

5481-9028

09-29-2011

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

NOTIFICATION**SEP 29 2011**

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Joy Paff
Amvac Chemical Corporation
4695 MacArthur Court, Suite 1250
Newport Beach, CA 92660

Subject: **Notification:** Updated Storage and Disposal Statement per PR notice 2007-4 with specific statements regarding the smart box container approved previously by Agency
Aztec 4.67% Granular Insecticide
EPA Reg. No. 5481-9028
Your submission dated September 14, 2011

Dear Ms. Paff:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-04 dated 9-14-11 for the product EPA Reg. No. 5481-9028. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-04 and finds that the action requested falls within the scope of the PRN. 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 @ 703-305-5314 or metzger.autumn@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Autumn Metzger", with a long, sweeping horizontal line extending to the right.

Autumn Metzger
Biologist
Insecticide-Rodenticide Branch
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 5481-9028	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Aztec 4.67% Granular Insecticide	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: NOTIFICATION EPA Reg. No. _____ Product Name SEP 29 2011	

Section - II

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below	<input type="checkbox"/> Other - Explain below

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

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. The Limited Warranty Statements has also been updated.

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <input 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" Unit Packaging wt. No. per container	If "Yes" Package wt. No. per container

3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 50 lb SmartBox	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
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6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithographed <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____
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Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Joy Paff	Title Regulatory Specialist	Telephone No. (Include Area Code) (949) 221-6123
2. Signature 		8. Date Application Received (Stamped)
3. Title Regulatory Specialist		
4. Typed Name Joy Paff		
5. Date September 14, 2011		

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.



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September 14, 2011

Ms. Sherada Hobgood
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 Storage and Disposal Statement Per PR Notice 2007-4
and Revision of the Limited Warranty Statement
Aztec 4.67% Granular Insecticide (EPA Reg. No. 5481-9028)**

Dear Sherada:

In accordance with PR Notice 2007-4, please find enclosed the notification to revise labeling for the above listed product. We have updated the Storage and Disposal Statement to comply with the language provided by the Agency's PR. We have also updated the Limited Warranty Statement to be consistent with the rest of our labeling.

In support of this request, enclosed please find the following:

1. Application for Pesticide Registration (EPA Form 8570-1).
2. Three copies of the label (Ref. No. 9028-20110603r1).
3. Once copy of the label with changes highlighted
4. One copy of the language supplied by the EPA for SmartBox Storage and Disposal

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 949-221-6123 or email joyp@amvac-chemical.com. Thank you for your attention to this matter.

Best regards,

A handwritten signature in cursive script, appearing to read "Joy Paff".

Joy Paff
Regulatory Specialist

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NOTIFICATION
SEP 29 2011

RESTRICTED USE PESTICIDE

Due to Toxicity to Aquatic Invertebrates

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 Applicator's certification.

Aztec[®] 4.67% Granular Insecticide for use in SmartBox[®] system only

For control of corn rootworms, cutworms and other listed soil insect pests in corn.

ACTIVE INGREDIENTS:

O-[2-(1,1-Dimethylethyl)-5-pyrimidinyl]-O-ethyl O-(1-methylethyl) phosphorothioate..... 4.45%
Cyfluthrin, Cyano(4-fluoro-3-phenoxyphenyl)-methyl 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate..... 0.22%

INERT INGREDIENTS:..... 95.33%

TOTAL:100.00%

STOP – READ ENTIRE LABEL BEFORE USE

KEEP OUT OF REACH OF CHILDREN

WARNING AVISO

PRECAUCION AL USUARIO: Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(**TO THE USER:** If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID	
Contains an organophosphate that inhibits cholinesterase	
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 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 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 further 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	
ANTIDOTE: Administer atropine sulfate in large therapeutic doses. Repeat as necessary to the point of tolerance. 2-PAM is also antidotal and may be administered in conjunction with atropine. Compound inhibits cholinesterase resulting in stimulation of the central nervous system, the parasympathetic nervous system, and the somatic motor nerves. Do not give morphine. Watch for pulmonary edema, which may develop in serious cases of poisoning even after 24-48 hours. At first sign of pulmonary edema, the patient should be placed in an oxygen tent and treated symptomatically.	

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

EPA Reg. No. 5481-9028
EPA Est. No. 5481-AL-001

Net Contents:
As Marked on Container



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: May be fatal if swallowed. Harmful if inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or dust. Avoid contact with skin, eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are any waterproof material. If you want options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders and applicators using the Smartbox loading/application system and an enclosed-cab for application must wear:

- Long-sleeved shirt and long pants, and
- Shoes plus socks, and
- Chemical-resistant gloves and chemical-resistant apron when loading.

Handlers engaged in activities such as cleaning up a spill or leak and cleaning or repairing contaminated equipment, must wear:

- chemical-resistant coveralls over long-sleeve shirt and long pants,
- chemical-resistant gloves,
- chemical-resistant footwear plus socks,
- chemical-resistant apron, 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.

See Engineering Controls for additional requirements.

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

A Smartbox loading system used correctly qualifies as a closed loading system under the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(4)]. Loaders using Smartbox loading systems must:

- wear the personal protective equipment required in the PPE section of this labeling for loaders, and
- be provided, must have immediately available, and must wear in an emergency, such as a broken package, spill, or equipment breakdown, the PPE specified in the PPE section of this labeling for spill clean-up.

Engineering Controls for Applicators

Applicators 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, applicators must:

- wear the PPE required in the PPE section of this product labeling for applicators using engineering controls,
- be provided, must have immediately available, and must wear in an emergency, when they must exit the cab in the treated area, the PPE specified in the PPE section of this labeling for spill clean-up.
- take off any PPE that was worn in the treated area before reentering 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.

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 body 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 and wildlife. 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 disposing of equipment washwaters.

When used on erodible soils, best management practices for minimizing runoff should be employed. Consult your local Soil Conservation Service for recommendations in your use area. For applications made within 20 yards of water (lakes, reservoirs, rivers, permanent streams, marshes, estuaries, natural ponds, or ponds used for commercial fishing), apply as an in-furrow application only.

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, 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) of 48 hours. The REI is 72 hours where average rainfall is less than 25 inches per year.

Exception: If the product is soil injected or soil incorporated, the Worker Protection Standard under certain circumstances, allows workers to enter the treated area without restrictions if there will be no contact with anything that has been treated.

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 over long-sleeved shirt and long pants,
- Chemical resistant gloves such as or made out of any waterproof material,
- Chemical resistant footwear plus socks,
- Protective eye wear

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

IMPORTANT: Read the entire direction for use, maintenance sections for the SmartBox® System and these entire Directions and Conditions of Sale for Aztec 4.67% Granular Insecticide prior to use.

For use only in the states of: Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Utah, Vermont, West Virginia, Wisconsin, and Wyoming.

Do not use on other crops grown for food or forage.

Corn may be replanted any time after application of Aztec® 4.67% Granular Insecticide. All other crops may be planted 30 days after application.

Aztec 4.67% Granular Insecticide is not systemic and will not interact with corn herbicides. It will not affect seed germination and crop emergence when applied in-furrow.

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APPLICATION RATES																
CROP	PEST	DOSAGE														
FIELD CROPS	Corn rootworm larvae (Northern, Western, Southern, Mexican)	3.0 Ounces Per 1000 Feet of Row														
Field Corn	Cutworms															
Sweet Corn	Wireworms															
Popcorn	Seedcorn maggot															
Corn grown for seed or silage	Seedcorn beetle															
	White grubs															
<p>REMARKS: BAND - Apply specified dosage at planting as a 7-inch band over the row behind the press wheel. Granules must be incorporated into the top one inch of soil using tines, chains, or other suitable equipment.</p> <p>T-BAND - Apply specified dosage at planting as a T-Band over the row behind the planter shoe and in front of the press wheel. Incorporation into the soil surface may also be accomplished with a drag chain or other suitable equipment.</p> <p>IN-FURROW - Apply specified dosage at planting directly into the seed furrow behind the planter shoe and in front of the press wheel.</p> <p>RESTRICTION: Do not apply more than 7.3 pounds Aztec 4.67% Granular Insecticide per acre (0.15 lbs. ai/A) per crop season.</p> <table> <tr> <th>Row Spacing (inches)</th> <th>Pounds per Acre</th> </tr> <tr><td>30</td><td>3.27</td></tr> <tr><td>32</td><td>3.06</td></tr> <tr><td>34</td><td>2.89</td></tr> <tr><td>36</td><td>2.72</td></tr> <tr><td>38</td><td>2.58</td></tr> <tr><td>40</td><td>2.45</td></tr> </table> <p>OPTIMUM CONTROL - For control of cutworm apply Aztec 4.67% Granular Insecticide as a Band or T-Band. For control of wireworms, seedcorn maggot, seedcorn beetle and white grubs apply Aztec 4.67% Granular Insecticide as a T-Band or In-Furrow.</p> <p>For no-till corn where runoff drains into adjacent or neighboring aquatic sites (lakes, reservoirs, rivers, permanent streams, marshes, estuaries, natural ponds, or ponds used for commercial fishing), apply Aztec 4.67% Granular Insecticide as an in-furrow or T-band application only.</p> <p>For applications made within 20 yards of aquatic sites (lakes, reservoirs, rivers, permanent streams, marshes, estuaries, natural ponds, or ponds used for commercial fishing), apply as an in-furrow application only. Cover or incorporate spills (including end row spillage).</p>			Row Spacing (inches)	Pounds per Acre	30	3.27	32	3.06	34	2.89	36	2.72	38	2.58	40	2.45
Row Spacing (inches)	Pounds per Acre															
30	3.27															
32	3.06															
34	2.89															
36	2.72															
38	2.58															
40	2.45															

SmartBox Information: Aztec 4.67% Granular Insecticide must be applied with the SmartBox system. Refer to the SmartBox equipment and use manual for information on system operation and calibration.

STORAGE AND DISPOSAL

STORAGE AND DISPOSAL

PRODUCT PESTICIDE STORAGE: Do not attempt to remove excess material from SmartBox containers or base containers. Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

HANDLING AND SPILLAGE: Aztec® 4.67% Granular Insecticide in the SmartBox is a completely closed application system. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Do not walk through spilled material. In spill or leak incidents, keep unauthorized people away. Dispose of pesticide as directed in the Pesticide Disposal section. Refer to Precautionary Statements on label for hazards associated with the handling of this material. You may contact Amvac Chemical Corporation for decontamination procedures or any other assistance that may be necessary. The Amvac Chemical Corporation Telephone No. is 1-323-264-3910.

PESTICIDE DISPOSAL: Do not contaminate water, food or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: ~~Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Do not discard SmartBox container. Refer to instructions provided for container return.~~

DO NOT DISCARD THE CONTAINER. Do not attempt to open or tamper with the container. Completely empty container into application equipment. All SMARTBOX containers must be returned per instructions provided or by calling 1-888-SMARTBOX. Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose.

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.

Aztec and SmartBox are registered trademarks of Amvac Chemical Corporation.

AMVAC Chemical Corporation
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Los Angeles, CA 90023 U.S.A.
1-323-264-3910