

8033-21

11/5/2009

1089



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

JAN 15 2009

Nippon Soda Co. Ltd.  
c/o Nisso America Inc.  
45 Broadway, Suite 2120  
New York, NY 10006

SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request General Label Change (Marketing Statements)  
EPA Reg. No. 8033-21  
Application Dated June 24, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 06/24/08 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) 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 Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

2009

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98



United States  
Environmental Protection Agency  
Washington, DC 20460

- Registration
- Amendment
- Other:

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 8033-21	2. EPA Product Manager V. Eagle / A. Abramovitch	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Acetamiprid RTU Insecticide	PM# Team 1	
5. Name and Address of Applicant (Include ZIP Code) Nippon Soda Co., Ltd. c/o Nisso America Inc. 45 Broadway, Suite 2120 New York, NY 10006 <input type="checkbox"/> Check if this is a new address	6. <b>Expedited Review.</b> In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: <b>NOTIFICATION</b> EPA Reg. No. _____ Product Name <b>JAN 15 2009</b>	

### 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.)  
**NOTIFICATION of revised label text as per PR 98-10.**  
**NO FEE REQUIRED.**  
 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 notices 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.

### 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 type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 4 fl oz through 2 gal.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product				<input type="checkbox"/> Other _____	
				<input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)					
Name John J. Wrubel		Title Regulatory Affairs Director		Telephone No. (Include Area Code) 212-490-0351	
<b>Certification</b> 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 <b>(Stamped)</b>
2. Signature 		3. Title Regulatory Affairs Director			
4. Typed Name John J. Wrubel		5. Date 6-24-08			

30f9



**NISSO AMERICA INC.**

45 BROADWAY, SUITE 2120

NEW YORK, NY 10006

PHONE: (212) 490-0350

FAX: (212) 972-9361

June 24, 2008

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

Re: NOTIFICATION of Minor Label Text Addition for Acetamiprid RTU Insecticide  
(EPA Reg. No. 8033-21) as per PR Notice 98-10.

Dear Sir/Madam:

As per PR Notice 98-10, Nippon Soda Co., Ltd. is hereby notifying US EPA of a minor addition to the label text for its Acetamiprid RTU Insecticide formulation (EPA Reg. No. 8033-21). Because this product will be offered for the first time we are adding the word "new" to the optional marketing claims. Also we are adding the words "guaranteed results." Nippon Soda Co., Ltd. certifies that no other changes to the label have been made.

There are no PRIA fees associated with this action.

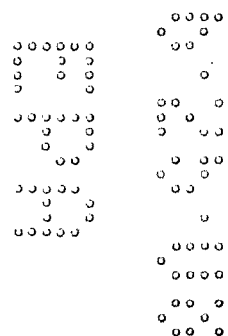
Nippon Soda Co., Ltd. in care of Nisso America Inc. is submitting a completed notification form (EPA Form 8570-1), a copy of the proposed label with changes highlighted for your convenience, and five loose clean copies of the proposed label.

Thank you for processing this notification and should you have any questions please contact me directly at you earliest convenience via telephone at 212-490-0351.

Sincerely,

John J. Wrubel  
Regulatory Affairs Director

encls.



40f9

# Acetamiprid RTU Insecticide

For Homeowner Use

## ACTIVE INGREDIENT:

Acetamiprid.....0.006%  
Other Ingredients..... 99.994%

EPA Reg. No. 8033-21  
EPA Est. No. \_\_\_\_\_

**NOTIFICATION**

**JAN 15 2009**

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

See back panel [booklet] for additional precautionary statements.  
[icon] Outdoor use only

PRODUCT FACTS	
<b>KILLS INSECTS</b>	Aphids, Caterpillars, Japanese Beetles, Lacebugs, Leafhoppers, Leafminers, Mealybugs, Psyllids, Scales, Thrips, Whiteflies and other garden pests
<b>WHERE TO USE</b>	On roses, flowers, shrubs, and listed fruits and vegetables

## Questions, Comments, or Medical Information?

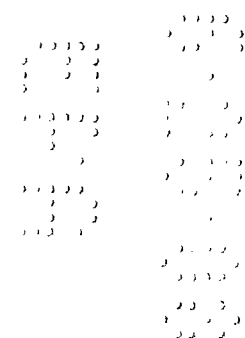
[phone icon] X-XXX-XXX-XXXX

[Text for Booklet Labels]

Open Resealable Label for Directions & Precautions  
PRESS TO RESEAL

## [Insert Subregistrant Company Name] & YOUR ENVIRONMENT

Your home and yard are places for family and pets to enjoy. That's why [Insert Subregistration Brand Name] Products are designed with care to provide effective solutions to insect problems inside and outside your home. For best results and a healthy environment, please follow instructions for appropriate usage, storage and disposal.



<b>APPLICATOR DIRECTIONS FOR NESTED SPRAYERS</b>	
<b>QUICK CONNECT SPRAYER [illustrations]</b>	
<ol style="list-style-type: none"> <li>1. Remove sprayer. Pull cord <u>ALL THE WAY OUT</u>.</li> <li>2. Insert red plug into spout (on cap) <b>until it clicks</b>.</li> <li>3. Flip up spout. Open nozzle on end of sprayer.</li> </ol>	
<b>APPLICATOR DIRECTIONS FOR PULL 'N SPRAY</b>	
<i>[Wand Sticker]</i>	
IMPORTANT! Follow directions and illustrations on back to assemble and use Pull 'N Spray correctly.	
<i>[Illustration 1]</i>	
<ul style="list-style-type: none"> <li>▪ Remove sprayer from side carrier and unwrap hose completely.</li> <li>▪ Inset red plug at end of hose into spout on cap <b>until it clicks</b>.</li> <li>▪ Flip up spout. Spout must remain up while spraying.</li> </ul>	
<i>[Illustration 2]</i>	
<ul style="list-style-type: none"> <li>▪ Point sprayer away from body.</li> <li>▪ Grasp sprayer by the handle.</li> <li>▪ Slowly pull ring at the bottom of sprayer handle until it stops and hold for 2 seconds to ready the sprayer.</li> </ul>	
<i>[Illustration 3]</i>	
<ul style="list-style-type: none"> <li>▪ Twist nozzle at end of sprayer to adjust spray pattern.</li> <li>▪ Press and hold button on sprayer to begin spraying.</li> <li>▪ Pull ring at sprayer bottom again as needed to continue spraying.</li> </ul>	

<b>DIRECTIONS FOR USE</b>	
It is a violation of Federal Law to use this product in any manner inconsistent with its labeling.	
<b>FOR BEST RESULTS</b>	
Shake container gently before using.	
<b>HOW TO APPLY</b>	<ul style="list-style-type: none"> <li>▪ Adjust spray nozzle to give a fine spray.</li> <li>▪ Hold sprayer 8 to 12 inches from the area to be treated.</li> <li>▪ Direct spray toward the upper and lower leaf surfaces and stems where pests appear.</li> <li>▪ Spray only until surface is wet.</li> </ul>
<b>WHEN TO APPLY</b>	Apply to outdoor plants as soon as insect problems are noticed.

<b>IMPORTANT</b>	
<ul style="list-style-type: none"> <li>▪ For outdoor use only. Do not apply indoors.</li> <li>▪ Do not apply this product in a way that the spray will contact persons, either directly or through drift.</li> <li>▪ Keep children and pets out of treated areas until sprays have thoroughly dried.</li> <li>▪ Do not apply if wind speed exceeds 10 mph.</li> <li>▪ Always stand "up wind" when applying this product.</li> </ul>	

leaf 9

**GARDEN INSECTS CONTROLLED**

Aphids(including Green Peach, Wooly, Melon, and Cotton), Army Worms (including Fall Army Worm, and Southern Army Worm), Banded Grape Bug, Beetles (including Bean Leaf Beetle, Colorado Potato Beetle, Flea Beetle, Japanese Beetle, Mexican Bean Beetle and Oriental Beetle), Cucumber Beetle (including Spotted, Striped and Western Striped), Bollworm, Borers (including Dogwood Borer, European Corn Borer, Peach Twig Borer and Squash Vine Borer), Budworm (including Tobacco Bud Worm), Caterpillars (including Red Humped Caterpillar, Tomato Fruitworm, and Cabbage Looper), Rose Chafer, Plum Curculio, European Chafer, European Pine Sawfly, Filbertworm, Flea Hopper, Fruit Fly (including Cherry, Black Cherry and Western Cherry), Western Grapeleaf Skeletonizer, Hickory Shuckworm, Hornworms, Katydid, Phylloxera (aerial form only), Leafhoppers (including Glassy Wing Sharpshooter and Potato Leaf Hopper), Leaf Miners (including Chrysanthemum, Citrus, and Tentiform), Lesser Apple Worm, Apple Maggot, Mealybugs (including Citrus, Grape, Obscure, Longtail, Pink Hibiscus, and Maderia), Melonworm, Moths (including Codling, Diamondback Moth, Gypsy Moths and Oriental Fruit Moth), Navel Orangeworm, Pecan Nut Casebearer, Pickleworm, Plantbugs (including Tarnished, and Mullein Plant Bug), Psyllids, European Apple Sawfly, Scale (including Asian Cycad Scale, Caribbean Black Scale, California Red Scale, Citricola Scale, Cottony Maple Scale, Euonymus Scale, Fletcher Scale, Florida Wax Scale, Green Shield Scale, Indian Wax Scale, Oyster Shell Scale, Pine Needle Scale, Red Scale, San Jose Scale and Tea Scale), Squash Bug, Stinkbug, Swede Midge, Thrips (including Citrus, Cotton, Palm, and Western Flower), Weevils (including Pecan Weevil, Pepper Weevil and Strawberry Weevil), Whiteflies (including Greenhouse, Sweet Potato, Silverleaf, Banded and Giant)

	DAYS TO WAIT TO HARVEST	DAYS TO WAIT TO REAPPLY	MAX APPLICATIONS PER SEASON
Flowers and Ornamental Plants	N/A	7	5
Vegetables Amaranth, Arrugula, Broccoli, Brussels Sprouts, Cabbage, Cardoon, Cauliflower, Celery, Celtuce, Chervil, Chrysanthemum (edible leaved, garland), Collards, Corn Salad, Cress (garden, upland), Dandelion, Dock, Eggplant, Endive, Florence Fennel, Groundcherry, Kale, Kohlrabi, Lettuce (head, leaf), Mizuna, Mustard Greens, Mustard Spinach, Orach, Parsley, Pepino, Pepper (bell pepper, chili pepper, cooking pepper, pimento, sweet pepper), Purslane (garden, winter), Radicchio, Rape Greens, Rhubarb, Spinach (leaf, vine, New Zealand), Swiss Chard, Tomatillo, Tomato	7	7	4
Citrus Fruits Calamondin, Citrus hybrids (chironja, tangelo, tangor), Grapefruit, Kumquat, Lemon, Lime, Mandarin (tangerine), Orange (sour, sweet), Pummelo, Satsuma mandarin	7	7	5
Pome Fruits Apple, Crabapple, Loquat, Mayhaw, Pear, Quince	7	12	4

70f9

<b>STORAGE AND DISPOSAL</b> Do not contaminate water, food, or feed by storage or disposal.	
<b>STORAGE</b>	Store unused product in a cool, ventilated, dry, locked area. Do not allow prolonged storage in areas where temperatures frequently exceed 115° F (46° C). NEVER TRANSFER THIS PRODUCT TO ANOTHER CONTAINER FOR STORAGE.
<b>DISPOSAL</b>	<b>If empty:</b> Non-refillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available. <b>If partly filled:</b> Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

<b>PRECAUTIONARY STATEMENTS</b>	
<b>CAUTION</b> <b>HAZARDS TO HUMANS (&amp; DOMESTIC ANIMALS)</b> Harmful if inhaled or absorbed through the skin. Avoid breathing vapors or spray mist. Avoid contact with eyes, skin or clothing. Keep out of reach of children and domestic animals. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.	
<b>ENVIRONMENTAL HAZARDS</b> Do not apply directly to water. Do not contaminate water when disposing of equipment washwater or rinsate. This pesticide is toxic to wildlife. This product is toxic to bees exposed to direct treatment. Do not apply this product while bees are actively visiting the treated area.	

<b>FIRST AID</b>	
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>▪ Immediately call a poison control center or doctor for treatment advice.</li> <li>▪ Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>▪ Have person sip a glass of water if able to swallow.</li> <li>▪ Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>▪ Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>▪ Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.</li> <li>▪ Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>▪ Take off contaminated clothing.</li> <li>▪ Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>▪ Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>▪ Move person to fresh air.</li> <li>▪ If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>▪ Call a poison control center or doctor for further treatment advice.</li> </ul>
For MEDICAL emergencies, Call 24 Hours a Day 1-800-424-9300 Have the product container or label with you when calling a poison control center or doctor or going for treatment.	
<b>NOTE TO PHYSICIAN:</b> There is no specific antidote. All treatments should be based on observed signs and symptoms of distress in the patient. Overexposure to other materials other than this product may have occurred.	

80f9

<p><b>PERSONAL PROTECTIVE EQUIPMENT (PPE)</b></p> <p>Users of this product must wear long-sleeved shirt, long pants, shoes and socks.</p> <p>User Safety Recommendations:</p> <ul style="list-style-type: none"> <li>▪ Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet</li> <li>▪ Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.</li> <li>▪ Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.</li> </ul>
--

Net Contents: \_\_\_\_\_

Lot No.: \_\_\_\_\_

Nippon Soda Co., Ltd.  
2-1,2-Chome Ohtemachi  
Chiyoda-ku, Tokyo 100-8165  
Japan

**Additional Optional Marketing Claims**

Efficacy

- Kills a wide range of insect/bugs/pests
- Kills 111 Garden/Landscape Bug/Insects
- Kills 100+ insect/bugs [on Contact]
- Kills over 100 Insects/Bugs [on Contact]
- Kills existing pests and prevents new attack
- New Generation Bug Killer
- Systemic Insect killer
- Dual Action: Contact + Systemic Insect Killer
- Dual Action Insect Killer
- Complete Insect Protection for Roses & Flowers
- 2 in 1
- Kills/Controls Insects
- Protects the entire plant from sucking insects
- Kills all major [landscape/ornamental/garden] insects/pests
- Kills on contact
- Protects against new bug/insect attacks/invasions
- Kills and protects
- Systemic and contact bug killer (or insecticide)
- Systemic – works from inside the plant to kill tough bugs
- Protect/Defend your landscape/garden/roses/fruits/vegetables from invading insects
- Kills & Prevents over 100 [100+] [landscape/ornamental/garden] insects
- Protect your landscape [& Garden] from Invading Insects
- Won't Harm Plants or Blooms
- New
- Guaranteed Results

Speed

- Rapid action and long lasting
- Fast acting [formula]
- Fast acting plus long lasting [protection/control]



Residual

- Protects for up to three weeks
- Long lasting [protection/control] [for your landscape/garden/roses/fruits/vegetables]
- Long Lasting Protection for your Roses & Flowers
- Long Lasting Protection Against Damaging Insects
- InvisiShield Bug Barrier
- InvisiShield Technology

Usage

- Perfect/Ideal for flowers, roses and ornamental plants
- Specially formulated for residential use
- Specially formulated for [use in/on/around] gardens and landscapes
- Specially formulated for [use in/on/around] landscaped areas
- Specially formulated for [use on] Roses [& Flowers]

Applicator Claims:

- Pull 'N Spray® - The Easy Way To Spray!
- Pull 'N Spray®, 1 Pull provides up to 20 Seconds of Continuous Spray.
- Reduce Hand Fatigue, 1 Pull = up to 20 Seconds of Continuous Spray
- Less Hand Fatigue; Continuous Spray Applicator.
- One Pull = 34 Trigger Sprays

Plants & Vegetables

Won't harm plants or blooms  
Protects flowers and edibles  
Protects fruit and vegetables  
Protects gardens and landscapes

**WARRANTY:** To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.

Satisfaction guaranteed or your money back. If for any reason you are not satisfied with this product, mail us proof of purchase to obtain full refund of your purchase.