor Label Revisions and Storage and Disposal Statements
 Notification of label change per PR Notice 2007 4 This notification is consistent with the guidance in PR Notice 2007 4 and the requirements of EPA's regulations at 40 CFR §§ 156 10 156 140 156 144 156 146 and 156 156 No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156 10 156 140 156 144 156 146 and 156 156 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
 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

Section - III

1 Material This Product Will Be Packaged In				2 Type of Container	
Child Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes No per Unit Packaging wt container		<input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If Yes No per Package wt container			
3 Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4 Size(s) Retail Container		5 Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6 Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithographed <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Other _____					

Section - IV

1 Contact Point (Complete items directly below for identification of individual to be contacted if necessary to process this application)					
Name Kaila Moran		Title Regulatory Consultant		Telephone No (Include Area Code) (562) 607-2146	
Certification 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					8 Date Application Received (Stamped)
2 Signature 		3 Title Regulatory Consultant			
4 Typed Name Kaila Moran		5 Date 12 Jul 2007			



July 12 2012

Ms Julie Chao
Document Processing Desk
Office of Pesticide Programs (Notif)
U S Environmental Protection Agency
One Potomac Yard
2777 S Crystal Drive
Arlington VA 22202

Subject Notification of Minor Label Revisions and Storage and Disposal Language Per PR Notice 2007-4
Orthene Tobacco Insect Spray (EPA Reg No 5481-8972)
Orthene 15 Granular (EPA Reg No 5481-8976)
Orthene Turf & Container Grown Nursery Stock 15G (EPA Reg No 5481-8977)

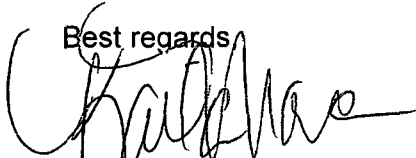
Dear Julie

This is submitted in response to the EPA letters dated May 31 2012 as well as our phone conversation June 8 2012 As you mentioned on the phone the Container Disposal Statements updated per the PR Notice 2007-4 are acceptable However you requested revising the language throughout the label with regards to using the word 'general' when referring to mandatory (non-optional) use directions I have made the requested label changes as suggested as well as included REDLINE labels to highlight the revisions I have also revised the applications to with the updated certification under PR 98-10

In support of this request enclosed please find the following

- Application for each Pesticide Registration (EPA Form 8570-1)
- ^{two} ~~one~~ copies of each label with a redline copy showing changes (Ref No 8972-20120509r1, 8976-20120509r1 8977-20120508r1)
- Copies of the May 31 2012 letters for reference

It is my understanding that this satisfies the requirements of the Agency's PR Notice and will require no further action If you have any questions or require additional information, please do not hesitate to contact me at 562-607-2146 or email kailam@amvac-chemical.com Thank you for your attention to this matter

Best regards

Kaila Moran
Regulatory Consultant

c c c c
c c c c
c c

c c c c
c c c c
c c c c

4/9

NOTIFICATION

SEP 14 2012

ORTHENE[®] Tobacco Insect Spray
[Insecticide in a Water Soluble Packet]

Active Ingredient	By Weight
*Acephate	75 0%
Inert Ingredients	<u>25 0%</u>
Total	100 0%
*O,S-Dimethyl acetylphosphoramidothioate	

KEEP OUT OF REACH OF CHILDREN
CAUTION

FIRST AID	
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 in eyes	<ul style="list-style-type: none"> • 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
If inhaled	<ul style="list-style-type: none"> • 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 treatment advice
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

EMERGENCY INFORMATION

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

NOTE TO PHYSICIAN

This material contains a cholinesterase inhibitor Measurement of blood cholinesterase activity may be useful in monitoring exposure but decisions regarding treatment will usually need to be made before test results are available If signs of cholinesterase inhibition appear atropine sulfate is antidote 2-PAM (PROTOPAM) is also antidotal and may be used in conjunction with atropine but should not be used alone

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

EPA Reg No 5481-8972
EPA Est No _____

Net Contents
As Marked on Container



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if swallowed

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical resistant to this product are Butyl rubber ≥ 14 mils Nitrile rubber ≥ 14 mils or Neoprene ≥ 14 mils If you want more options follow the instructions for category A on an EPA chemical resistance category selection chart

Mixers, Loaders, Applicators and Other Handlers must wear

- Long sleeved shirt and long pants
- Chemical resistant gloves
- Socks plus shoes

See Engineering Controls for additional requirements

Engineering Controls Water soluble packets when used correctly qualify as a closed mixing/loading system under the Worker Protection Standard for Agricultural Pesticides [40 CFR 170 240(d)(4)] Mixers and loaders using water soluble packets must wear the personal protective equipment required above for Mixer/Loaders, and must be provided must have immediately available and must use in an emergency (such as a broken package spill or equipment breakdown) the following PPE coveralls chemical-resistant footwear and a NIOSH approved dust mist filtering respirator with MSHA/NIOSH approval number prefix TC 21C or a NIOSH approved respirator with any N R P or HE filter

Pilots must use an enclosed cockpit in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170 240(d)(6)]

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 As soon as possible wash thoroughly and change into clean clothing

The use of human flaggers is prohibited

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 was thoroughly and out 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 birds 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 contaminate water when cleaning equipment or disposing of equipment washwaters Cover or soil incorporate spills

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

This product and its degradate 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 actively visiting the treatment area

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

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) 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) of 24 hours

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 is

- Coveralls
- Chemical resistant gloves made of any waterproof material
- Shoes plus socks

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

Table of Equivalents for 1/3 lb Packet

Rates of <i>Orthene</i> Tobacco Insect Spray per 100 Gals of Water	Number of 1/3 lb Packet(s) per 100 Gals of Water
1/3 lb	1
2/3 lb	2
1 lb	3
1 1/3 lbs	4

WATER SOLUBLE PACKAGING

MULTIPLE PACKAGING

This bag contains multiple water soluble packets of *Orthene* Tobacco Insect Spray Do not handle the packets with wet gloves or allow the packets to become wet prior to addition to spray tank Do not break open packets Refer to the Tables of Equivalents to calculate the number of packets to use If all packets are not used close and reseal outer container to protect remaining packet(s)

SINGLE PACKAGING

This bag contains one water soluble packet of *Orthene* Tobacco Insect Spray Do not handle the packet with wet gloves or allow the packet to become wet prior to addition to spray tank Do not break open packet Refer to the Tables of Equivalents to calculate the number of packets to use Open outer bag by pulling perforated tearstrip and drop the unopened inner packet of *Orthene* Tobacco Insect Spray into spray tank

PREPARATION OF SPRAY SOLUTION

To prepare spray solution, drop the unopened packet(s) of *Orthene* Tobacco Insect Spray into a spray tank containing at least one half the total quantity of water required Direct water at the floating packet(s) and continue to add water with the agitator running until the spray volume is reached **Do not add any liquid fertilizers, micronutrients or adjuvants to the spray solution until after the packet and its contents have completely dissolved** Water soluble packet(s) should completely dissolve in approximately five minutes Dissolution rate may be slowed by cold water lack of agitation or water containing high concentrations of boron or sulfur

TOBACCO

GENERAL USE PRECAUTIONS

- Do not apply more than 5 1/3 lbs /A (4 lbs ai) ORTHENE Tobacco Insect Spray per crop cycle This includes the use of ORTHENE in transplant water float bed plant bed, soil and foliar applications
- Do not apply using low pressure hand wand equipment
- Do not use through any type of irrigation system

Directions for Use

APPLICATION METHOD	PESTS CONTROLLED	RATES OF ORTHENE TOBACCO INSECT SPRAY PER ACRE	REMARKS	DAYS TO HARVEST
SOIL MOUND TREATMENT	Ants (excluding carpenter and harvester)	Drench Method Mix 1/3 lb water soluble packet in 26 7 gals water	Apply 1 gal of mix to each mound area by sprinkling the mound until it is wet and treat a 4 ft diameter circle around the mound For best results apply the material in the early morning or late afternoon when the ants are most active Applications made under prolonged hot and dry conditions may be ineffective due to the location of the ants deep within the nest	3
USE PRECAUTIONS				
<ul style="list-style-type: none"> • Treat a maximum of 26 7 mounds per acre • Do not treat more than once per crop cycle 				
PLANT BED FOLIAGE Mix three 1/3 lb water soluble packets in 43 5 gals of water	Cutworm Flea Beetle Green Peach Aphid Tobacco Aphid	1 lb	Apply 1 gal of spray solution for every 1 000 sq ft of bed App y evenly to ensure thorough coverage For repeat applications use a minimum spray interval of 7 days	

<p>TRANSPLANT Apply in a minimum of 100 gals of transplant water per acre</p>	<p>Cutworm Flea Beetle Green Peach Aphid Potato Tuberworm Tobacco Aphid Tobacco Thrip</p>	<p>1 lb</p>	<p>Make transplant water applications using mechanical transplant equipment only Using such equipment the insecticide/water mixture is mechanically applied directly into the soil along with the transplanted plants</p> <p>Provides control for approximately 3 to 4 weeks after transplanting</p> <p>For control late in the season apply foliar sprays of ORTHENE Tobacco Insect Spray</p>
--	---	-------------	--

USE PRECAUTIONS

- Do not apply more than 1 lb ORTHENE Tobacco Insect Spray per acre as a transplant water application as some phytotoxicity may occur

Directions for Use – (continued)

APPLICATION METHOD	PESTS CONTROLLED	RATES OF ORTHENE TOBACCO INSECT SPRAY PER ACRE	REMARKS	DAYS TO HARVEST
<p>FOLIAR</p> <p>By Ground 10 to 50 gals /A of spray</p> <p>By Air Minimum of 3 gals /A of spray</p>	Grasshopper	1/3 to 2/3 lb	<p>For repeat applications use a minimum spray interval of 3 days for application rates up to and including 2/3 lb /A and a minimum of 7 days for rates exceeding 2/3 lb /A</p>	3
	Flea Beetle Green Peach Aphid Hornworm Tobacco Thrips	2/3 lb		
	Stinkbugs Tobacco Aphid Vegetable Weevils	2/3 to 1 lb		
	Budworm Cabbage Looper Cutworm Japanese Beetle	1 lb		

STORAGE AND DISPOSAL

PESTICIDE STORAGE

Do not contaminate water food or feed by storage disposal or cleaning of equipment
 Keep pesticide in original container
 Do not put concentrate or dilute into food or drink containers
 Store in cool, dry place
 Protect from excessive heat
 Do not store or transport near feed or food
 For help with any spill leak fire or exposure involving this material call day or night **1-322-254-3910**

PESTICIDE DISPOSAL

Wastes resulting from use of this product may be disposed of on site or at an approved waste disposal facility

CONTAINER DISPOSAL

Nonrefillable container Do not reuse or refill this container Completely empty canister into application equipment Do not reuse container Dispose of empty canister in a sanitary landfill or by incineration, or if allowed by State and local authorities by burning If burned stay out of smoke

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

THERE ARE NO EXPRESS WARRANTIES OTHER THAN THOSE SET FORTH HEREIN TO THE EXTENT CONSISTENT WITH APPLICABLE LAW THE MANUFACTURER NEITHER 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 TO THE EXTENT CONSISTENT WITH APPLICABLE LAW MANUFACTURER OR SELLER SHALL NOT 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

Orthene is a registered trademark of OMS Investments Inc

AMVAC Chemical Corporation
4100 E Washington Boulevard
Los Angeles, CA 90023 U S A
1-323-264-3910

