141)1-463

06/19/2009



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

JUN 19 2009

Ms. Leslie Oliver Mandava Associates, LLC 6860 N Dallas Parkway, Suite 200 Plano, TX 75034

Subject: Revised Notification Changes in PR Notice 2007-4 and PR Notice 2008-1

Dear Ms. Oliver:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated April 30, 2009 for:

EPA Registration 7401-463

Hi-Yield Acephate

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 2008-1 and finds that the label change(s) requested falls within the scope of PRN-2007-4 and 2008-1. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, at 703 305-5409 or electronically at daniel.dani@epa.gov

Sincerely,

Dani Daniel Registration Division (7505P) Insecticide/Rodenticide Branch

Environmental Pro Washington	n, DC 20460		\times	Registratio Amendme Other	•
	plication for I	Pesticide - Sec		· · ·	·····
1. Company/Product Number 7401-463		2. EPA Product Ma Venus Eagle	nager		3. Proposed Classification
4. Company/Product (Name) Hi-Yild Acephate		РМ# 1			
5. Name and Address of Applicant (Include ZIP Code)		6. Expedited Re	view. I	n accordance	with FIFRA Section 3(c
Voluntary Purchasing Groups, Inc.		(b)(i), my product to:	t is simila	ar or identical	I in composition and lab
230 N. FM 87 Bonham, Texas 75418	E	EPA Reg. No			
Check if this is a new address		Product Name			
	Sec	tion - II			
Arrendment - Explain below. X Resubmission in response to Agency letter date X Notification - Explain below.	d_08/16/07	Final print Agency le "Me Too" Other - Ex	tter dated Applicati	on.	
1. Material This Product Will Be Packaged In:	Sec	tion - III			
-					
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Attachment for Section II of form 8570-1

"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."

"Notification of label change relative to PR Notice 2008-1. This notification is consistent with the guidance in PR Notice 2008-1 and the requirements of EPA's regulations at 40 CFR 156.10, 40 CFR 156.80 and 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 guidance of PR Notice 2008-1 and the requirements of 40 CFR 156.10, 40 CFR 156.80 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."

grestie Oliver

Signature

Agent for Voluntary Purchaing Groups, Inc. Title

<u>April 23, 2009</u> Date

(FRONT LABEL PANEL)

Hi-Yield Acephate

Kills Imported Fire Ants

ACTIVE INGREDIENT

Acephate (O, S-Dimethyl acetylphosphoramidothioate)	75%
INERT INGREDIENTS	<u>25%</u>
TOTAL	100%

KEEP OUT OF REACH OF CHILDREN

CAUTION

(See Back/Side Panel for Additional Precautionary Statements)

Net Content 1 lb

(Back/Side Label Panel)

FIRST AID

Contains an organophosphate that inhibits cholinesterase.

If swallowed:	 Call a poison control center or doctor immediately for treatment advice. Do not induce vomiting unless told to do so by the poison control center or doctor.
	• Do not give anything by mouth to an unconscious person.
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.
If on skin	• Take off contaminated clothing.
or clothing:	• Rinse skin immediately with plenty of water for 15-20 minutes.
	• Call a poison control center or doctor for treatment advice.
If inhaled:	• Move person to fresh air.
•	• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
	• Call a poison control center or doctor for further treatment advice.

FOR EMERGENCY MEDICAL ASSISTANCE, CALL THE NATIONAL PESTICIDE INFORMATION CENTER 1-800-858-7378. Have the product container with your when calling a poison control center or doctor, or going for treatment.

NOTE TO PHYSICIAN: Acephate is a cholinesterase inhibitor. If signs of cholinesterase inhibition appear, atropine is antidotal. 2-PAM may also be used in conjunction with atropine but should not be used alone.

(BACK/SIDE LABEL PANEL)

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMÉSTIC ANIMALS

CAUTION: Harmful if swallowed. Causes eye irritation. Avoid contact with eyes, skin and clothing. Avoid breathing dust or spray mist. Wash hands thoroughly after handling. Do not allow children or pets to come into contact with treated areas until dusts have settled.

ENVIRONMETNAL HAZARDS

This pesticide is toxic to birds. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are 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 FOR USE AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

For use as mound treatment on home lawns.

MOUND TREATMENT OF IMPORTED FIRE ANTS IN TURFGRASS

Plants	Insects	Amount Of Hi-Yield	Time Of	Recommended Application
Home Lawns	Imported Fire Ants	Acephate Mound Treatment- Dry Method: Evenly distribute 1-2 teaspoons over the mound.	or late afternoon when the ants are most active. Applications made under prolonged hot and dry conditions may be ineffective	Apply the specified amount of Hi-Yield Acephate as directed. Grass in treated areas may be injured. Do not treat mound more than once per season.
			Due to the location of the ants deep within the nest.	

Do not contaminate water, food or feed by storage and disposal.

PESTICIDE STORAGE: Store in a cool, dry area. Always store pesticides in the original container. Store away from food and pet food.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Non-refillable container. Do not reuse this container.

If empty: Place in trash or offer for recycling if available.

If Partially Filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

IMPORTANT INFORMATION READ BEFORE USING PRODUCT CONDITIONS OF SALE AND WARRANTY

Read the entire Directions for Use, Conditions of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Voluntary Purchasing Groups, Inc. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Voluntary Purchasing Groups, Inc. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Voluntary Purchasing Groups, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Voluntary Purchasing Groups, Inc. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product. **LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Voluntary Purchasing Groups, Inc. election, the replacement of product.

Released For Shipment By:

Voluntary Purchasing Groups, Inc. P.O. Box 460 Bonham, TX 75418 EPA Reg. No. 7401-463 EPA Est. No. 7401-TX-1

www.hiyield.com