

11678-5

2/19/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 19 2010

Ms Christie Hitchcock
Agent for Agan Chemical Manufacturers, Ltd.
C/O Makhteshim Agan of North America, Inc
4515 Falls of Neuse Rd, Suite 300
Raleigh, NC 27609

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 12, 2009 for:

EPA Registration 11678-5 Thionex Endosulfan Technical

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

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



United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 11678-5	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Thionex Endosulfan Technical	PM# 13 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Makhteshim Chemical Works, Ltd. c/o Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd., Ste 300, Raleigh, NC 27609 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. 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"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION FEB 19 2010
<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 label change per PR Notice 2007-4. This notification is consistent with the guidance of PR Notice 2007-4 and requirements of EPA's regulations at 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156, 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lbs or less; more than 50 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input checked="" type="checkbox"/> Other Self-adhesive		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Christie Hitchcock	Title Regulatory Specialist	Telephone No. (Include Area Code) 919-256-9342
Certification 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 <i>Christie Hitchcock</i>	3. Title Regulatory Specialist	
4. Typed Name Christie Hitchcock	5. Date 11-12-09	



November 12, 2009

Document Processing Desk (NOTIF)
Registration Division (7504P)
OPP, USEPA
Ariel Rios Building
1200 Pennsylvania Ave, NW
Washington, DC 20460

Re: Thionex Endosulfan Technical, EPA Reg. No. 11678-5
Notification per PRN 2007-4

To Whom It May Concern:

On behalf of Makhteshim Chemical Works, Ltd. Makhteshim Agan of North America, Inc. is notifying the Agency of an update for the above mentioned label as allowed in PR Notice 2007-4. The changes are summarized below:

This notification is consistent with the guidance of PR Notice 2007-4 and requirements of EPA's regulations at 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156, 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.

In support of this submission, the following documents are attached:

- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

Please contact me at 919-256-9342 or by email at chitchcock@manainc.com if you have any questions regarding this submission.

Sincerely,

Christie Hitchcock
Regulatory Specialist

Enclosures

4515 Falls of Neuse Road, Suite 300, Raleigh NC 27609
T: 919.256.9305 • F: 919.256.9308

3
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3/9

THIONEX[®] ENDOSULFAN TECHNICAL

For The Manufacture of Insecticides and Acaricides Only

NOTIFICATION

FEB 19 2010

ACTIVE INGREDIENT:

Endosulfan: (Hexachlorohexahydromethano-2,4,3-benzodioxathiepin-3-oxide)

% BY WT.

95.0%

INERT INGREDIENTS:

5.0%

TOTAL

100.0%



**KEEP OUT OF REACH OF CHILDREN
DANGER-POISON**



Manufactured for:

Makhteshim Chemical Works, Ltd.
c/o Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Rd., Suite 300
Raleigh, NC 27609

EPA Reg. No. 11678-5

EPA Est. No. [REDACTED]

NET WEIGHT: _____ POUND(S)

FIRST AID

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 a poison control center or doctor. • Do not give anything by mouth to an unconscious or convulsing person.
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 mouth-to-mouth if possible. • Call a poison control center or doctor for 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.
NOTE TO PHYSICIAN: Endosulfan is a central nervous system stimulant absorbable by mouth, inhalation, or through contact with skin. It may cause convulsions. There is no specific antidote. Diazepam I.V. is the drug of choice. Barbituric acid derivatives such as Phenobarbital may be used additionally. A neuromuscular blocking agent may be used if convulsions persist. This type of drug may be used only if complete control of respiration can be maintained. Epinephrine derivatives are absolutely contraindicated. Probable mucosal damage may contraindicate the use of gastric lavage.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact Prozar at 1-877-250-9291 for emergency medical treatment information.	

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
DANGER-POISON**

Fatal if swallowed or inhaled. May be fatal if absorbed through skin. Causes moderate eye irritation. Do not breathe dust or vapors. Do not get in eyes, on skin or on clothing. During formulating and loading operations wear chemical-resistant gloves, protective clothing (such as coveralls, chemical-resistant footwear plus socks), protective eyewear, and a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P, or HE prefilter. Wash the outside of gloves before removing. Wash hands, arms, and face thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Wash all contaminated clothing with soap and hot water separately from other laundry before reuse.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish and aquatic invertebrates, and toxic to birds and mammals. 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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

DIRECTIONS FOR USE

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

FORMULATOR INFORMATION: FORMULATORS USING THIS PRODUCT ARE RESPONSIBLE FOR OBTAINING EPA REGISTRATION FOR THEIR FORMULATED PRODUCTS. Formulators are encouraged to contact Makhteshim Chemical Works, Ltd. for the Thionex Endosulfan Technical MSDS, which contains the chemical and physical data for the technical.

THIS PRODUCT IS TO BE USED SOLELY FOR FORMULATION INTO END-USE INSECTICIDE PRODUCTS FOR use on commercial agricultural crops, for outdoor commercial production of ornamental trees and shrubs, and products incorporated into cattle ear tags.

DO NOT USE THIS PRODUCT TO FORMULATE END-USE PRODUCTS FOR:

- a) Any use in or around a structure used as a residence or domestic dwelling, or on any articles or areas associated with such structures (including household contents, home gardens, and greenhouses), or;
- b) Any use in the form of a fogger, impregnated materials except cattle ear tags, insecticidal smoke, dust, pressurized liquid or spray, (i.e., spray cans - but not including EC or WP formulations applied by pump sprayers) or aerosol spray inside a commercial greenhouse, or public or private building or structure, (including recreational facilities, theaters, hotels, resorts, or other buildings used for public accommodation or any other commercial, industrial, or institutional building), or on any articles or areas associated with such structures including building contents and landscaping (but not including outdoor commercial ornamental tree and shrub production areas).

FOR FORMULATION INTO END-USE INSECTICIDE PRODUCTS FOR THE FOLLOWING USES:

- **Outdoor Fruit and Nut Crops:** Almonds, Apples, Apricots, Blueberries, Cherries, Citrus (non bearing trees and nursery stock), Filberts, Nectarines, Peaches, Pears, Pineapples, Plums, Prunes, Strawberries, Walnuts.
- **Field and Vegetable Crops:** Beans (dry), Broccoli, Brussels sprouts, Cabbage, Carrots, Cauliflower, Celery, Collards, Corn (sweet corn, fresh vegetable use only), Cotton, Cucumbers, Eggplant, Kale, Lettuce, Melons (all), Mustard greens, Peas (dry), Peppers, Potatoes, Pumpkins, Squash (summer and winter), Sweet potatoes, Tobacco, Tomatoes, Turnips.
- **Commercial Greenhouse Use:** Tomatoes.
- **Ornamental Trees and Shrubs (Commercially Grown Outdoors Only):** Ornamental Trees and Shrubs, i.e., Boxelder, Dogwood, Lilac, Douglas fir (grown for ornamentals, nursery stock, or Christmas trees; Pacific Northwest only), Elms, Leatherleaf Fern, Pines (Austrian, Jack, Red, Scotch, White), Shade trees (except Birch), Shrubs, Spruce (New England area only), Taxus.
- **Cattle Ear Tags**

This product cannot be formulated into wettable powders for use on the following crops: Beans (Dry), Carrots, Cotton, Peas (Dry), Pineapple, Sweet Corn, Sweet Potatoes, Tobacco, and Tomatoes.

STORAGE AND DISPOSAL

Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Keep out of reach of children and animals. Store in tightly capped original containers only. Store in a cool, dry, well ventilated place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. The solid technical is sensitive to moisture, acids, and bases. Decomposition will generate sulfur dioxide and endosulfan alcohol. Care should be exercised by workers entering the storage area since there is a possibility that sulfur dioxide may be present. Do not put concentrate or dilute material into food or drink containers.

IN CASE OF SPILL: Avoid contact, isolate area, and keep out animals and unprotected persons. Confine spills.
TO CONFINE SPILL: If liquid, dike surrounding area or absorb with sand, cat litter, or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional office for guidance.

CONTAINER HANDLING:

Nonrefillable Container (flexible-bag-all weights): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available.

Nonrefillable Container (rigid-fifty lbs. or less): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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 or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. Do not cut or weld metal containers.

Nonrefillable Container (rigid-greater than fifty lbs.): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip 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 or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. Do not cut or weld metal containers.

LIMITATION OF WARRANTY AND LIABILITY

Read the entire directions for use, conditions 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 must 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 Makhteshim Chemical Works, Ltd. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Makhteshim Chemical Works, 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 Makhteshim Chemical Works, Ltd. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Makhteshim Chemical Works, Ltd. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, 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 Makhteshim Chemical Works, Ltd.'s election, the replacement of product.

Thionex® is a registered trademark of Makhteshim Chemical Works, Ltd.

Thionex Endosulfan Technical (11678-5)(EPA app 5-31-06)(EPA app 03-25-09)(notif to EPA 11-12-09)
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