

8033-94

05/09/2006

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Please read instructions on reverse before completing form.

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

 <b>EPA</b> United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> <b>Registration</b> <input type="checkbox"/> <b>Amendment</b> <input checked="" type="checkbox"/> <b>Other:</b>	OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 8033-94	2. EPA Product Manager J. Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TriStar 30 SG Insecticide	PM# PM 7	
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: EPA Reg. No. _____  Product Name _____	

**Section - II**

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below
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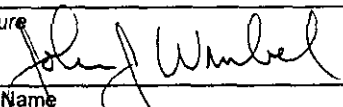
**NOTIFICATION****MAY 9 - 2006****Explanation:** Use additional page(s) if necessary. (For Section I and Section II.)**NOTIFICATION of new label text as per PR Notice 98-10: reference to precautionary statements in a booklet.****NO FEE REQUIRED.**

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 type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Plastic
					<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify)
*Certification must be submitted				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 John J. Wrubel		Title Regulatory Affairs Director		Telephone No. (Include Area Code) 212-400-0351	
<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 (Stamped)
2. Signature 		3. Title Regulatory Affairs Director			
4. Typed Name John J. Wrubel		5. Date April 18, 2006			

# TriStar<sup>®</sup> 30 SG Insecticide

NOTIFICATION

MAY 9 - 2006

ACTIVE INGREDIENT: Acetamiprid..... 30% by wt.

INERT INGREDIENTS:..... 70% by wt.

EPA Reg. No. 8033-94

EPA Est. No.

## KEEP OUT OF REACH OF CHILDREN CAUTION

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.)

For MEDICAL and TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-424-9300  
For PRODUCT USE Information Call 1-212-490-0350

### FIRST AID

IF SWALLOWED:	<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>
IF IN EYES:	<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>
IF ON SKIN OR CLOTHING:	<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>
IF INHALED:	<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.	
NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.	

### FOR ADDITIONAL PRECAUTIONARY STATEMENTS SEE INSIDE BOOKLET

#### CAUTION

##### HAZARDS TO HUMANS (and DOMESTIC ANIMALS)

Harmful if swallowed, inhaled or absorbed through the skin. Causes moderate eye irritation. 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 and before eating, drinking, chewing gum, using tobacco or using the toilet. Wear long sleeved shirt and long pants, socks, shoes, and gloves. Wear protective eyewear. Remove and wash contaminated clothing before reuse.

##### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long-sleeved shirt and long pants, waterproof gloves, shoes plus socks and chemical resistant headgear for overhead exposure.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If there are no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

### **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. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### **ENVIRONMENTAL HAZARDS**

This product 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. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Do not contaminate water used for irrigation or domestic purposes.

**SPRAY DRIFT MANAGEMENT:** The interaction of many equipment factors determines the potential for spray drift. The applicator is responsible for considering all of these factors when making application decisions. Avoiding spray drift is the responsibility of the applicator.

**IMPORTANCE OF DROPLET SIZE FOR OUTDOOR USE:** An important factor influencing drift is droplet size. Small droplets (< 150 to 200 microns) drift to a greater extent than large droplets. Within typical equipment specifications, applications should be made to deliver the largest droplet spectrum that provides sufficient control and coverage. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure.

Spray should be released at the lowest possible height consistent with good pest control.

### **DIRECTIONS FOR USE**

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

Ornamental use only; not for woodlands or forest management.

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.

### **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 instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry intervals. 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.

### NON-AGRICULTURAL 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.

Keep children and pets off treated areas until dry.

### STORAGE AND DISPOSAL

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

#### STORAGE

Do not store in or around the home. 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.

#### PESTICIDE DISPOSAL

Contamination with this product will render water, food or feed unfit for human or animal consumption. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

#### CONTAINER DISPOSAL

Do not reuse outer bag. Dispose of outer bag in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

### COMPATIBILITY

TriStar 30 SG Insecticide, when diluted with an equal volume of water, is physically compatible with a wide range of commonly used spray products, but the full range of compatibilities under local conditions is not known. Therefore, it is essential that before using TriStar 30 SG Insecticide in any tank mixture, the compatibility of the mixture be established. Add a small amount of this product to an equal volume of water in a small container and then add the other pesticide or spray product and mix thoroughly. DO NOT USE MIXTURES THAT CURDLE, PRECIPITATE, OR GREASE. FOR BEST RESULTS, SPRAY MIXTURES SHOULD BE USED IMMEDIATELY AFTER MIXING WITH ADEQUATE AGITATION.

### SPECIFIC USE DIRECTIONS

#### NOT FOR HOMEOWNER USE

FOR USE ON ORNAMENTAL AND FLOWERING PLANTS GROWN OUTDOORS AND IN GREENHOUSES, SHADEHOUSES AND LATHHOUSES: bedding plants, flowers grown for cuttings, foliage plants, potted flowering plants, ornamental trees, and non-bearing fruit and nut trees (Non-bearing crops are perennial crops that will not produce a harvestable raw agricultural commodity during the season of application). Do not apply to bearing fruit trees and vegetables.

For control of ornamental pests, apply broadcast spray to obtain thorough and uniform spray coverage of the plants. Choose a finished spray volume appropriate for the size of the plants and amount of foliage which will provide thorough coverage throughout the canopy. For optimum control, allow at least 6 hours before overhead irrigation of foliage. Do not allow public use of treated area during application.

Mix TriStar 30 SG Insecticide with sufficient water and apply as a foliar spray to obtain thorough and uniform spray coverage of the plants. Choose a finished spray volume appropriate for the size of the plants and amount of foliage which will provide thorough coverage throughout the canopy. Apply as soon as insects reach treatment thresholds. See resistance management section if multiple sprays are needed.

TriStar 30 SG Insecticide mixes quickly in water. This product has been found to be compatible with many commonly used surfactants, miticides and insecticides. Check physical compatibility using the correct proportion of products when combining products without prior history of use.

*Note: Since ornamental varieties are numerous and constantly changing and may react differently at various sites, test the product and any tankmixes on a small scale before making large-scale applications if there is not local experience.*

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PESTS	OUNCES of TriStar 30 SG Insecticide per 100 GALLONS*	COMMENTS
Aphids, such as Green Peach, Wooly, Melon, and Cotton aphid European pine sawfly Psyllids	1.3	Apply as a full coverage foliar spray with a non-ionic spreader-sticker adjuvant. When mixing with surfactant treat a small area first to make sure the surfactant does not cause phytotoxicity.
Tentiform leaf miner Mealybugs, such as Citrus, Obscure, Longtail, Pink Hibiscus, and Maderia mealybugs Leafhoppers, such as Glassy Wing Sharpshooter and Potato Leaf Hopper	2.7	Tank mixing with a surfactant may improve the control of mealybugs. Tank mixing with a surfactant or a pyrethroid may improve control of adult whiteflies. When mixing with surfactants, treat a small area first to make sure the surfactant does not cause phytotoxicity.
Caterpillars, such as Gypsy Moth, Tobacco Bud Worm, Fall Army Worm, Southern Army Worm, Cabbage Looper, and Diamondback Moth Hard and Soft Scales, such as Caribbean Black Scale, Pine Needle Scale, Green Shield Scale, San Jose Scale, Oyster Shell Scale, Tea Scale, Fletcher Scale, Florida Wax and Indian Wax Scales, Cottony Maple Scale, Euonymus Scale and Asian Cycad Scale Plant bugs, Adelgids Whiteflies, such as Greenhouse, Sweet Potato, Silverleaf, Banded, and Giant	2.7 – 5.3**	
Swede Midge	2.7 – 5.3**	Apply as a preventative spray to control the first generations if Swede Midge has been found in your area. Preventative applications will decrease the chance of quick population increases later in the season.
Fungus gnat larvae, Crane fly larvae	2.7 – 5.3**	Apply as a directed spray to thoroughly wet the upper ½ to 1 inch of soil media.
Citrus thrips Other thrips, such as Cotton, Palm, and Western Flower thrips Leaf Eating Beetles (adults), such as Japanese Beetle, European Chafer and Oriental Beetle**, Strawberry Weevils	4.0 – 8.0**	Tank mixing with a surfactant will improve control. When mixing with surfactant treat a small area first to make sure the surfactant does not cause phytotoxicity.
Leaf miners, such as Chrysanthemum and Citrus Leaf Miner	6.7 – 8.0**	Rotate or tank mix with Avid®, Conserve™, Pedestal™, Distance®, Enstar®, or Talus®. Tank mixing with a surfactant may improve control. When mixing with surfactant treat a small area first to make sure the surfactant does not cause phytotoxicity.

\*Product can be applied with the water volume needed to provide thorough coverage.

\*\*Use the higher rate when insect pressure is high.

Use the following Chart to convert the amount of product per 100 gallons above into smaller spray volume units to accommodate smaller volume application equipment.

#### Conversion Guide for Small Volume (less than 100 gallon) Application Equipment – Teaspoons

Label Rates Ounces/100 Gallon	Teaspoons TriStar 30 SG per Volume			
	3 Gal Tank	5 Gal Tank	10 Gal Tank	25 Gal Tank
1.3	1/3	1/2	1	2 2/3
2.7	2/3	1	2	5 1/3
4.0	1	1 1/2	3	8
5.3	1 1/3	2	4 1/4	10 2/3
6.7	1 2/3	2 1/2	5 1/3	13 1/3
8.0	2	3	6 1/2	15

#### USE RESTRICTIONS AND PRECAUTIONS

- Do not make more than 5 applications per year.
- Do not reapply more than once every 7 days. To determine if application is necessary, monitor pest densities. Consult local extension experts for thresholds.
- Do not apply more than 29.3 ounces of TriStar 30 SG Insecticide /A (0.55 lb ai/A) per year.
- Do not apply to bearing fruit trees or vegetables.

#### RESISTANCE MANAGEMENT

*Some insects are known to develop resistance to insecticides after repeated use. As with any insecticide, the use of this product should conform to resistance management strategies established for the use area. Avoid treating these insects with consecutive applications of insecticides within the same class of chemistry. Resistance to other neonicotinoids, such as Merit and Marathon may result in resistance to TriStar 30 SG Insecticide. Therefore, to minimize the potential for neonicotinoid resistance, rotate with other classes of insecticides. Consult your agricultural advisor for resistance management strategies and recommended pest management practices for your area.*

**ENDANGERED SPECIES NOTICE:** Under the Endangered Species Act, it is a Federal Offense to use any pesticide in a manner that results in the death of a member of an endangered species.

Consult your local county bulletin, County Extension Agent, or Pesticide State Lead Agency for information concerning endangered species in your area.

#### IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once. By using this product user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and should be followed carefully. However, it is impossible to eliminate all risks 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 the manner of use or application, all of which are beyond the control of Nippon Soda Co., Ltd. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** NIPPON SODA CO., LTD. MAKES NO OTHER WARRANTIES EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Nippon Soda Co., Ltd. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. NIPPON SODA CO., LTD. DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

**LIMITATIONS OF LIABILITY:** THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT NIPPON SODA CO., LTD.'S ELECTION, THE REPLACEMENT OF THE PRODUCT.

#### NET CONTENTS:

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

TriStar® is a registered trademark of Nippon Soda Co., Ltd..

Avid® is a trademark of a Syngenta Group Company.  
Conserve™ is a trademark of Dow AgroSciences LLC.  
Distance® is a registered trademark of Valent U.S.A. Corporation.  
Enstar® is a registered trademark of Wellmark International.  
Merit® and Marathon® are registered trademarks of Bayer.  
Pedestal™ is a trademark of Crompton Corporation.  
Talus® is a registered trademark of Nichino America Inc.

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**NISSO AMERICA INC.**

45 BROADWAY, SUITE 2120  
NEW YORK, NY 10006

PHONE: (212) 490-0350

FAX: (212) 972-9361

April 18, 2006

Document Processing Desk [NOTIF]  
Office of Pesticide Programs (7504C)  
U.S. Environmental Protection Agency  
1801 S. Bell Street  
Arlington, VA 22202

Re: NOTIFICATION of Inclusion of Label Text Referring to a Booklet Format for TriStar<sup>®</sup> 30 SG  
Insecticide; (EPA Reg. No. 8033-94) as per PR Notice 98-10.

Dear Sir/Madam:

Nippon Soda Co., Ltd. is hereby notifying US EPA of a minor revision to the label text for TriStar 30 SG Insecticide (EPA Reg. No. 8033-94) as per PR 98-10. Because the label will be printed in a booklet format, we added a few words to make certain the user looks for the precautionary statements inside the booklet.

There are no PRIA fees associated with this action.

Nippon Soda Co., Ltd. in care of Nisso America Inc. is submitting five copies of the revised label with the revised text in one copy highlighted for ease in review. Nippon Soda Co., Ltd. certifies that no other changes to the label have been made. We are also enclosing a completed notification form (EPA Form 8570-1) and the most recent (January 25, 2006) stamp-approved label for your convenience.

Thank you for processing this notification and should you have any questions please contact me directly at your earliest convenience via telephone at 212-490-0351 or e-mail at [j.wrubel@nisscoamerica.com](mailto:j.wrubel@nisscoamerica.com).

Sincerely,

A handwritten signature in dark ink, appearing to read "John J. Wrubel", is written over a light-colored background.

John J. Wrubel  
Regulatory Affairs Director

encls.