

7969-203

09/27/2007

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U.S. ENVIRONMENTAL PROTECTION AGENCY



Office of Pesticide Programs
Antimicrobials Division (7510P)
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Table with EPA Reg. Number (7969-203), Date of Issuance (September 27, 2007), Term of Issuance (Conditional), and Name of Pesticide Product (FENPROPIMORPH Manufacturing Use Product).

NOTICE OF PESTICIDE:

- x Registration
Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

BASF Corporation
P. O. Box 13538
Research Triangle Park, NC 27709-3528

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(C) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA sec 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.
2. Make the labeling changes listed below before you release the product for shipment:
a) Revise the EPA Registration Number to read, "EPA Reg. No. 7969-203."
d) Revise the first sentence of the environmental hazard statement to read: "This pesticide is toxic to fish and aquatic invertebrates."
c) The ingredient statement must total 100%.

Signature of Approving Official:

[Handwritten Signature]

Adam Heyward
Product Manager 34
Regulatory Branch II
Antimicrobials Division (7510P)

Date:

September 27, 2007

d). The ingredient statement must be displayed on the label as follows:

<b>ACTIVE INGREDIENT</b>	
Fenpropimorph: (RS)-Cis-4-[3-(4-tert.-butylphenyl)	
2-methylpropyl]-2, 6-dimethylmorpholine .....	96.00%
<b>OTHER INGREDIENTS</b> .....	<u>4.00%</u>
<b>TOTAL</b> .....	100.00%

d). Revise the child hazard statement to read:

**KEEP OUT OF REACH OF CHILDREN**

**DANGER**  **POISON**

**CORROSIVE TO SKIN**

e). Revised the precautionary statement to read as follows:

**PRECAUTIONARY STATEMENT  
HAZARD TO HUMANS AND DEMESTIC ANIMALS  
DANGER**

**CORROSIVE.** Causes skin burns and substantial but temporary eye injury. Harmful if absorbed through skin, inhaled, or swallowed. Do not get in eyes, on skin, or on clothing. Avoid breathing vapor or spray mist. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

f). Revise the first aid statement and its heading to read as follows:

**FIRST AID**

**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, and then continue rinsing. Call a Poison Control Center or doctor for treatment advice.  
**IF ON SKIN OR CLOTHING:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call Poison Control Center or doctor for treatment advice.  
**IF SWALLOWED:** 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 by a Poison Control Center or doctor. Do not give anything by mouth to an unconscious person.

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**IF INHALED:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, and then give artificial respiration preferably mouth-to-mouth if possible. Call a Poison Control Center or doctor for further treatment advice.

In case of emergency call (insert toll-free emergency number).

Have the product container or label with you when calling a Poison Control Center or doctor or going in for treatment.

**NOTE TO PHYSICIAN:** Probable mucosal damage may contraindicate the use of gastric lavage.

g). Add the following Personal Protection Equipment (PPE) language to the label as follows:

**Personal Protective Equipment**

Applicators and other handlers must wear:

- Long sleeved shirt and long pants,
- Socks and shoes
- Chemical-resistant gloves (such as: Barrier Laminate or any of the following gloves at 14 mils thickness: butyl nitrile, neoprene rubber, polyvinyl chloride or Viton).
- Goggles or face shield,

h). Add the following User Safety Requirements and Recommendations to the label:

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**User Safety Recommendations**

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. User should remove personnel protective equipment immediately after handling this product. Wash outside of gloves before removing. As soon as possible wash thoroughly.

i). Revise the storage and disposal statement to read as follows:

**STORAGE AND DISPOSAL**

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

**Pesticide Storage:** (Add storage instructions)

**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 Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

**Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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3. Submit the data listed below, conducted under the conditions of the Good Laboratory Practice in accordance with the CFR Part § 158 test guidelines referred to below:


Guidelines Reference Number	Title of Study	Date Due
§ 850.4225	Seedling Emergence using rice ( <i>Oryza sativa</i> ), TEP	June 1, 2008
§ 850.4250	Tier II Vegetative Vigor using rice ( <i>Oryza sativa</i> ), TEP	June 1, 2008
§ 850.4400	<i>Lemna gibba</i> (duckweed) using TEP	June 1, 2008
§ 850.5400	Algal toxicity studies using TEP <i>Anabaena flos-aquae</i> (blue-green cyanobacteria) <i>Navicula pelliculosa</i> (freshwater diatom) <i>Skeletonema costatum</i> (marine diatom).	June 1, 2008
§ 850.1075	Acute estuarine/marine fish	September 28, 2008
§ 850.1035	Acute Mysid shrimp	September 28, 2008
§ 850.1055	Acute embryo larvae using E. oyster	September 28, 2008
§ 850.5400	<i>Selenastrum capricornutum</i> (green algae) using TEP	June 1, 2008
§ 850.1735	Whole sediment acute freshwater invertebrates using fenpropimorphic acid	September 28, 2008
§ 850.1740	Whole sediment acute marine invertebrates using fenpropimorphic acid	September 28, 2008
AWPA	Leachability of Wood Preservatives	November 28, 2008

4. Submit three (3) copies of your final printed labeling before distributing or selling the product bearing the revised labeling.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

Sincerely,



Adam Heyward  
Product Manager 34  
Regulatory Branch II  
Antimicrobials Division (7510P)

Enclosure: (Stamped Label)

Draft Label

ACCEPTED  
with COMMENTS  
EPA Letter Dated: 5/6

SEP 27 2007

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

# FENPROPIMORPH

## MANUFACTURING USE PRODUCT

For use in the formulation of wood protectants against fungal decay

7969-203

Active Ingredient Fenpropimorph

96 %

Inert Ingredients

4 %

EPA Reg. No.

EPA Est. No. 7969-WG-001

**KEEP OUT OF REACH OF CHILDREN**

**WARNING**

### PRECAUTIONARY STATEMENTS

**WARNING:** Causes skin irritation. Do not get on skin or on clothing. Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with eyes. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

### STATEMENT OF PRACTICAL TREATMENT

**If Swallowed:** Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person.

**If On Skin:** Wash with plenty of soap and water. Get medical attention.

**If In Eyes:** Flush eyes with plenty of water. Call a physician if irritation persists.

**If Inhaled:** Assist respiration as needed. Obtain medical attention for irritation.

### NET WEIGHT POUNDS

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms. Do not apply directly to any body of water or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not discharge effluents containing this product into lakes, streams, ponds, estuaries, oceans, or public water unless this product is specifically identified and addressed in an NPDES permit. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment authority. For

guidance contact your state Water Board or Regional Office of the U. S. Environmental Protection Agency.

### **DIRECTIONS FOR USE**

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

For use in formulating wood protectant end use products only.

Wood treated with Fenpropimorph containing preservatives shall not be used in marine/estuarine habitats.

### **STORAGE AND DISPOSAL**

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

#### **STORAGE:**

Store this product in a dry, cool place below 105 degrees Fahrenheit. Keep container tightly sealed when not in use. Do not reuse empty container. Keep this product and its vapors away from desirable plants, seeds, fertilizers, insecticides and other agricultural chemicals, as plant injury or loss may result from contamination.

#### **PESTICIDE DISPOSAL:**

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

#### **CONTAINER DISPOSAL:**

**Plastic** - Triple-rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state authorities, by burning. If burned, stay out of smoke.

### **CONDITIONS OF SALE AND WARRANTY**

Wolman warrants that the product conforms to its chemical description and the specifications thereof. **WOLMAN MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES EITHER OF MERCHANTABILITY OF FITNESS FOR A PARTICULAR USE.** Handling, storage and use of the product Buyer are beyond the control of Wolman, and Wolman shall not be liable for, and Buyer assumes responsibility for, all personal injury and property damage resulting from the handling, possession, use or resale of the material, whether the same is used alone or in combination with other substances. **IN NO EVENT WILL WOLMAN BE RESPONSIBLE FOR SPECIAL INCIDENTAL OR CONSEQUENTIAL DAMAGES, WHETHER BUYER'S CLAIM IS IN CONTRACT, NEGLIGENCE OR OTHERWISE:**

Dr. Wolman GmbH  
P. O. Box 11 60  
76547 Sinzheim / Germany

MADE IN GERMANY