

5785-56

12-29-2011

Jacket

1/7



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mary Howland
Technical Service Manager
1801 Highway 52 West
West Lafayette, IN 47906

DEC 29 2011

Subject: 98-2
EPA Registration Number 5785-56
Phase 2 Red Mitigation Amendment dated May 31, 2011
Decision Number 459242

Dear Ms Howland:

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 revisions are made and the following conditions are met:

LABEL REVISIONS

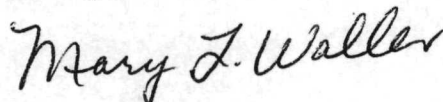
1. On page 3, place the misuse statement immediately below the header Directions for Use, and remove the period from behind the header.
2. On page 4, revise the Storage and Disposal section as follows and place the text within a box:
"STORAGE AND DISPOSAL
Do not contaminate water, food, or feed by storage and disposal.
Pesticide Storage: Store in a locked, well-ventilated area. Post as a pesticide storage area.
Pesticide Disposal: Pesticide wastes are toxic. 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 Handling: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Return empty containers according to the Great Lakes Chemical Corporation container return policy. Contact Great Lakes for policy details. Replace safety caps and valve protection devices prior to return. Return partial containers only after consulting Great Lakes Chemical Corporation for proper shipping instructions."
3. On page 5 under Statement of Warranty and Liability, delete the first sentence.

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. 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

3
7

98-2

A Nematicide, Insecticide, Fungicide, Herbicide for Formulation or Repackaging into End-Use Soil Products

ACTIVE INGREDIENTS:.....By Wt.
 Methyl Bromide..... 98%
 OTHER INGREDIENTS:
 Chloropicrin..... 2%
 Total 100%

ACCEPTED
with COMMENTS
In EPA Letter Dated

12/29/2011

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

5785-56



DANGER • PELIGRO • POISON
KEEP OUT OF REACH OF CHILDREN



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).

FIRST AID	
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. Keep warm. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Do not give anything by mouth to an unconscious person. If <u>not unconscious</u>, rinse mouth out with water. • In all cases of overexposure, get medical attention immediately. Take person to a doctor or emergency treatment facility.
If on skin or clothing	<ul style="list-style-type: none"> • Immediately remove contaminated clothing, shoes, and any other item on skin. • Rinse skin immediately with plenty of water for 15-20 minutes. • In all cases of overexposure, get medical attention immediately. Take person to a doctor or emergency treatment facility.
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. • In all cases of overexposure, get medical attention immediately. Take person to a doctor or emergency treatment facility.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-949-5167 for emergency treatment information.	
NOTE TO PHYSICIAN	
Early symptoms of overexposure are dizziness, headache, nausea and vomiting, weakness and collapse. Lung edema may develop in 2 to 48 hours after exposure, accompanied by cardiac irregularities; these effects are the usual cause of death. Repeated overexposures can result in blurred vision, staggering gait and mental imbalance, with probable recovery after a period of no exposure. Blood bromide levels suggest the occurrence, but not the degree, of exposure. Treatment is symptomatic.	

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA REG. NO. 5785-56

EPA EST. NO. 5785-AR-01



P.O. BOX 2200
WEST LAFAYETTE, IN 47996-2200 U.S.A.

4
7

**PRECAUTIONARY STATEMENTS
HAZARDS 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 or nervous system 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 chloropicrin as a warning agent. Chloropicrin may be irritating to the upper respiratory tract, and even at low levels can cause painful irritation to the eyes, producing watering. If these symptoms occur, leave the fumigation area immediately.

PROTECTIVE CLOTHING. Methyl bromide may be trapped inside clothing and cause skin injury. Wear loose, long-sleeved shirts, long trousers and socks that are cleaned after each wearing. Do not wear jewelry, gloves or other gas confining apparel. If full-face respiratory protection is not required, wear full face shield for eye protection when handling liquid. After exposure, immediately remove clothing, shoes and socks. Do not reuse contaminated clothing until thoroughly decontaminated. Drenched shoes cannot be adequately decontaminated.

ENVIRONMENTAL HAZARDS. 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. Contents under pressure. Do not use or store near heat or open flame. In fires fueled by other materials, 98-2 may liberate hazardous gases. The use of 98-2 with aluminum, magnesium, zinc and alkali metals will result in the liberation of toxic gases, and possible fire and explosion. In addition, severe corrosion of containers and equipment made of these metals will occur.

SPILL AND LEAK PROCEDURES. In case of a rupture of hose or fitting, immediately evacuate area of spill or leak. Use a NIOSH/MSHA approved self-contained breathing apparatus (SCBA) or combination air-supplied/SCBA respirator for entry into affected area to correct problem. Approach from upwind to make necessary repairs. Do not reenter area without respiratory protection until a spill has been evaporated or a leak has been repaired, and the methyl bromide concentration is determined to be less than 5 ppm.

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 pounds is exceeded.

5
7

DIRECTIONS FOR USE. It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Registration by the U. S. Environmental Protection Agency is required before the end-use product can be lawfully distributed in interstate commerce.

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), Vidalia 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 tarps 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/reregistration/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 ENTRE,"
- "Methyl Bromide [Name of Product] Fumigant BUFFER ZONE,"
- space for contact information for the certified applicator in charge of the application.

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

This product may be used to formulate products for any additional use(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).

STORAGE AND DISPOSAL. Do not contaminate water, food, or feed by storage or disposal. Store in a locked, well-ventilated area. Post as a pesticide storage area. Return empty containers according to the Great Lakes Chemical Corporation container return policy. Contact Great Lakes for policy details. Replace safety caps and valve protection devices prior to return. Return partial containers only after consulting Great Lakes Chemical Corporation for proper shipping instructions.

27

STATEMENT OF WARRANTY AND LIABILITY

The directions for use of this product are believed to be adequate and should be followed carefully.

Seller warrants that this product complies with the specifications expressed in this label. SELLER MAKES NO OTHER WARRANTIES; AND DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY AND FITNESS FOR THE INTENDED PURPOSE. To the extent consistent with applicable law, Seller's liability for default, breach, or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, Seller shall have no liability for consequential damages.

982-1 REV.AR-56-L

LOT NUMBER _____

NET WT. _____