

11678-58

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

JAN 30 2008

Jane Rothwell
Registration Specialist
Makhteshim-Agan of North America
4515 Falls of Neuse Road
Raleigh, NC 27609

Subject: Additional label comments to the re-registration comments listed on the Re-registration Notice dated December 19, 2007.
Pyrinex Chlorpyrifos Technical
EPA Reg. No. 11678-58
Label submission dated January 11, 2008

Dear Ms. Rothwell:

Comments 1-4 are being added to a list of comments previously listed on the Reregistration Notice of your product dated 12/19/2007. You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of the Re-registration Notice dated December 19, 2007 or the next printing of the label whichever occurs first, must bear the new revised label.

The product label listed above is acceptable with the following comments:

- 1) Delete "**exterior surface** treatment of warehouses, railroad boxcars, industrial manufacturing the plants and food processing plants". The Memorandum of Understanding of 2000 limits the use to interior of the listed sites.
- 2) Delete the heading of "Wood and Wood Structure Protection Treatments" and related language.
- 3) Add "**USDA quarantine use**" before "Soil treatment of potted, containerized, of balled and bur-lapped nursery stock plants to control imported fire ants only".
- 4) Under Pest-Control Outdoors public health use to control fire ant mounds is already listed as Individual fire ant mound treatment for public health purpose in B. Non-Agricultural, Non-Termite Uses section v. Move B v(c) " Individual fire ants mound treatment" and "Public health uses to control fire ants mounds and for mosquito control" and the USDA quarantine use listed above and place them under the heading "Public Health Uses only". The mosquito and fire ants uses listed above are only allowed for public health uses and placing them under "Public Health Uses only" heading is required.

5) On page 2 under the Agricultural Uses add after apples "post bloom application prohibited" add "Only one application of any chlorpyrifos containing product can be made per year to the lower 4 feet of the trunk".

6) Add after corn (maximum of 3 lb ai/acre/season).

7) Remove "Other" on page 3 from the title "Other Prohibited Uses".

8) Under Prohibited Uses include Termiticide Uses.

9) Add bees under the Environmental Hazards, "This pesticide is toxic.....and extremely toxic to fish, aquatic invertebrates and bees".

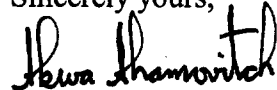
10) Amend the title under page 3 from Livestock Indoor Food to **Commercial Livestock Housing**: cattle ear tags, poultry houses, turkey barns, swine barns and dairy barns only. Delete the complete text after the Livestock title.

11) Remove "processed wood products" and "wood or wood structure protection treatment" to conform to the label of your alternate source.

12) Add "Handle chemical in a ventilated area" under the Hazard to Humans and Domestic Animals subheading.

A stamped copy "accepted with comments" of the label is enclosed for your records. If you have any questions please call me at (703) 308-8328.

Sincerely yours,



Akiva Abramovitch, Ph. D.
Insecticide/Rodenticide Branch
Registration Division (7505P).

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PYRINEX

CHLORPYRIFOS INSECTICIDE

An Insecticide for Formulating Use Only

ACTIVE INGREDIENT:	% BY WT.
Chlorpyrifos: (0,0-diethyl 0-(3,5,6-trichloro-2-pyridinyl phosphorothioate).....	97%
INERT INGREDIENTS:	3%
	TOTAL 100%

EPA Reg. No.11678-58

EPA Est. No.11678-IS-01

ACCEPTED
with **COMMENTS**
In EPA Letter Dated:

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

JAN 30 2008

*Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
11678-58*

NET CONTENTS: ___ POUNDS

KEEP OUT OF REACH OF CHILDREN

WARNING

FIRST AID

- IF SWALLOWED:**
 - 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 person.
- IF INHALED:**
 - 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:**
 - 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:**
 - 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact PROSAR at 1-877-250-9291 for emergency medical treatment information.

NOTE TO PHYSICIAN: Pyrinex (chlorpyrifos) is a cholinesterase inhibitor. Initial measures include removal of secretions, maintenance of a patient airway, and if necessary, artificial respiration. When cyanosis is relieved, atropine may be administered in large therapeutic doses, repeated as necessary to the point of tolerance. If symptoms warrant further treatment, protopam chloride (pralidoxime chloride, 2-PAM chloride) has shown utility as adjunctive therapy. Never use morphine. Continued absorption of the poison may occur resulting in a fatal relapse after initial improvement. Very close supervision of the patient is indicated for at least 48 to 72 hours.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING

May be fatal if swallowed. May be fatal if inhaled. Harmful if absorbed through skin. Do not breathe dust. Avoid contact with skin, eyes, or clothing. Remove and wash contaminated clothing before reuse. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

PRECAUTIONS

Read all directions before using. Keep away from food, feedstuffs, and domestic water supplies. Keep container closed.

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ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds and wildlife, and extremely 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 or Regional Office of the EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. After October 1, 2000, any manufacturing-use product formulated from this product must bear EPA-approved labeling that is consistent with the terms of the June 7, 2000, memorandum of agreement between EPA and registrants of pesticide products containing chlorpyrifos. Only for formulation into an *insecticide* for the following uses: text in [square brackets] after each site category heading refers to the general use group as referenced in 40 CFR 158.

This product may be used to formulate products for any additional 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(s).

A. AGRICULTURAL USES

- i) Use of this product for formulation into any end-use product bearing instructions for use on apple trees is prohibited unless the end-use product bears EPA-approved labeling prohibiting post-bloom application to apple trees.
- ii) (a) This product may only be formulated for the agricultural uses listed below if the EPA-approved labeling of the formulated product bears revised worker reentry intervals (REIs) of a duration no less than the following:
 - ❖ For all crops: 24 hours, unless specifically noted as otherwise below:
 - ❖ Cauliflower: 3 days
 - ❖ Fruit trees: 4 days
 - ❖ Citrus trees: 5 days
- (b) The end-use product labeling may include the following statement: 'Certified crop advisors or persons entering under their direct supervision under certain circumstances may be exempt from the early reentry requirement pursuant to 40 CFR Part 170.'
- iii) Any emulsifiable concentrate (EC) end-use product formulated from the product must be labeled as a restricted use product. All other end-use products formulated from the product must either be labeled as restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation, 50 pounds of a granular formulation, or 25 pounds of any other dry formulation.

Agricultural Crops [Terrestrial Food Crop, Greenhouse Food Crop]: Alfalfa; apple (post-bloom application prohibited); asparagus; banana; beet (sugar, garden/table, including crops grown for seed); blueberry; **Brassica (cole) leafy vegetables** (bok choy, broccoli, broccoli raab, Brussels sprouts, cabbage, cauliflower, Chinese cabbage, collards, kale, kohlrabi); caneberrries; cherimoya; cherries (sour, sweet); **citrus fruits**, corn (field corn, sweet corn (including corn grown for seeds)); cotton; cranberry; cucumber; date; feijoa; fig; grape; kiwifruit; leek; **legume vegetables (succulent or dried)**, mint; nectarine; onion (dry bulb); peach; peanut; pear; pepper; plum; prune; pumpkin; radish (including crops grown for seed); rutabaga; sapote; seed and pod vegetables; sorghum (milo); strawberry; sugarcane; sunflower; sweet potato; tobacco; **tree nuts**, turnip; wheat; seed treatment.

Ornamentals - commercial production only [Commercial Terrestrial Non-Food, Commercial Greenhouse Non-Food]:

- Soil treatment of potted, containerized, or balled and burlapped nursery stock plants in nurseries and greenhouses only.
- Flowers, shrubs, evergreens, vines, shade, and flowering trees in nurseries or greenhouses only.
- Christmas trees.
- Forest tree nurseries.
- Non-bearing fruit, nut, and citrus trees.
- Commercial sod farms.
- Grass grown for seed.

Forest trees [Forestry]: Plantations, forests, seed orchards, felled trees, cut stumps.

Livestock [Indoor food]: Cattle ear tags, animal housing including poultry houses and other livestock housing (feedlots, corrals, stockyards, holding pens, and other outdoor livestock holding areas).

B. NON-AGRICULTURAL, NON-TERMITE CONTROL USES:

After December 1, 2000, this product may only be used to formulate an end-use pesticide product labeled for non-agricultural, non-termite control uses in accordance with the following conditions:

- i) Any emulsifiable concentrate (EC) end-use product formulated from this product must be labeled as a restricted use product. All other end-use products formulated from the product (other than containerized baits in child-resistant packaging) must either be labeled as restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation or 25 pounds of a dry formulation.
- ii) The end-use product may not bear use directions for any indoor residential use (as that term is defined in 40 CFR 152.3) other than containerized baits in child-resistant packaging.
- iii) Any emulsifiable concentrate (EC) end-use product formulated from this product may not bear use directions for any indoor non-residential use. All other end-use products may not bear use directions for any indoor non-residential use other than one or more of the following uses: warehouses, ship holds, railroad boxcars, industrial plants, manufacturing plants, food processing plants, or containerized baits in child-resistant packaging.
- iv) The product may not bear use directions for any residential outdoor use other than one or more of the following public health uses: individual fire ant mound treatment or mosquito control.
- v) The product may not bear use instructions for any non-residential outdoor use other than one or more of the following uses:
 - (a) golf courses, road medians, and industrial plant sites, provided that the maximum label application rate is no greater than 1 lb./ai per acre;
 - (b) mosquito control for public health purposes;
 - (c) individual fire ant mound treatment for public health purposes; and
 - (d) fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, poles, posts and processed wood products.

Pest Control Indoors [Indoor Residential]: Containerized ant and roach baits in child resistant packaging for indoor residential uses only.

Commercial Pest Control Indoors [Indoor Non-Residential]: Ship holds, railroad boxcars, industrial plants, manufacturing plants, food processing plants only.

Commercial Pest Control Outdoors [Terrestrial Non-Food, Non-Residential Commercial]:

- Public health uses to control fire ant mounds and for mosquito control. Mosquito control may only be applied by trained personnel of public health organizations, mosquito abatement districts, public mosquito control programs, and professional pest control operators.
- Underground utility cables and conduits.
- Turf and ornamentals in road medians; turf and ornamentals in industrial plant sites (provided the use rate is no greater than 1 lb. ai/acre).
- Exterior surface treatment of warehouses, railroad boxcars, industrial plants, manufacturing plants, food processing plants only.

Turf [Terrestrial Non-Food]: Golf course turf, turf in road medians, and turf in industrial plant sites (provided the use rate is no greater than 1 lb. ai/acre).

Wood or Wood Structure Protection Treatments [Terrestrial Non-Food]: Spot and localized treatments.

- C. OTHER USES:** This product may be formulated into insecticide products for other uses for which the US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration excluding any use strictly prohibited by this label.
- D. EXPERIMENTAL USES:** This product may be formulated into insecticide products for uses for experimental purposes that are in compliance with US EPA requirements.
- E. OTHER PROHIBITED USES:** All manufacturing-use and end-use products produced from this product must bear the following statement: "This product may NOT be used for formulation into manufacturing-use or end-use products for the following uses: **Aquatic Uses (Aquatic Food Crop, Aquatic Non-Food):** Any aquatic use, including mosquito larvicide."

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STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.
STORAGE: Store in original container in secured dry storage area. Prevent cross-contamination with other pesticides and fertilizers. Do not store above 100°F for extended periods of time. If container is damaged or spill occurs, use product immediately or dispose of product and damaged container as indicated below.
PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site if approved waste handling facilities are available or at an approved waste disposal facility.
CONTAINER DISPOSAL: Triple rinse (or equivalent), perforate rinsed containers, and offer for disposal in a landfill approved for pesticide containers. Do not reuse containers. Do not cut or weld container.
IN CASE OF A SPILL: Isolate the spill. Hold this package, other cargo, and vehicles involved. Immediately TELEPHONE (24 hour service) for emergency assistance, 1-800-553-5053.
GENERAL: Consult Federal, state, or local disposal authorities for approved alternative procedures.

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.

Pyrinex Chlorpyrifos Insecticide (11678-58)(to EPA 1-11-08)(RED)