


10163-304

4/29/2009

1045

 <p align="center">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460</p>	EPA Registration No.	Date of Issuance:
	10163-304	APR 29 2009
<p align="center">NOTICE OF PESTICIDE: <input checked="" type="checkbox"/> Registration <input type="checkbox"/> Reregistration (under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended)</p>	Term of Issuance: Unconditional	
	Name of Pesticide Product: Phosmet Technical Organophosphorus Insecticide	
<p>Name and Address of Registrant (include ZIP Code): Gowan Company P.O. Box 5569 Yuma, AZ 85366-5569</p>		
<p>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.</p>		
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>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.</p> <p>This product is unconditionally registered in accordance with FIFRA sec. 3(c)(5) provided that you make the following label changes:</p> <p align="center">(See comments on pages 2-4)</p> <p>A copy of your label stamped "Accepted with Comments" is enclosed for your records.</p>		
Signature of Approving Official:	Date:	
Refer to Page 4	APR 29 2009	
Richard J. Gebken, Product Manager (10) Registration Division, Insecticide Branch		

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable subject to the comments listed below.

- 1. Revise the EPA Registration Number to read, "EPA Reg. No. 10163-304"
- 2. Based on toxicity rankings from the acute toxicity review, re-order the first aid statements as follows:
 - 1. "If swallowed . . ."
 - 2. "If on skin or clothing . . ."
 - 3. "If inhaled . . ."
 - 4. "If in eyes . . ."

- 3. Revise the **HAZARDS TO HUMANS AND DOMESTIC ANIMALS** statement as follows:

"WARNING

May be fatal if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Avoid contact with skin, eyes, or clothing. Remove and wash contaminated clothing before reuse. Avoid breathing dust. Avoid contact with eyes or clothing. Wear protective eyewear."

- 4. Revise the **DIRECTIONS FOR USE** statement as follows:

Change the "Indoor food use as a dust bag" statement in item (1) to read: "Indoor use as a back rubber or low-pressure spray for swine and livestock."

Also, add the following statement:

"Do not use on cats, dogs, or other companion animals."

Also, replace items (2) and (3) with the following statement: "This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use."

- 5. Revise the **STORAGE AND DISPOSAL** statement as follows:

Add the following to the **STORAGE** statement:

"If a leaky container must be contained within another, mark the outer container to identify the contents. Keep pesticide storage areas clean. Clean up any spills promptly."

Also, revise the **CONTAINER DISPOSAL** statement as follows:

"CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this

container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If burned, stay out of smoke.”

Also, revise the **SPILL OR LEAK** statement with more explicit instructions for the user on how to handle a small spill or leak of the product. The following language would be acceptable:

“SPILL OR LEAK: A small spill can be handled routinely. Use adequate ventilation and wear an air-supplied respirator to prevent inhalation. Wear suitable protective clothing and eye protection to prevent skin and eye contact. Use the following procedures:

1. Sweep up spilled material being careful not to create dust.
2. Place sweepings in an open drum.
3. Generously cover the contaminated areas with a common household detergent. Using a stiff brush and small amounts of water, work the detergent into the spill material forming a slurry. Do not splatter on one’s self or bystanders. Completely avoid skin and eye contact with this material. Brush the slurry into cracks and crevices and allow to stand for 2-3 minutes.
4. Spread a suitable absorbent such as clay, sawdust, or kitty litter on the slurried liquid. Shovel absorbent material into an open drum.
5. Repeat if necessary.
6. Flush area with water while observing proper environmental considerations. Seal drum and dispose of contaminated material in an approved pesticide landfill.

Large spills: In case of emergency, call collect day or night (800) 424-9300, CHEMTREC®.”

6. Revise the **WARRANTY STATEMENT** as follows:

In the third paragraph, revise the last sentence as follows: “TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, GOWAN COMPANY MAKES NO OTHER EXPRESS OR IMPLIED”

In the last paragraph, revise “TO THE FULLEST EXTENT PERMITTED BY LAW,” to “TO THE EXTENT CONSISTENT WITH APPLICABLE LAW,”

4085

Phosmet Technical

ORGANOPHOSPHORUS INSECTICIDE

An Insecticide For Formulating Use Only

ACTIVE INGREDIENT:

Phosmet: N--(mercaptomethyl)phthalimide

S--(O, O--dimethyl phosphorodithioate).....

% By Wt.

97.8%

INERT INGREDIENTS.....

2.2%

Total 100.0%

Keep Out of Reach of Children

WARNING

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.)

FIRST AID ORGANOPHOSPHATE	
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If on skin or clothing	<ul style="list-style-type: none"> • Take off 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	<ul style="list-style-type: none"> • 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 eye. • Call a poison control center or doctor for treatment advice.
If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor • Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-888-478-0798 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
This product is an organophosphate insecticide. If symptoms of cholinesterase inhibition are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal and may be administered, but only in conjunction with atropine.	

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This pesticide is for the further manufacture of formulated insecticides only. This product may only be used to formulate wettable powder end-use products that are packaged in water soluble packaging. Formulators using this product are responsible for obtaining EPA registration for their formulated products.

Only for formulation into an insecticide for the following uses:

(1)

- | | | | |
|----------------------------|-----------------------|------------------|------------------|
| Alfalfa | Crabapples | Nuts | Pistachios |
| Almonds | Cranberries | Ornamental Trees | Plums |
| Apples | Deciduous Shade Trees | Peaches | Potatoes |
| Apricots | Field Margins | Pears | Prunes |
| Blueberries | Fruit Trees | Peas | Sweet Potatoes |
| Cherries | Grapes | Pecans | Woody Evergreens |
| Christmas Tree Plantations | Kiwi Fruit | Pine Seedlings | |
| Citrus Fruits | Nectarines | Pine Trees | |

Indoor food use as a dust bag, back rubber, dip, pour-on or low pressure spray on swine and livestock.

- (2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and;
- (3) Uses for experimental purposes that are in compliance with USEPA requirements.

NET CONTENTS: _____ lb.

EPA Reg. No. 10163-XXX
EPA Est. No.

ACCEPTED
with COMMENTS
In EPA Letter Dated
APR 29 2009
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
10163-304

Gowan
The Go-To Company

Produced For:
Gowan Company
PO Box 5569
Yuma, AZ 85366-5569

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
WARNING**

May be fatal if swallowed. Harmful if absorbed through the skin or inhaled. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board of Regional Office of the EPA.

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal.
PESTICIDE STORAGE: Store in a cool, dry, ventilated area.
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: Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If burned, stay out of smoke.
SPILL OR LEAK:
Small Spills: Wear all specified protective equipment. Sweep up spilled material. Place in an appropriate chemical waste container. Clean spill area with a detergent-water slurry. Absorb used slurry with a suitable inert absorbent such as clay. Place used absorbent in chemical waste container. Flush spill area with water. Observe all local, State, and Federal laws and regulations regarding spill, cleanup, disposal, removal, or discharge.
Large Spills: In case of emergency, call collect day or night (800) 424-9300, CHEMTREC®.

**FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK OR FIRE),
CALL CHEMTREC® (800) 424-9300.**

For other product information, contact Gowan Company or see Material Safety Data Sheet

NOTICE OF CONDITIONS OF SALE AND WARRANTY AND LIABILITY LIMITATIONS

Important: Read the entire Directions for Use and Notice of Conditions of Sale and Warranty and Liability Limitations before using this product. If terms are not acceptable return the unopened container for a full refund.

Our recommendations for use of this product are based on tests believed to be reliable. However, it is impossible to eliminate all risk associated with the use of this product. Crop injury, inadequate performance, or other unintended consequences may result due to soil or weather conditions, off target movement, presence of other materials, method of use or application, and other factors, all of which are beyond the control of Gowan Company. All such risks shall be assumed by the Buyer and User.

Gowan Company warrants that this product conforms to the specifications on the label when used in strict conformance with Direction for Use, subject to the above stated risk limitations. GOWAN COMPANY MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY

TO THE FULLEST EXTENT PERMITTED BY LAW, GOWAN COMPANY'S EXCLUSIVE LIABILITY FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, OR ANY OTHER LEGAL THEORY IS STRICTLY LIMITED TO THE PURCHASE PRICE PAID OR REPLACEMENT OF PRODUCT, AT GOWAN COMPANY'S SOLE DISCRETION.

®Chemtrec® is a registered trademark of American Chemistry Council, Inc.