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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,

Linda Arrington

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

Winded States Registration OPP Identifier Numb Washington, DC 20480 Other: Application for Pesticide - Section I Other: I CompanyProduct Number 2. EFA Product Manager 3. Proposed Classification I CompanyProduct Number 2. EFA Product Manager 3. Proposed Classification I CompanyProduct Number 2. EFA Product Manager 3. Proposed Classification I CompanyProduct Number 0.03.2-1 C. EFA Product Manager 3. Proposed Classification I CompanyProduct Number 0.03.2-1 C. EFA Product Manager 3. Proposed Classification I CompanyProduct Number 0.03.2-1 C. EFA Reg. No. JAN 15 ZUGE I Standway, Suite 2120 EFA Reg. No. JAN 15 ZUGE JAN 15 ZUGE Ver York, NY 10006 Product Name JAN 15 ZUGE JAN 16 ZUGE Explanation: Use additional page(s) in faccessary. (For Section 1 and Section 1I.) Other: Explanation in response to Agency letter dated Histier understand hat it its a violation of IP US C. Section 2.11 I bandification in response to Agency letter dated for this product. Lunderstand that it is a violation of IP US C. Section 2.11 Material in the Frence of IP US C. Section 1.11 Oper Leablemager Interformula of this product. Lunderstan		ore completing form.			u, Olub 140. 2010-	0060, Approval expires 05-31
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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 Acetamprid 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

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encls.

Acetamiprid RTU Insecticide

For Homeowner Use

3

ACTIVE INGREDIENT: Acetamiprid......0.006%

EPA Reg. No. 8033-21 EPA Est. No. _____ NOTIFICATION

JAN 1 5 2009

KEEP OUT OF REACH OF CHILDREN CAUTION

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

PRODUCT FACTS	
KILLS INSECTS	Aphids, Caterpillars, Japanese Beetles, Lacebugs, Leafhoppers, Leafminers, Mealybugs, Psyllids, Scales, Thrips, Whiteflies and other garden pests
WHERE TO USE	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.

APPLICATOR DIRECTIONS FOR NESTED SPRAYERS

- QUICK CONNECT SPRAYER [illustrations]
 - 1. Remove sprayer. Pull cord ALL THE WAY OUT.
 - 2. Insert red plug into spout (on cap) until it clicks.

3. Flip up spout. Open nozzle on end of sprayer.

APPLICATOR DIRECTIONS FOR PULL 'N SPRAY

[Wand Sticker]

IMPORTANT! Follow directions and illustrations on back to assemble and use Pull 'N Spray correctly.

[Illustration 1]

- Remove sprayer from side carrier and unwrap hose completely.
- Insect red plug at end of hose into spout on cap until it clicks.
- Flip up spout. Spout must remain up while spraying.

{Illustration 2]

- Point sprayer away from body.
- Grasp sprayer by the handle.
- Slowly pull ring at the bottom of sprayer handle until it stops and hold for 2 seconds to ready the sprayer.

[Illustration 3]

- Twist nozzle at end of sprayer to adjust spray pattern.
- Press and hold button on sprayer to begin spraying.
- Pull ring at sprayer bottom again as needed to continue spraying.

DIRECTIONS FOR US	
It is a violation of Feder	al Law to use this product in any manner inconsistent with its labeling.
FOR BEST RESULTS	
Shake container gently	before using.
HOW TO APPLY	 Adjust spray nozzle to give a fine spray. Hold sprayer 8 to 12 inches from the area to be treated. Direct spray toward the upper and lower leaf surfaces and stems where pests appear. Spray only until surface is wet.
WHEN TO APPLY	Apply to outdoor plants as soon as insect problems are noticed.

IMPORTANT

- For outdoor use only. Do not apply indoors.
- Do not apply this product in a way that the spray will contact persons, either directly or through drift.
- Keep children and pets out of treated areas until sprays have thoroughly dried.
- Do not apply if wind speed exceeds 10 mph.
- Always stand "up wind" when applying this product.

Acetamiprid RTU Insecticide (8033-21) NOTIFICATION 6-24-08

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 Hybiscus, 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

STORAGE AND D Do not contaminat	ISPOSAL e water, food, or feed by storage or disposal.
STORÁGE	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.
DISPOSAL	If empty: Non-refillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS

CAUTION

HAZARDS TO HUMANS (& DOMESTIC ANIMALS)

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.

ENVIRONMENTAL HAZARDS

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.

FIRST AID IF SWALLOWED:	 Immediately call a poison control center or doctor for treatment advice.
II SWALLOWED.	 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.
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.
	 Call a poison control center or doctor for treatment advice.
IF ON SKIN OR	 Take off contaminated clothing.
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 mouth-to-mouth if possible.
	 Call a poison control center or doctor for further treatment advice.
For MEDICAL emerger	ncies, Call 24 Hours a Day 1-800-424-9300
Have the product conta	iner or label with you when calling a poison control center or doctor or going for
treatment.	
NOTE TO PHYSICIAN	There is no specific antidote. All treatments should be based on observed signs
	ss in the patient. Overexposure to other materials other than this product may
have occurred.	. , , , , , , , , , , , , , , , , , , ,

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PERSONAL PROTECTIVE EQUIPMENT (PPE)

Users of this product must wear long-sleeved shirt, long pants, shoes and socks.

User Safety Recommendations:

- Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

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

<u>Usage</u>

- Perfect/Ideal or 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.