

7969-232

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 28 2007

Mr. Nathan P. Ehresman
Product Registration Manager
BASF Corporation,
PO Box 13528
Research Triangle Park, NC 27709-3528

RE: Notification to revise front panel label statement wording and to add Alternate
Brand Name to label
EPA Registration Number: 7969-232
Date of Submission: August 10, 2007

Dear Mr. Ehresman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated August 10, 2007, for the product Siesta Insecticide Fire Ant Bait. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 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 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in cursive script that reads "Theresa Stone for".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

STG



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other: NOTIF

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 7969-232	2. EPA Product Manager John Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Siesta™ Insecticide Fire Ant Bait	PM# 07	
5. Name and Address of Applicant (Include ZIP Code) BASF Corporation P.O. Box 13528 Research Triangle Park, NC 27709 <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.
- Resubmission in response to Agency letter dated _____
- Notification - Explain below.
- Final printed labels in response to Agency letter dated _____
- "Me Too" Application
- Other - Explain below

NOTIFICATION
SEP 28 2007

Explanation: Use additional page(s) if necessary. (For Section I and Section II.) **SEP 28 2007**

Notification of Label Action Per PR Notice 98-10

SEE ATTACHED

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	If "Yes" Unit Packaging wgt. No. per container		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
*Certification must be submitted		If "Yes" Package wgt. No. per container			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<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 Nathan P. Ehresman	Title Product Registration Manager	Telephone No. (Include Area Code) 919-547-2896
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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Product Registration Manager	
4. Typed Name Nathan P. Ehresman	4. Date August 10, 2007	

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ATTACHMENT TO NOTIFICATION DATED AUGUST 10, 2007

NOTIFICATION OF LABEL ACTION PER PR-NOTICE 98-10:

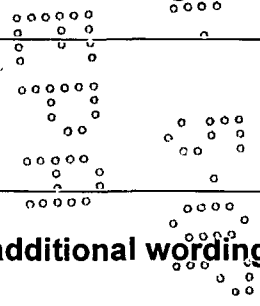
REVISION #1

The following front panel label statement has been modified to change the wording of the statement:

For control of fire ants on lawns, landscaped areas, golf courses, sod farms, industrial and municipal sites, other non-crop/non-grazed areas, ~~and in nurseries containing non-bearing fruit and nut tree stocks~~

The new front panel label statement reads:

For control of fire ants on lawns, landscaped areas, golf courses, sod farms, industrial/municipal sites, other non-crop/non-grazed areas; **and in nurseries around container or field-grown ornamental and non-bearing nursery stock**



REVISION #2

The following front panel label statement has been modified to add additional wording to the statement:

For fire ant control in non-bearing fruit, citrus, and tree nut orchards

The new front panel label statement reads:

For fire ant control in non-bearing fruit, citrus, and tree nut orchards; **and in nurseries around non-bearing container or field-grown fruit and nut tree stock**

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 USC Sec. 1001 to willfully make false statements 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.

NOTIFICATION

SEP 28 2007

Nathan P. Ehresman
Product Registration Manager

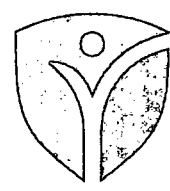
8/10/07

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NOTIFICATION

SEP 28 2007

Siesta™



INSECTICIDE

Fire Ant Bait

For control of fire ants on lawns, landscaped areas, golf courses, sod farms, industrial/municipal sites, other non-crop/non-grazed areas; and in nurseries around container or field-grown ornamental and non-bearing nursery stock

For fire ant control in non-bearing fruit, citrus, and tree nut orchards; and in nurseries around non-bearing container or field-grown fruit and nut tree stock

Active Ingredient:

Metaflumizone* (CAS No 139968-49-3):	0.063%
Other Ingredients:	99.937%
Total:	100.000%

**(E/Z)*-2-[2-(4-cyanophenyl)-1-[3-(trifluoromethyl)phenyl]ethylidene]-N-[4-(trifluoromethoxy)phenyl]hydrazinecarboxamide

EPA Reg. No. 7969-232
U.S. Patent Pending

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUCION

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.)

See inside for complete First Aid, Precautionary Statements, Directions For Use, and Conditions of Sale and Warranty.

In case of an emergency endangering life or property involving this product, call day or night 1-800-832-HELP (4357).

Net Contents: _____

BASF Corporation
Agricultural Products
26 Davis Drive
Research Triangle Park, NC 27709

 **BASF**
The Chemical Company

FIRST AID	
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 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. • Call a poison control center for treatment advice.
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 the poison control center or doctor. • DO NOT give anything by mouth to an unconscious person.
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 BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357).	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Harmful if swallowed. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

For uses not subject to the Worker Protection Standard (Non-WPS Uses): For any use not covered by the Worker Protection Standard (40 CFR Part 170) - there are no specific PPE requirements for applicators and other handlers; however, the following is recommended at a minimum:

- Short-sleeved shirt and long pants
- Shoes plus socks

For WPS Uses: Applicators or other handlers who handle this product for any use covered by the Worker Protection Standard (40 CFR Part 170), such as agricultural plants grown for commercial or research purposes on farms; in forests, nurseries and greenhouses must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves (such as rubber or waterproof gloves)
- Shoes plus socks

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.

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 thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. **DO NOT** apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Cover, incorporate, or clean up granules that are spilled. **DO NOT** apply this product directly to bodies of water such as lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, or commercial fishponds. **DO NOT** contaminate water when disposing of equipment washwaters.

FOR BROADCAST APPLICATIONS:

DO NOT make broadcast application within 15 feet of perennial fresh water bodies: including lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, and commercial fishponds. When it is necessary to treat active fire ant mounds within the 15-foot buffer zone, make individual mound treatments (as described in the **Application Instructions** below).

DO NOT make broadcast application within 60 feet of estuarine water bodies (brackish water): including tidal water such as bays, mouths of rivers, salt marshes, and lagoons. When it is necessary to treat active fire ant mounds within the 60-foot buffer zone, make individual mound treatments (as described in the **Application Instructions** below).

GENERAL INFORMATION

Siesta™ Insecticide Fire Ant Bait is an insecticidal bait for use as a curative treatment for existing fire ant infestations. **Siesta** is highly attractive to imported and native fire

ants (*Solenopsis* spp.). Worker ants find the bait and carry it into the mound as food for the colony. The bait is eaten, fed to the queen, and the mound is destroyed. Further information regarding fire ants may be obtained from your cooperative agricultural extension service.

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 by any method not specified on this label.

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.

Keep unprotected persons out of treated area during pesticide applications.

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 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 **12 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, waterproof gloves and shoes plus socks.

NONAGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

DO NOT allow unprotected workers or other persons or pets in treated area during application.

SPECIFIC USE DIRECTIONS

Non-WPS Uses:

Use **Siesta™ Insecticide Fire Ant Bait** outdoors to control imported and native fire ants. **Siesta** is for use on lawns, landscaped areas, golf courses, and other noncrop-land areas such as airports, roadsides, cemeteries, com-

mercial grounds, parks, school grounds, picnic grounds, athletic fields and other recreational areas, as well as on grounds surrounding poultry houses (excluding runs and ranges) or corrals and other animal holding areas. Avoid direct exposure of animals to **Siesta** granules.

WPS Uses:

Siesta may be used on sod farms and in nurseries around container or field-grown ornamental and nonbearing nursery stock; including but not limited to citrus, stonefruit, pomefruit, pecan, walnut, and almond. **DO NOT** graze or feed lawn or sod clippings to livestock.

Siesta can be applied to the soil around nonbearing fruit and nut trees in orchards; including, but not limited to citrus, stonefruit, pomefruit, pecan, walnut, and almond. Application to the soil around nonbearing fruit and nut trees is permitted up to one (1) year before the first harvest.

DO NOT apply to the soil around nonbearing fruit and nut trees more than four (4) times per year.

APPLICATION INSTRUCTIONS

Apply **Siesta** as a curative treatment at the first sign of fire ant activity. For best results, apply **Siesta** in the early morning or late afternoon when ants are most active. Ants are most active when temperatures are above 60° F.

DO NOT apply when the ground is saturated with water, heavy dew, or when heavy rains are expected within 48 hours. **DO NOT** water-in granules after application. Wait at least 48 hours after application before irrigating treated area. For best results, allow 7 days between bait application and use of a contact insecticide on the bait treated area.

Broadcast Treatments

Note: Broadcast treatment is only for use in areas having a mound density of at least 1 mound per 2000 square feet (e.g. 40 X 50 ft area). Inspect the treatment area to ensure that conditions warrant a broadcast application of **Siesta** over the entire area. It is often not necessary to broadcast fire ant bait over an entire area. Individual mound treatments or spot treatments in the areas where fire ants are in greatest concentration may be sufficient.

For broadcast treatment, make application with broadcast equipment capable of applying 1.5 pounds of **Siesta** per acre. Calibrate and adjust equipment prior to application to ensure that the proper rate of product will be applied. Retreat after 4 to 8 weeks if needed. **DO NOT** exceed 6.0 lbs/acre or 4 applications in a one (1) year period.

Individual Mound Treatments

DO NOT disturb the mound. **DO NOT** apply to top of mound. Apply 1 to 2 oz (2 to 4 level tablespoons) of **Siesta™ Insecticide Fire Ant Bait** per mound, uniformly distributing the product 3 to 4 feet around the mound. Retreat after 4 to 8 weeks if needed.

Treatment	Use Rate	Comments
Individual Mounds: Imported and native fire ants	1.0 to 2.0 oz (2 to 4 TBSP)	Distribute bait uniformly around the perimeter of the mound. DO NOT disturb the mound during application.
Broadcast: (For large infested areas, see note above) Imported and native fire ants	2.0 to 3.0 oz/5000 sq ft 1.0 to 1.5 lbs/Acre Not to exceed 6 lbs/Acre total or 4 applications in a one (1) year period.	Broadcast bait uniformly using a handheld or walk-behind spreader.

REAPPLICATION INSTRUCTIONS

Siesta may remain effective for up to eight (8) weeks (or longer) depending on environmental conditions. Rainfall or irrigation within 48 hours of application may reduce the effectiveness of **Siesta** and a repeat application may be necessary to achieve desired level of control. Bait may be reapplied every four (4) to eight (8) weeks if control appears to be fading. **DO NOT** exceed four (4) applications in a one (1) year period.

STORAGE AND DISPOSAL

Prohibitions: DO NOT contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

Storage: Store in cool, dry, secure place and keep container tightly closed. Store container away from children and pets. This product is formulated in an oil bait. Prolonged exposure to air may turn oil rancid and reduce the attractiveness of the bait. Use within 3 months after opening.

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

(for plastic canisters)

Container Disposal: 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 and local authorities, by burning. If burned, stay out of smoke.

(for paper or plastic bags)

Container Disposal: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary

landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

General: Consult federal, state, or local disposal authorities for approved alternative procedures.

Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently 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 use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED, TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

Siesta is a trademark of BASF.

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Supersedes: NVA 2005-04-263-0216

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 **BASF**
The Chemical Company