

8329-60

11/30/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

~~NDV 30 2010~~

Karen Larson
Clarke Mosquito Control Products, Inc.
110 E. Irving Park Road, 4th Floor
Roselle, Illinois 60172

Subject: **Notification:** Adding label language to the "Aerial Drift Reduction Advisory" section as required by the Temephos RED document.
Abate 4-E Insecticide
EPA Reg. No. 8329-60
Your submission dated: 11/9/10

Dear Ms. Larson:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 9, 2010 for the product EPA Reg. No 8329-60. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls 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 reach me @ 703-305-5314 or at metzger.autumn@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Autumn Metzger", written over a horizontal line.

Autumn Metzger
Biologist
Insecticide-Rodenticide Branch
Office of Pesticide Programs

(A)

EPA

United States Environmental Protection Agency
Office of Pesticide Programs (H7505C)
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide:

Section I

1. Company/Product Number 8329-60	2. EPA Product Manager J. Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Abate 4-E Insecticide	PM#	
5. Name and Address of Applicant (Include ZIP Code) Clarke Mosquito Control Products, Inc. 110 E. Irving Park Rd., 4 th Floor Roselle, Illinois 60172 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRT Section 3(c)(3) (b)(1), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section II

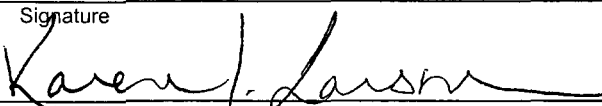
<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - explain below.

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
Notification of Minor Label Amendment consistent with the temephos RED document and required by Agency email dated October 26, 2010 per PR Notice 98-10. 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.

Section III

1. Material This Product Will Be Packaged In:					
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	2. Type of 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," Unit Package wgt.	No. per container	If "Yes," Package wgt.	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of 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 Karen J. Larson, M.S.	Title Director of Global Registrations	Telephone No. (Include Area Code) 630-671-3123
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 Director of Global Registrations	
4. Typed Name Karen J. Larson	5. Date November 9, 2010	

Karen Larson

From: Metzger.Autumn@epamail.epa.gov
Sent: Tuesday, October 26, 2010 11:33 AM
To: Karen Larson
Subject: EPA Reg No. 8329-60 Abate 4-E added language needed

Dear Ms. Larson,

It was brought to our attention that the above product is missing some label language required per the temephos RED document.

Under the section titled: Aerial Drift Reduction Advisory Information, please add the following section:

Wind

Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

You may submit this revised label via notification no later than November 26, 2010 (1 month time line). (Just make it attention to me and include this email so it will be done quickly).

Please call with any questions.
Autumn Metzger
Biologist
U.S. Environmental Protection Agency
Insecticide-Rodenticide Branch
Registration Division (7505P)
1200 Pennsylvania Ave. NW
Washington, DC 20460

Tel: 703 305-5314
Fax: 703 308-5433
Email: metzger.autumn@epa.gov

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Optional text in [brackets]
 [Company Logo]
 [Clarke]

ABATE® 4-E INSECTICIDE

AN INSECTICIDE FOR CONTROL OF MOSQUITO AND MIDGE LARVAE

Active Ingredient:	
Temephos (O,O'-(thiodi-4, 1-phenylene) O,O,O'O'-tetramethyl phosphorothioate).....	44.6%
Other Ingredients*.....	55.4%
Total	100%

(Contains 4 lbs. of Temephos per gallon)
 *contains petroleum distillate

KEEP OUT OF REACH OF CHILDREN
WARNING/AVISO
 See Below for Additional Precautionary Statements

PRECAUTION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **For Medical Emergencies, call the International Poison Control Center at 1-800-214-7753.**

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Do not induce vomiting because of aspiration pneumonia hazard. Have person sip a glass of water if able to swallow. Do not give anything by mouth to an unconscious person.

IF ON SKIN OR CLOTHING: Remove 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: 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 the eye. Call a poison control center or doctor for treatment advice.

IF INHALED: Move person to fresh air. If the person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

NOTE TO PHYSICIANS: This product may cause cholinesterase inhibition. Atropine is antidotal. Pralidoxime chloride (2-PAM; PROTOPAM chloride) may be effective as an adjunct to atropine. Probable mucosal damage may contraindicate the use of gastric lavage.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Causes substantial but temporary eye injury. Do not get in eyes, on skin or on clothing. Harmful if absorbed through skin. Harmful if swallowed. Harmful if inhaled. Avoid breathing spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

Personal Protective Equipment (PPE): Mixers, loaders, and ground applicators must wear long-sleeved shirt, long pants, shoes, socks, and chemical resistant gloves. Aerial applicators must wear long-sleeved shirt and long pants, shoes and socks. Flaggers must wear long-sleeved shirt and long pants, shoes and socks, and protective eyewear. **Engineering Controls:** Pilots must wear chemical resistant gloves when entering or leaving an aircraft contaminated by pesticide.

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residues. Used gloves must be stored in a closed chemical resistant container, such as a plastic bag, to prevent contamination of the inside of the cockpit.

User Safety Requirements: 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. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should 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 aquatic organisms such as stoneflies, water fleas, and shrimp. Non-target aquatic organisms in waters treated with this product may be killed. Some populations reestablish rapidly, but diversity may be affected. Avoid use of maximum application rate in ecologically sensitive areas. Do not contaminate water by cleaning of equipment or disposing of wastes. For information on endangered species consult EPA's website: www.epa.gov/espp/.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

PRECAUTIONS AND RESTRICTIONS: This product may be applied to non-potable water, standing water, moist areas, woodland pools, shallow ponds, edges of lakes, swamps, marshes, tidal waters, intertidal zones of sandy beaches, waters high in organic content, and other highly polluted waters. This product may be applied only by public health officials, personnel of mosquito abatement districts and other similar government agencies or personnel under contract to these entities. Maximum application rates may be used only in waters high in organic content, mosquito habitats having deep water or dense surface cover, and where monitoring has confirmed a lack of control at typical rates. This product may not be reapplied within 7 days of the date of the initial application unless monitoring indicates that larval populations have reestablished, or weather conditions have rendered initial treatments ineffective. This product may be applied as a spot treatment to non-potable water, lakes, and ponds for control of midge larvae when monitoring indicates threshold levels have been exceeded.

Do not allow this product to drift.

AERIAL SPRAY DRIFT MANAGEMENT: Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications. These requirements do not apply to applications using dry formulations.

1. The distance of the outer most nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Where states have more stringent regulations, they should be observed. The applicator should be familiar with and take into account the information provided in the AERIAL DRIFT REDUCTION ADVISORY INFORMATION BULLETIN accompanying product and available from Clarke, 1-800-323-5727.

For control of mosquito larvae, apply ABATE® 4-E INSECTICIDE as a uniform spray in sufficient water for good coverage at the rate of 0.5 to 1.5 fluid ounces per acre according to the following rate chart:

Areas of Treatment	Fl.oz./acre	Lbs.a.i./acre
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Non-potable water (stagnant, saline and temporary water bodies), standing water, moist areas, woodland pools, shallow ponds, edges of lakes, swamps, marshes, tidal waters, intertidal zones	0.5 to 1.0	0.015 to 0.03
Highly polluted water, waters high in organic content, areas demonstrated to have resistant mosquitoes, habitats having deep water or dense surface cover, or where monitoring has confirmed a lack of control at recommended application rates, and catch basins.	1.5	0.047

Do not use on crops used for food, forage or pasture.

[Storage & Disposal for Non-refillable containers, capacity 5 gallons or less]

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Do not use or store near heat or open flame.

STORAGE: Store in a cool, dry place. Reseal opened containers immediately after using. Store only in original containers, in a locked area, away from food and feed.

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

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse 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 ¼ 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. Then offer for recycling if available, 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.

[Storage & Disposal for Non-refillable containers, capacity greater than 5 gallons]

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Do not use or store near heat or open flame.

STORAGE: Store in a cool, dry place. Reseal opened containers immediately after using. Store only in original containers, in a locked area, away from food and feed.

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

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse 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 ¼ full with water. Replace and tighten closures. Tip container on its side and roll 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. Then offer for recycling if available or reconditioning if appropriate, 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.

To the extent consistent with applicable law CLARKE MOSQUITO CONTROL PRODUCTS, INC. makes no warranty, express or implied, concerning the use of this product other than as indicated on the label. Buyer assumes all risk of use/handling of this material when use and/or handling is contrary to label instructions.

NET CONTENTS: _____
 LOT NO. _____

CLARKE MOSQUITO CONTROL PRODUCTS, INC.
 159 N. GARDEN AVENUE
 ROSELLE, ILLINOIS 60172 U.S.A.

EPA Reg. No. 8329-60
 EPA Est. No. 8329-IL-01
 [MADE IN THE U.S.A.]

*Registered trademark of BASF Corp.

(Collateral Labeling: Information Bulletin)

Aerial Drift Reduction Advisory

The recommendations contained in this notice are advisory in nature and do not supersede mandatory label requirements.

Avoiding spray drift at the application site is the responsibility of the pesticide applicator. The interaction of many equipment and weather related factors determine the potential for spray drift. The applicator is responsible for considering all these factors when making pesticide application decisions.

Information on droplet size:

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature, and Humidity, and Temperature Inversions).

Controlling Droplet Size:

Volume – use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets. **Pressure** – do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure. **Number of nozzles** – Use the minimum number of nozzles that provide uniform coverage. **Nozzle Orientation** – Orienting the nozzles so that the spray is released parallel to the air stream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential. **Nozzle Type** – Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length:

For some use patterns, reducing the effective boom length to less than $\frac{3}{4}$ of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height:

Application should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is necessary for aircraft safety. Making applications at the lowest height that is safe reduces the exposure of droplets to evaporation and wind.

Swath Adjustment:

When applications are made with a crosswind, the swath will be displaced downward. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase with increasing drift potential (higher wind, smaller drops, etc.)

Wind:

Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. NOTE: local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity:

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions:

Drift potential is high during temperature inversions. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. Application is allowed under stable and/or temperature inversion conditions, as long application is done below the point in the atmosphere where the inversion begins, and the droplet size meets the dimensions of very coarse or extremely coarse as defined in American Society of Agricultural Engineers (ASAE) Standard 572 (VMD of 400-500 microns).

Sensitive Areas:

The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, non-target bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g. when wind is blowing away from sensitive areas).

STOP! Always read the pesticide label. It is a violation of federal law to use a pesticide in a manner inconsistent with its labeling.

[Company logo]

Clarke

For more information please call:

(800) 323-5727 • (630) 894-2000

www.clarke.com

