

7969-244

5/29/2012

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

May 29, 2012

Ms. Amy Dugger-Ronyak,
Product Registration Manager
BASF Corp, Agric. Products
26 Davis Drive
POB 13528
RTP, NC 27709-3528

Subject: **Notification "to add storage & disposal language for rigid plastic containers and drums with liners, per PR Notice 2007-4"**

Fipronil Technical (EPA Reg. No. 7969-243)
Fipronil 90 MP Insecticide (EPA Reg. No. 7969-244)

Dates of Applications: February 29 & March 12, 2012.

Dear Ms. Dugger-Ronyak:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration (PR) Notice 98-10 for the subject products. The Registration Division (RD), after conducting a review of each request for its applicability, finds that the actions requested fall within the scope of the aforementioned PR Notices.

Please note that we have approved the amended labeling for each of these two products with the understanding that it is consistent with the Agency's previously stamped accepted labels; and other than the above stated, no other changes have been made to the labeling and/or the Confidential Statement of Formula (CSF).

The labels submitted with the applications have been stamped "Notification" and will be placed in our records. If you have any questions regarding this letter, please contact me or Dr. B. A. Akinlosotu at (703) 605-0653.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken".

for

Richard Gebken,
Product Manager 10
Insecticide Branch
Registration Division (7505P)



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 7969-244	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fipronil 90 MP Insecticide	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) BASF Corp, Agricultural Products 26 Davis Drive / PO Box 13528 Research Triangle Park, NC 27709-3528 <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

<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.)

Per PRN 98-10 and 2007-4

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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	<input checked="" 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 wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Not for Retail Sale		5. Location of Label Directions <input type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 Amy Dugger-Ronyak		Title Product Registration Manager		Telephone No. (Include Area Code) 919-547-2282	
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 Amy Dugger-Ronyak			5. Date February 29, 2012		



The Chemical Company

February 29, 2012

Mr. Richard Gebken, PM 10
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

**Subject: Notification per PRN 98-10 & 2007-4
- Fipronil 90 MP Insecticide, EPA Reg. No. 7969-244**

Dear Mr. Gebken:

BASF Corporation is revising the label for Fipronil 90 MP Insecticide, EPA Reg. No. 7969-244 per PR Notices 98-10 and 2007-4. We are adding storage and disposal language for rigid plastic containers.

The following items accompany this letter in support of this request:

- 1. EPA form 8570-1, Application for Registration; and
- 2. One (1) paper copy of the label (007969-00244-20120223.NVA 2012-13-257-0031).

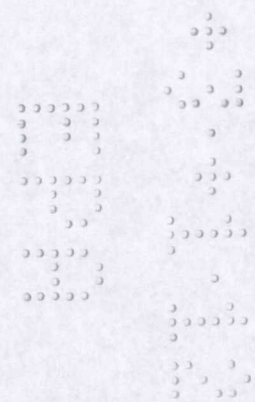
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the 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.

Thank you for your assistance with this request. Should you have any questions concerning this submission or need further information, please contact me directly at (919) 547-2282, or by e-mail at: amy.s.dugger-ronyak@basf.com.

Best regards,

BASF Corporation - Agricultural Solutions

Amy Dugger-Ronyak, Product Registration Manager
® Registered Trademark of BASF Corporation





The Chemical Company

Fipronil 90 MP Insecticide

For Manufacturing Use Only

Active Ingredient:

Fipronil: 5-amino-1-(2,6-dichloro-4-(trifluoromethyl) phenyl)-4-((1R,S)-(trifluoromethyl)sulfinyl)-1H-pyrazole-3-carbonitrile..... 90.0%

Other Ingredients:

Total: 10.0%
..... 100.0%

EPA Reg. No.: 7969-244

EPA Est. No.:

KEEP OUT OF REACH OF CHILDREN WARNING/AVISO

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.)

Precautionary Statements

Hazards to Humans and Domestic Animals

WARNING. May be fatal if swallowed, absorbed through the skin or inhaled. Causes eye injury. DO NOT get in eyes, on skin, or on clothing. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. DO NOT breathe dust. Wear protective clothing and rubber gloves. Wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any N, R, P, or HE filter. Remove contaminated clothing and wash clothing before reuse.

Symptoms of Poisoning: In severe cases of overexposure by oral ingestion, lethargy, muscle tremors, and, in extreme cases, possibly convulsions, may occur.

FIRST AID	
If swallowed	<ul style="list-style-type: none"> Immediately call a poison control center or doctor for treatment advice. DO NOT induce vomiting unless told to do so by a poison control center or doctor. Have person sip a glass of water if able to swallow. DO NOT give anything by mouth to an unconscious person. 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 on skin or clothing	<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.
If inhaled	<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 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 or doctor for treatment advice.
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)	

Environmental Hazards

This product is toxic to birds, fish, estuarine 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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

Directions For Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read entire label before using this product.

Fipronil 90 MP Insecticide is For Manufacturing Use Only. Use Only for the Formulation of Insecticide Products for: 1) uses for which U.S. EPA has accepted the required data or citations of data that the formulator has submitted in support of registration; and 2) uses for experimental purposes that are in compliance with U.S. EPA requirements. Consult BASF Corporation before using this product for formulating purposes. Each formulator is responsible for obtaining EPA registration for their end-use product(s). This product may be used to formulate products for any additional uses not listed on the technical label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.

Storage and Disposal

DO NOT contaminate water, food or feed by storage or disposal.
Pesticide Storage: Store in original container out of reach of children and animals in a well-ventilated area separately from fertilizer, feed and foodstuffs. Avoid cross-contamination with other pesticides.
Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide 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.

In case of spill, clean up spillage using shovels and avoiding skin contact. Carefully scoop up loose material and place it in appropriate containers so as to avoid dust generation. Ensure adequate decontamination of tools and equipment following cleanup.

Container Handling: (for bags or supersacks) Nonrefillable Container: DO NOT reuse or refill this container. Completely empty bag into application equipment; then dispose of empty bag in a sanitary landfill or by incineration, or by other procedures approved by state and local authorities. (for plastic containers) Nonrefillable Container: DO NOT reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities. Triple rinse containers small enough to shake (capacity ≤ 5 gallons) as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank, or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Triple rinse containers too large to shake (capacity > 5 gallons) as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank, or store rinsate for later use or disposal. Repeat this procedure two more times. Dispose of rinsate in compliance with state and local regulations for pesticide products. Pressure rinse as follows: Empty the remaining contents into application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank, or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Conditions of Sale and Warranty

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. 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED 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, EXEMPLARY, 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.

In Case of Emergency

In case of large scale spillage in the U.S. regarding this product, call:
CHEMTREC 1-800-424-9300
BASF Corporation 1-800-832-HELP (4357)

Net Contents:

BASF Corporation

26 Davis Drive, Research Triangle Park, NC 27709

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