

11678-76

7/10/2013

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

JUL 10 2013

Mr. Jonathan A. Janis
Makhteshim Chemical Works, Ltd.
c/o Makhteshim Agan of North America, Inc.
3120 Highwoods Blvd., Suite 100
Raleigh, NC 27604

Subject: Label Notification(s) for Pesticide Registration Notice 98-10

Dear Mr. Janis:

The Agency is in receipt of your Application(s) for Pesticide
Notification under Pesticide Registration Notice (PRN) 98-10 dated June 18,
2013 for the following product(s):

Technical MCW 437

Reg. No. 11678-76

The Registration Division (RD) has conducted a review of this request for
applicability under PR Notice 98-10 and finds that the label change(s)
requested falls within the scope of PRN 98-10. The label has been date-stamped
"Notification" and will be placed in our records.

If you have any questions, please contact Linda A. DeLuise at 703-305-
5428.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Gebken".

Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Makhteshim Chemical Works/11678-76	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Makhteshim Chemical Works/ Technical MCW 437	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Makhteshim Chemical Works c/o Makhteshim Agan of North America, Inc. 3120 Highwoods Blvd., Suite 100 Raleigh, North Carolina 27604 <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 to <u>NOTIFICATION</u> in composition and labeling to: EPA Reg. No. <u>JUL 10 2013</u> Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input checked="" type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Makhteshim Agan of North America, Inc. ("MANA") as authorized representative of Makhteshim Chemical Works hereby submits a Notification to update the Technical MCW 437 label. This Notification reflects the change in ownership of the technical.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Jonathan A. Janis	Title Senior Regulatory Manager	Telephone No. (Include Area Code) 919-256-9322
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>Jonathan A. Janis</i>	3. Title Senior Regulatory Manager	
4. Typed Name Jonathan A. Janis	5. Date June 18, 2013	

REGISTRATION ACTION:

NOTIFICATION

REGISTRATION FEE: NO FEE ASSOCIATED WITH THIS ACTION

18 June 2013

Document Processing Desk (NOTIF)
Attn: Richard Gekken
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard, 2777 South Crystal Drive
Arlington, VA 22202-4501

Dear Mr. Gekken:

Subject: Notification for Technical MCW 437, EPA Reg. No. 11678-76.

Makhteshim Chemical Works c/o Makhteshim Agan of North America, Inc. (MANA) is submitting a Notification for Technical MCW 437, EPA Reg. No. 11678-76. The Notification reflects the new EPA Registration Number as the product has transferred from Irvita Plant Protection to Makhteshim Chemical Works.

Enclosed in support of this regulatory action are:

- EPA form 8570-1
- Two copies of the label (one annotated and one clean).

"This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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."

Please feel free to contact me via email at jjanis@manainc.com or via phone at 919-256-9322 should you have any questions or comments pertaining to the Technical MCW 437 (EPA Reg. No. 11678-76) registration.

Sincerely,

Jonathan A. Janis

Jonathan A. Janis
Senior Regulatory Manager

www.manainc.com

P: (919) 256-9300
F: (919) 256-9308

3120 Highwoods Blvd.
Suite 100
Raleigh, NC 27604



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TECHNICAL MCW 437
For Manufacturing Use Only

ACTIVE INGREDIENT:		BY % WT
Fipronil: 5-amino-1-[2,6-dichloro-4-(trifluoromethyl)phenyl]-4-4-[(1R,S)-(trifluoromethyl)sulfinyl]-1H-pyrazole-3-carbonitrile		96.5%
OTHER INGREDIENTS:		3.5%
TOTAL		100.0%

EPA Reg. No 11678-76

EPA Est. No: [REDACTED]

KEEP OUT OF REACH OF CHILDREN
WARNING/AVISO

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 the poison control center or doctor.• Do not give anything by mouth to an unconscious 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 further 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 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.
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 1-877-250-9291 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred. In severe cases of overexposure by oral ingestion, lethargy, muscle tremors, and in extreme cases, possible convulsions, may occur.	

Manufactured for:
Makhteshim Chemical Works.
c/o Makhteshim Agan of North America, Inc.
3120 Highwoods Blvd. #100
Raleigh, NC 27604

NET CONTENTS: _____

NOTIFICATION

JUL 10 2013

Master Label – Technical MCW 437 (revised to EPA Reg No. 11678-76)
18June2013

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING. May be fatal if swallowed or inhaled. Harmful if absorbed through skin. Causes skin irritation and moderate eye irritation. Avoid contact with skin, eyes or clothing. Do not breathe dust. Wear goggles, face shield or safety glasses. Wear protective clothing and rubber gloves. Wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any N, R, P or HE filter.

Wash thoroughly with soap and water after handling and before eating, drinking chewing gum using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, ocean or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting of authority has been notified in writing prior to discharge. Do not discharge effluent containing this product in sewer systems without previously notifying the 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.

For manufacturing use only into insecticide products for the following uses*:

- Residential indoor: (companion animals, crack and crevice baits and bait stations)
- Indoor non-food: (commercial, industrial, and institutional facilities, modes of transportation), crack and crevice baits, and bait stations
- Termiticides: (pre and post construction soil application)
- Terrestrial non-food: (golf courses, sod farms, commercial lawns, and perimeter treatment around commercial buildings)
- Residential outdoor: (lawns, perimeter treatment around buildings & ornamentals)

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 data submission requirements regarding the support of such use(s). Each formulator is responsible for obtaining EPA registration for their end-use product(s).

*This product is not for formulation into end-use product for use in or on food/feed areas, including food handling establishments (except for crack and crevice and bait station products) or in/or food/feed.

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STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage, disposal, or cleaning or equipment.

Pesticide Storage: Store in original container. Store in a cool, dry place.

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

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 processing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Offer the drum for recycling, if available.

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. 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. However, it is impossible to eliminate all risks associated with the use of this product. 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.

Technical MCW 437 (11678-76).

