

11678-5

9/24/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Makhteshim Chemical Works, Ltd.
c/o Ms. Anne Stout
Makhteshim-Agan of North America, Inc
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

SEP 24 2010

Dear Ms. Stout:

Subject: Amendment: Revisions per Endosulfan Memorandum of Agreement dated July 22, 2010
Thionex Endosulfan Technical
EPA Reg. No. 11678-5
Your submission dated July 30, 2010 as revised September 20, 2010

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) section 3(c)(7)(a), is acceptable and a stamped copy of the label is enclosed for your records.

The label revisions of this amendment should be made at the next label printing or no later than December 31, 2010 to convey the first production deadline stipulated on this new Endosulfan MOA label to users.

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.

Sincerely,

Dana R. Pellett

BS

Mark Suarez
Product Manager 13
Insecticide Branch
Registration Division (7505P)

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ACCEPTED
with COMMENTS
In EPA Letter Dated:
SEP 24 2010

THIONEX[®]

ENDOSULFAN TECHNICAL

For The Manufacture of Insecticides and Acaricides Only

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 11678-5

ACTIVE INGREDIENT:		% BY WT.
Endosulfan: (Hexachlorohexahydromethano-2,4,3-benzodioxathiepin-3-oxide)	95.0%
INERT INGREDIENTS:	5.0%
		TOTAL: 100.0%



KEEP OUT OF REACH OF CHILDREN
DANGER-POISON



(Note to label editor: DANGER-POISON will be printed in red ink.)

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.

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

(Note to label editor: DANGER-POISON will be printed in red ink.)

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. THIS PRODUCT MAY NOT BE USED TO FORMULATE A PESTICIDE PRODUCT UNLESS SUCH PESTICIDE PRODUCT HAS EITHER RECEIVED ITS INITIAL REGISTRATION FROM USEPA AFTER JULY 1, 2010, OR USEPA HAS APPROVED AN AMENDMENT TO SUCH REGISTRATION AFTER JULY 1, 2010.

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. The commercial use categories and formulation restrictions are described below.

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).
- c) Any wettable powder formulations for use on the following crops: Beans (Dry), Carrots, Cotton, Peas (Dry), Pineapple, Sweet Corn, Sweet Potatoes, Tobacco, and Tomatoes.

AFTER DECEMBER 31, 2010, THIS PRODUCT MAY NOT BE USED FOR FORMULATION INTO END-USE INSECTICIDE PRODUCTS FOR THE FOLLOWING USES EXCEPT FOR CURRENTLY APPROVED SPECIAL LOCAL NEED REGISTRATIONS (FIFRA SECTION 24(C)):

- **Outdoor Fruit and Nut Crops:** Almonds, Apricots, Cherries (tart), Citrus (non bearing trees and nursery stock), Filberts, Macadamia Nuts, Nectarines (California only), Plums, Prunes, Strawberries (annual), Walnuts.
- **Field and Vegetable Crops:** Beans (dry), Broccoli, Brussels sprouts, Carrots, Cauliflower, Celery (except Arizona), Collards, Eggplant, Kale, Kohlrabi, Mustard greens, Peas (dry), Sweet potatoes, Turnips.
- **Ornamental Trees and Shrubs (Commercially Grown Outdoors Only):** Ornamental Trees, Shrubs, and Herbaceous plants; 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, Orchids, Hybrid poplars, Christmas trees.

AFTER MARCH 31, 2012, THIS PRODUCT MAY NOT BE USED FOR FORMULATION INTO END-USE INSECTICIDE PRODUCTS FOR THE FOLLOWING USES EXCEPT FOR CURRENTLY APPROVED SPECIAL LOCAL NEED REGISTRATIONS (FIFRA SECTION 24(C)):

- **Outdoor Fruit and Nut Crops:** Cherries (sweet), Nectarine (except California), Peaches.
- **Field and Vegetable Crops:** Cabbage, Celery (Arizona Only), Cotton, Cucumbers, Lettuce, Melons (summer), Squash (summer), Tobacco.

AFTER MARCH 31, 2013, THIS PRODUCT MAY NOT BE USED FOR FORMULATION INTO END-USE INSECTICIDE PRODUCTS FOR THE FOLLOWING USES:

- **Outdoor Fruit and Nut Crops:** Pear.

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AFTER SEPTEMBER 30, 2014, THIS PRODUCT MAY NOT BE USED FOR FORMULATION INTO END-USE INSECTICIDE PRODUCTS FOR THE FOLLOWING USES:

- Outdoor Fruit and Nut Crops: Apple (Florida only), Blueberry (Florida only).
- Field and Vegetable Crops: Peppers (Florida only), Potatoes (Florida only), Pumpkins (Florida only), Sweet Corn (Florida only), Tomato (Florida only), Winter Squash (Florida only).

AFTER MARCH 31, 2015, THIS PRODUCT MAY NOT BE USED FOR FORMULATION INTO END-USE INSECTICIDE PRODUCTS FOR THE FOLLOWING USES:

- Outdoor Fruit and Nut Crops: Apple, Blueberry.
- Field and Vegetable Crops: Peppers, Potatoes, Pumpkins, Sweet Corn, Tomato, Winter Squash.

AFTER MARCH 31, 2016, THIS PRODUCT MAY NOT BE USED FOR FORMULATION INTO END-USE INSECTICIDE PRODUCTS FOR THE FOLLOWING USES EXCEPT FOR CURRENTLY APPROVED SPECIAL LOCAL NEED REGISTRATIONS (FIFRA SECTION 24(C)):

- Outdoor Fruit and Nut Crops: Pineapple, Strawberry (perennial, biennial).
- Field and Vegetable Crops: Vegetable Crops Grown for Seed (alfalfa, broccoli, Brussels sprouts, cabbage, cauliflower, Chinese cabbage, collard greens, kale, kohlrabi, mustard greens, radish, rutabaga, turnip).
- Livestock Ear Tags

It is unlawful to use this product for formulation into any end use insecticide product that can be used on any crop or use site in the United States after March 31, 2016.

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: For nonrefillable container: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. For refillable container: Refillable container. Refill this container with endosulfan only. Do not reuse this container for any other purpose. Do not cut or weld metal containers. For final disposal, offer for recycling or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

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.

File name: Thionex Endosulfan Technical (11678-5)(MOA)(to EPA 7-30-10)-revised 9-20-10

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