

11/16/2001

1/5



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Kresti Lyddon
Howard Johnson's Enterprises, Inc.
700 W. Virginia St, #222
Milwaukee, WI 53204-1548

NOV 16 2001

Dear Ms. Lyddon:

Subject: Amendment - Comply with 2000 Diazinon MOA;
Delete Celery;
Update First Aid per PR Notice 2001-1; and
Update CSF/replacement diazinon source
All Season Diazinon 5G Insecticide
EPA Registration Number 32802-5
Your submission dated June 28, 2001

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(7)(a), is acceptable provided that you:

1. Submit and/or cite all data or other material required for registration/reregistration of your product under FIFRA section 3(c)(5) or FIFRA section 4 when the Agency requires all registrants of similar products to submit such data.
2. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:
 - a. In the Environmental Hazards, shorten the sentence beginning "Do not apply direct to water, or to areas..." to just "Do not apply directly to water."
 - b. The heading SPECIAL PRECAUTIONS TO REDUCE RISKS TO BIRDS and its associated text should appear within an outline box.
 - c. In the first sentence of the third paragraph under the heading Area Lawn Treatment, revise "squar feet" to "square feet".
 - d. Under the heading Lawn Spot Treatment, replace "(do not use high garden hose that may disturb ants and cause migration, reducing the effectiveness. of treatment)." with " Do not use high pressure watering from a garden hose that may disturb ants and cause migration, reducing the effectiveness of treatment."

- e. Under the heading Home Vegetable Gardens, revise the sentence "Do not apply this product to food crops grown in greenhouses." to read "Do not apply this product in greenhouses."
3. Submit three (3) copies of your final printed labeling before you release the product for shipment.
4. Comply with all applicable provisions of the 2000 Memorandum of Agreement Regarding Pesticide Products Containing Diazinon (i.e., the Diazinon MOA). In accordance with the Diazinon MOA you have requested the following revisions to the conditions of registration for this diazinon product with outdoor non-agricultural (i.e., home and garden) uses:
 - a. You have requested under section 6(f) of FIFRA that this registration be voluntarily canceled on a date not later than December 31, 2004.
 - b. You may not manufacture, label, or release for shipment this product after June 30, 2003.
 - c. You may not sell or distribute this product after August 31, 2003.
 - d. The registration for this product shall expire and be canceled on December 31, 2004.
 - e. You will send to every person who directly purchases this product (i.e., to every seller) a notification of Product Recovery Program to be conducted by Syngenta and Makhteshim after December 31, 2004.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

The Basic Confidential Statement of Formula (CSF) dated June 27, 2001 which identifies a replacement diazinon source Manufacturing Use Product is acceptable and has been added to this product's registration file.

Sincerely,

George T. LaRocca
Product Manager 13
Insecticide Branch
Registration Division (7505C)

3/5

ALL SEASON DIAZINON 5G INSECTICIDE

**FOR OUTDOOR USE ON HOME LAWNS
AND HOME VEGETABLE GARDENS ONLY**

**THIS PRODUCT MUST NOT BE USED ON
GOLF COURSES AND SOD FARMS**

(optional marketing statements:)

LAWN AND GARDEN INSECT CONTROL
KILLS INSECTS WHICH DAMAGE LAWNS AND GARDENS
KILLS AND CONTROLS SURFACE FEEDING INSECTS
AND ROOT FEEDING INSECTS
KILLS INSECTS ABOVE AND BELOW THE GROUND
FOR PERIMETER TREATMENT AROUND HOMES
CREATES A BARRIER AGAINST INVADING INSECTS
STOPS INSECTS BEFORE THEY INVADE THE HOME
AIDS IN CONTROL OF IMPORTED FIRE ANTS
READY-TO-USE GRANULES
EASY TO USE GRANULES
CONTAINS DIAZINON INSECTICIDE
5% DIAZINON KILLS INSECTS FAST
FAST ACTING - LONG LASTING - INSECT CONTROL
WORKS WITHIN 24 HOURS -
NO WAITING FOR DAYS OR WEEKS
USE THROUGHOUT THE INSECT SEASON
NON-STAINING

MAXIMUM COVERAGE: XX SQUARE FEET *(based on bag size)*

ACTIVE INGREDIENT:

Diazinon: [O,O-Diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate] 5.0%

INERT INGREDIENTS: 95.0%

TOTAL: 100.0%

EPA Reg. No. 32802-5

EPA Est. No. 32802-WI-1 (A), 32802-MO-1 (B)

First letter of bag code shows establishment where manufactured.

Manufactured by:

HOWARD JOHNSON'S ENTERPRISES, INC.
700 W. Virginia Street, Milwaukee, WI 53204-1548

KEEP OUT OF REACH OF CHILDREN CAUTION

See (back or side) panel for additional
precautionary statements and first aid information

ACCEPTED

NET WEIGHT:

NOV 16 2001

(Label for EPA Reg. No 32802-5, PAGE 1 OF 3)

91718B

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing dust and contact with eyes, skin or clothing. May cause contact sensitization following repeated skin contact in susceptible individuals. If sensitization reaction results, call a physician. Do not allow children or pets on treated area until granules have been watered in and grass or soil has dried. Wash thoroughly after handling and before smoking or eating. Food utensils (spoons or measuring cups) must not be used for food purposes after use in measuring insecticides.

FIRST AID

This product contains diazinon, an organophosphate insecticide that inhibits cholinesterase.

IF SWALLOWED

- Call a poison control center or doctor immediately for treatment advice.
- Have a 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 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.

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.

HOT LINE NUMBER

In the event of a major fire, spill, or other emergency call
1-800-888-8372 day or night.

NOTE TO PHYSICIAN

This product contains diazinon, an organophosphate that inhibits cholinesterase. If symptoms of cholinesterase inhibition are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal, but should be administered only in conjunction with atropine.

ENVIRONMENTAL HAZARDS: This pesticide is highly toxic to birds, fish and other wildlife. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff may be hazardous to fish and other aquatic organisms in neighboring areas. Shrimp and crab may be killed at application rates recommended on this label. Do not apply where aquatic life are important resources. Do not contaminate water by cleaning of equipment or disposal or equipment wash waters.

BIRD CAUTION: Birds, especially waterfowl (ducks or geese), feeding or drinking on treated areas may be killed. Because of the migratory habits of certain Atlantic Coast waterfowl, do not apply this product to lawns in Nassau County, New York, between November 1 and May 20. Do not exceed maximum permitted label rates. Application rates above those recommended significantly increase potential hazards to birds and waterfowl. Avoid overlapping of granules. Follow all watering instructions in the directions for use, however, stop watering before puddling occurs. Do not apply this product to sites occupied by waterfowl, or within 75 feet of any body of water that may attract waterfowl, such as ponds or lakes. Do not contaminate ornamental fish ponds.

DIRECTIONS FOR USE: It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Repackaging and reformulation of this product is prohibited.

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. Do not use this product indoors.

SPECIAL PRECAUTIONS TO REDUCE RISKS TO BIRDS:

1. Do not treat areas larger than 15,000 square feet.
2. If repeat application is necessary, wait at least 3 weeks between applications. Make no more than 4 applications per year.
3. Read and follow all of the other precautions that appear in the Environmental Hazards section of this label.

LAWN APPLICATIONS:

ON LAWNS THIS PRODUCT KILLS:

Armyworms, Ants, Bermudagrass Mites, Billbugs, Brown Dog Ticks, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Digger Wasps, Earwigs, Fire Ants (aids in control), Fleas, Leafhoppers, Millipedes, Sod Webworms (Lawn Moth), Sowbugs, Springtails (Collembola), Hyperodes Weevils, and White Grubs (larvae of European Chafer, Southern Chafer, Japanese Beetle, Dung Beetle).

AREA LAWN TREATMENT:

To control Armyworms, Ants, Bermudagrass Mites, Billbugs, Brown Dog Ticks, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Digger Wasps, Earwigs, Fire Ants (aids in control), Fleas, Leafhoppers, Millipedes, Sod Webworms (Lawn Moth), Sowbugs, Springtails (Collembola) on grass and dichondra lawns: Apply 2 pounds per 1000 square feet (87 pounds per acre). Apply when lawn is dry, then water lawn lightly after application.

To control Billbugs and White Grubs (larvae of European Chafer, Japanese Beetle and Southern Chafer, Dung Beetle): Apply 2 pounds per 1000 square feet (87 pounds per acre). Water lawn with at least 1/4" of water after application (but stop before puddling occurs). For White Grubs, apply between late July and early October. For dung beetle grubs, apply in spring or summer when damage is first noticed. For Billbugs, apply when activity is first observed or when chewed grass shows Billbug damage. Repeat as necessary.

To control Hyperodes Weevil: Apply 2 lbs. per 1000 square feet (87 pounds per acre). Water lawn with at least 1/4" of water after application (but stop before puddling occurs). Treat problem areas in April and again in mid-May.

LAWN SPOT TREATMENT:

Ants: Apply 1 1/2 teaspoon of granules over and around each ant hill. Digger Wasps: Apply 1 1/2 teaspoons of granules in and around each nest opening. Apply at dusk when wasps are not active.

Fire Ants: To aid in the control of Fire Ants in lawns and other outdoor home recreation areas, apply 1/2 cup of granules over and 2 feet around each ant mound. Immediately after application, water the granules in with at least 1 gallon of water for each mound. Apply gently to avoid disturbing ants. (do not use high garden hose that may disturb ants and cause migration, reducing the effectiveness of treatment). For best results, apply in cool weather (65°F to 80°F) or in early morning or late evening hours. Reapply as necessary. Treat new mounds as they appear. Works within 24 hours. No waiting for days or weeks.

BAND TREATMENT AROUND HOUSE FOUNDATION:

The following insects are commonly found around or near house foundations and may enter the house: Ants, Brown Dog Ticks, Clover Mites, Earwigs, Fleas, Millipedes, Sowbugs (Pillbugs), Springtails (Collembola). To help prevent insects from invading the home, apply a 2 foot wide band of this product next to the house foundation. Distribute the insecticide granules uniformly, at the rate of 3.2 ounces (XX tablespoons, as determined by product density) per 100 square feet (2 ft x 50 ft) (2 pounds per 1000 square feet). If necessary, repeat application at 3 week intervals.

(Label for EPA Reg. No 32802-5, PAGE 2 OF 3)

917188

HOME VEGETABLE GARDENS:

SPECIAL PRECAUTIONS TO REDUCE RISKS TO BIRDS:

1. Thoroughly mix insecticide granules into soil during or immediately after application.
2. Granules that are spilled or are visible on soil surfaces should be covered with soil thoroughly mixed into the soil.
3. Read and follow all of the other precautions that appear in the Environmental Hazards section of this label.

IN HOME VEGETABLE GARDENS THIS PRODUCT KILLS:

Cutworms, Mole Crickets, Onion Maggots, Root Maggots, Wireworms.

HOME VEGETABLE GARDENS: This product kills certain garden insects on crops as listed. Apply granules uniformly at the listed rate; use higher rate only for heavy infestation of insects. Do not apply this product to food crops grown in greenhouses.

Vegetable	Pest	Application Rate Oz. per 500 sq. ft.	Timing Instructions Broadcast & mix into soil
CUCUMBER	Wireworms	7 - 14 oz.	Just before planting
PARSLEY	Wireworms	10.5 - 14 oz.	Just before planting
SPINACH			
SWISS CHARD			
POTATOES			
SQUASH - Summer & Winter			
BEANS - Pole, snap or limas, succulent only. Do not use on dried beans (pintos, dried limas, navy)			
PEAS - Succulent only. Do not use on dried peas such as dried blackeyed peas			
MELONS - Including cantaloupe, casaba, crenshaw, honeydew, muskmelon, Persians & hybrids, and watermelons			
CARROTS	Cutworms	7 - 14 oz.	Just before planting
COLLARDS	Wireworms	10.5 - 14 oz.	Just before planting
LETTUCE	Mole Crickets	3.5 oz.	1-2 days before planting
KALE			
ENDIVE (Escarole)			
PEPPERS			
TOMATOES			
BEETS - Red, table			
BROCCOLI	Root Maggots	7 - 10.5 oz.	Just before planting
CABBAGE	Cutworms	7 - 14 oz.	Just before planting
CAULIFLOWER	Wireworms	10.5 - 14 oz.	Just before planting
BRUSSELS SPROUTS	Mole Crickets	3.5 oz.	1-2 days before planting
MUSTARD			
RADISHES	Mole Crickets	3.5 oz.	1-2 days before planting
ONIONS (Bulb & Green)	Wireworms	10.5 - 14 oz.	Just before planting
	Onion Maggots	7 - 14 oz.	Just before planting & mix into top 3-4 inches soil
Note: Resistant Onion Maggots will not be controlled by diazinon or similar insecticides			
SWEET CORN	Cutworms	7 - 14 oz.	Just before planting
	Wireworms	10.5 - 14 oz.	Just before planting
	Seed corn maggot	7 - 14 oz.	Just before planting & mix into top 2 inches soil
SWEET POTATOES	Wireworms	10.5 - 14 oz.	Just before planting
TURNIPS	Mole Crickets	3.5 oz.	1-2 days before planting
	Wireworms	10.5 - 14 oz.	Just before planting
SOIL INCORPORATION			
Thoroughly mix insecticide into the soil during or immediately after application:			
Insect		Depth to mix into soil	
Mole Crickets		1 to 2 inches	
Root Maggots, Onion Maggots		3 to 4 inches	
Wireworms		4 to 8 inches	
Seed Corn Maggots		2 inches	
Surface Cutworms		2 to 3 inches	
Subterranean Cutworms		3 to 6 inches	
Cutworm (unidentified)		4 to 6 inches	

STORAGE AND DISPOSAL

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

STORAGE: Store in original container in a locked storage area out of reach of children and domestic animals.

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: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill, or by incineration, or, if allowed by State and Local authorities, by burning. Do not burn, stay out of smoke.

(Alternate wording for household use packages;)

PESTICIDE DISPOSAL: Securely wrap original container in several layers of newspaper and discard in trash.

CONTAINER DISPOSAL: Do not reuse container (bag, jar, can). Discard in trash.

GUARANTEE: This product is unconditionally guaranteed.

(Alternate wording for warranty statement:)

GREEN GUARANTEED: Your satisfaction is guaranteed when this product is used in accordance with instructions. Of product performance is less than satisfactory, seller will refund the full purchase price with evidence of purchase.

(Alternate wording for warranty statement:)

NOTICE: Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label.

(Alternate wording for warranty statement:)

WARRANTY AND DISCLAIMER: Manufacturer/seller warrants that this product conforms to the ingredient statement on the label, and that the product is reasonably suited for the labeled use when applied according to directions. Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label. Manufacturer/seller makes no other warranty, expressed or implied, and shall not be liable for indirect or consequential damages.

(Alternate wording for warranty statement:)

WARRANTY AND DISCLAIMER: Manufacturer/seller warrants that this product conforms to the ingredient statement on the label, and that the product is reasonably suited for the labeled use when applied according to directions. Buyer and user assumes all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label. No other warranty, expressed or implied, is made concerning the merchantability or fitness for a particular purpose. Manufacturer/seller's liability shall be limited to the purchase price of the product. In no case shall manufacturer/seller be liable for consequential or incidental damages or loss.

(Alternate wording for warranty statement:)

NOTICE: Manufacturer/seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with the use of this product. Plant 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 manufacturer/seller. In no case shall manufacturer/seller be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the buyer. Except as expressly provided, manufacturer/seller makes no other warranties or representations, expressed or implied, or by usage of trade, statutory or otherwise, including, but not limited to, merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage. Buyer's or user's exclusive remedy for loss or damage resulting from this product shall be limited to the cost of the product.