

8329-69

05-05-2004

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (7505C)  
401 "M" St., S.W.  
Washington, D.C. 20460

EPA Reg. Number:  
8329-69

Date of Issuance:  
MAY - 5 2004

Term of Issuance: Conditional

Name of Pesticide Product:  
Abate 4-E Insecticide for Use Only in California

NOTICE OF PESTICIDE:

Registration  
 Reregistration  
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Clarke Mosquito Control Products, Inc.  
159 N. Garden Avenue  
Roselle, IL 60172

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.

Data requirements for the reregistration of temephos products were issued to temephos registrants in July 2001 in conjunction with the temephos Reregistration Eligibility Decision (RED). A copy of this RED was sent to you as a temephos registrant. In the event that data supporting the reregistration of the similar registered product in support of your product are found unacceptable and will not be replaced, both the cited similar product and your product will be subject to providing these data or being suspended.

2. Add the phrase "EPA Registration Number 8329-69".

(continued on page 2)

Signature of Approving Official:

Rita Kumar

Date:

MAY - 5 2004

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Notice of Registration (Continued); EPA Registration Number 8329-69

3. Revise the label by adding a paragraph: titled "PHYSICAL AND CHEMICAL HAZARDS", and the following statement: "Combustible. Do not use or store near heat or open flame."
4. Submit two (2) copies of your final printed labeling before you release the product for shipment. Please note that the Aerial Drift Reduction Advisory is a part of product labeling, and must accompany the product at all times.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(a). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. A copy of the product chemistry review is also enclosed for your perusal.

Sincerely,

*Rita Kumar*

Rita Kumar  
Senior Regulatory Specialist  
Insecticide Rodenticide Branch  
Registration Division (7505C)

Enclosures (2)

**ABATE® 4-E INSECTICIDE for Use Only in California**

A mosquito larvicide for use only by public vector control agencies that have entered into and operate under a cooperative agreement with the California Department of Health Services pursuant to Section 2426 of the Health and Safety Code.

**ACTIVE INGREDIENT:**

Temephos (0,0'-(thiodi-4, 1-phenylene) 0,0,0',0'-tetramethyl phosphorothioate).....44.6%

**INERT INGREDIENTS\***.....55.4%

\*contains petroleum distillate

Contains 4 pounds of Temephos per gallon

® Registered trademark of BASF Corp.

ACCEPTED  
with COMMENTS  
In EPA Letter Dated:  
MAY - 5 2004

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No  
8329-69

**KEEP OUT OF REACH OF CHILDREN  
WARNING/AVISO**

EPA REG. No. 8329-  
CA REG. No. 8329-

EPA Est. No. 8329-IL-01

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

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

WARNING. Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Wash thoroughly with soap and water after handling. Reove contaminated clothing and wash clothing before reuse.

<b>FIRST AID</b>	
<b>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.</b>	
<b>If in Eyes:</b>	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.
<b>If Swallowed:</b>	Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.
<b>If on Skin or Clothing:</b>	Remove contaminated clothing. Rinse with plenty of soap and water for 15-20 minutes. Get medical attention if irritation persists.
<b>Note to Physicians:</b> This product may cause cholinesterase inhibition. Atropine is antidotal. Pralidoxime chloride (2-PAM; PROTOPAM chloride) may be effective as an adjunct to atropine. Product contains petroleum distillate – vomiting may cause aspiration pneumonia.	

**Personal Protective Equipment (PPE):** Mixers, loaders and applicators involved in hand-held spray applications must wear long-sleeved shirt, long pants, shoes, socks and chemical-resistant gloves. Aerial applicators and flaggers must wear long-sleeved shirt, long pants, shoes, socks, and chemical resistant headgear (flaggers only). All other mixers, loaders, applicators and other handlers must wear coveralls over long-sleeved shirt and long pants, chemical-resistant gloves, chemical-resistant footwear plus socks, and chemical-resistant headgear (if overhead exposure). In addition, mixers, loaders and cleaners of equipment must wear a chemical-resistant apron. **User Safety Requirements:** Follow manufacturer’s instruction 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. **Engineering Controls:** When mixers and loaders use a closed system designed by the manufacturer to enclose the pesticide to prevent it from contacting handlers or other people AND the system is functioning properly and is used and maintained in accordance with the manufacturer's written operating instructions, the handlers may wear long-sleeved shirt, long pants, shoes, socks, chemical-resistant gloves and chemical-resistant apron, instead of the PPE necessary for mixers and loaders in the PPE section of this labeling. Handlers must wear protective eyewear if the system operates under pressure. Handlers must have immediately available for use in an emergency, such as a broken package, spill or equipment breakdown, all PPE necessary for mixers and loaders in the PPE section of this labeling. Pilots must use an enclosed cockpit and must wear chemical-resistant gloves when entering or leaving an aircraft contaminated by pesticide 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. When ground applicators and flaggers use an enclosed cab that has a nonporous barrier that totally surrounds the occupants and prevents contact with pesticides outside the cab, they may wear a long-sleeved shirt, long pants, shoes and socks, instead of the PPE necessary for such applicators and flaggers in the PPE section of this labeling. Ground applicators and flaggers must be provided and must have immediately available for use in an emergency the handler PPE specified for applicators or flaggers when they must exit the cab in the treated area, and must take off any PPE that was worn in the treated area before reentering the cab, and must store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

**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/](http://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.**

**Use Restrictions.** This product may be applied only to non-potable water, standing water, moist areas, woodland pools, swamps, marshes, tidal waters, intertidal zones, and waters high in organic content. This product may be applied only by public vector control agencies that have entered into and operate under a cooperative agreement with the California Department of Health Services pursuant to Section 2426 of the Health and Safety Code. 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.

Do not allow this product to Drift.

Apply ABATE® 4-E 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
Non-potable water (stagnant, saline and temporary water bodies), highly polluted water, moist areas, woodland pools, swamps, marshes, tidal waters, intertidal zones	0.5 to 1.0	0.015 to 0.031
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.	1.5	0.0469

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

**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 is 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. 1.) The distance of the outermost nozzles on the boom must not exceed  $\frac{1}{4}$  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 covered in the Aerial Drift Reduction Advisory Information accompanying product and available from Clarke Mosquito Control 1-800-323-5727.

#### STORAGE AND DISPOSAL

**Prohibitions:** 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 secure, dry, well-ventilated room, building or covered area. Reseal opened containers immediately after using. If product container is broken, contact manufacturer.

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

**Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, 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.

**General:** Consult Federal, State or local disposal authorities for approved alternative procedures.

**DISCLAIMER:** The label instructions for the use of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently 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 use or application of the product contrary to label instructions, all of which are beyond the control of Clarke Mosquito Control Products, Inc. All such risks shall be assumed by the user.

Clarke Mosquito Control Products, Inc. warrants only that the material contained herein conforms to the chemical description on the label and is reasonably fit for the use therein described when used in accordance with the directions for use, subject to the risks referred to above.

Any damages arising from a breach of this warranty shall be limited to direct damages and shall not include consequential commercial damages such as loss of profits or values or any other special or indirect damages.

Clarke Mosquito Control Products, Inc. makes no other express or implied warranty, including any other express or implied warranty of FITNESS or MERCHANTABILITY.

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Net Contents:  
Lot Number:

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

## Aerial Drift Reduction Advisory

The recommendations contained in this notice are advisory in nature and do not supercede 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. Nozzle 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 downward 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 the drift potential at any given speed. Applications 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.**

For more information please call (800) 323-5727 \* (630) 894-2000