

MAY 14 1993

Mr. Charles Cookston
Nichimen America Inc. (Chemicals Dept.)
1185 Avenue of the Americas
New York, NY 10036

Dear Mr. Cookston:

Subject: Amendment - Voluntary changes intended
to reduce risks to birds

DIANON

EPA Reg. No. 33649-1

Your submission dated September 14, 1992

The amendment referred to above, submitted in connection with a registration under the Federal Insecticide, Fungicide, and Rodenticide Act is acceptable provided the following revisions are made prior to release for shipment under the amended labeling:

- 1) Delete "mushrooms" from the crop listing under the heading on the following terrestrial food crops. Mushrooms or compost may not be treated, only the outside and inside walls, floors, and sideboards of mushroom houses may be sprayed (and only use of 50% diazinon wettable powder formulations is supported for reregistration).
- 2) In the first sentence under the heading DIRECTIONS FOR USE, and in the second sentence of the Pesticide section of the Storage and Disposal directions, capitalize the "F" of "Federal".
- 3) Under the heading on the following terrestrial food crops, you may add the crop "Chinese broccoli" to appear directly after "broccoli".
- 4) Also under the heading on the following terrestrial food crops, revise the entry "Chinese cabbage (bok choy)" to "Chinese cabbage (bok choy and nappa)".
- 5) Due to the Agency's granting of a data waiver to permit use of a 24C for limited watercress acreage use in Hawaii only, you may add the following after the terrestrial crops entry:

on the following aquatic food crops:
watercress (Hawaii only)

- 6) In the new paragraph following the use sites, i.e., "This product may be used to formulate end-use granular products...", revise the end of the first sentence to read "... to reduce risks to birds.", rather than "... to insure safety to birds."
- 7) In the Turf section, revise the heading for the avian precautions to read: SPECIAL PRECAUTIONS TO REDUCE RISKS TO BIRDS. In this same section revise the first two sentences to read as follows:

Birds, especially waterfowl (ducks or geese), feeding or drinking on treated areas may be killed. To reduce risks to birds:
- 8) It would be beneficial if you could show the heading and text of the SPECIAL PRECAUTIONS TO REDUCE RISKS TO BIRDS within an outline box (as it appears on the latest labels for Ciba-Geigy's diazinon end-use granular products which incorporate avian risk reduction precautions) for both the turf section (heading plus introduction plus items a - g) and the vegetable and field crops section (heading plus introduction plus items a - b). This would not only provide appropriate highlighting of these precautions, but would also aid a formulator who might think that items 2 through 4 (Turf) and item 2 (Field and Vegetable crops) were part of the precautionary text rather than special instructions to aid formulators preparing their label directions.
- 9) Item "2" of the special precautions for use on turf would be clearer if you said "Granular formulations with greater than 5% active ingredient may not be use on turf."
- 10) In the Vegetables and Field Crops section, add the heading for the avian precautions, SPECIAL PRECAUTIONS TO REDUCE RISKS TO BIRDS. In this same section, revise the second sentence to read: "To reduce risks to birds:".
- 11) Revise the first two sentences of the Environmental Hazards to read: "This pesticide is highly toxic to fish and wildlife. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public waters unless this product is specifically identified and addressed in an NPDES permit."

A stamped copy of the label is enclosed for your records. Please submit five copies of the revised amended label prior to release for shipment under the amended label.

Please note that the Agency's acceptance of this label at this time does not preclude future label revision requirements or other regulatory actions by the U. S. Environmental Protection Agency in regards to avian risk reduction.

Sincerely,

George T. LaRocca
Product Manager (13)
Insecticide Rodenticide Branch
Registration Division (H7505C)

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DIANON (Stabilized Diazinon)

An insecticide for Formulating Use Only Into Registered End-Use Insecticides.

Not for Resale under this label.

Not to be repackaged for use.

Active Ingredient:

Diazinon: O,O-Diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate.....87.0% (8 lbs./gallon)

Inert Ingredients:.....13.0%

Total:.....100.0%

KEEP OUT OF REACH OF CHILDREN.

WARNING

See additional precautionary statements at end of label.

See directions for use on panel at left.

EPA Reg. No. 33649-1

EPA Est. No. 33649-JP-02

55 U. S. Gallons

Net Weight 504 lbs.

MANUFACTURER:

Nippon Kayaku Co., Ltd.
2-1, Marunouchi 1-Chome,
Chiyoda-ku, Tokyo 100, Japan

Registered Agent:

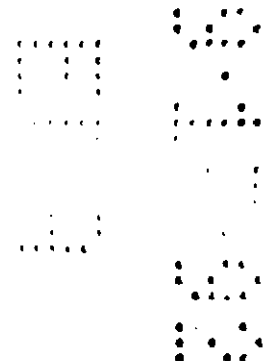
Nichimen America Inc.
1185 Avenue of the Americas
New York, New York 10036

ACCEPTED
with COMMENTS
in EPA Letter Dated

MAY 14 1993

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

33649-1



DIANON (Stabilized Diazinon)

DIRECTIONS FOR USE AND CONDITIONS OF SALE AND WARRANTY

IMPORTANT: Read the entire Directions for Use and the Conditions of Sale and Warranty before using this product. If terms are not acceptable, return the unopened product container at once.

Conditions of Sale and Warranty

The Directions for Use of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with 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 Nippon Kayaku Co., Ltd. or the Seller. All such risks shall be assumed by the Buyer.

Nippon Kayaku Co., Ltd. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use subject to the inherent risks referred to above. Nippon Kayaku Co., Ltd. makes no other express or implied warranty of Fitness or Merchantability or any other express or implied warranty. In no case shall Nippon Kayaku Co., Ltd. or the Seller be liable for consequential, special or indirect damages resulting from the use or handling of this product. Nippon Kayaku Co., Ltd. and the Seller offer this product, and the Buyer and user accept it subject to the foregoing Conditions of Sale and Warranty, which may be varied only by agreement in writing signed by a duly authorized representative of Nippon Kayaku Co., Ltd.

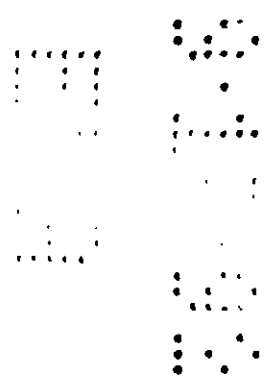
No end use of this product other than formulation is intended or implied by the above Conditions of Sale and Warranty.

DIRECTIONS FOR USE

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

Formulators using this product are responsible for obtaining EPA registration of their formulated products.

This pesticide may be used only for the formulation of end-use insecticides for use:



on the following terrestrial food crops:

almonds, apples, apricots, beans (succulent only) (including seed treatment), beets, blackberries, blueberries, boysenberries, broccoli, Brussels sprouts, cabbage, Chinese cabbage, (bok choy), cantaloupe, carrots, Casaba melons, cauliflower, celery, cherries, cole crops, collards, red chicory (radicchio), corn (including seed treatment), cranberries, Crenshaw melons, cucumbers, dewberries, endive (escarole), eggplant, ginseng, grapes, honeydew melons, hops, kale, lettuce, lima beans (succulent only), loganberries, melons, mushrooms, muskmelons, mustard greens, Chinese mustard, nectarines, onions, parsley, parsnips, peaches, pears, peas (succulent only) (including seed treatment), peppers, Persian melons, pineapples, plums, potatoes, prunes, radishes, Chinese radishes, raspberries, rutabagas, snap beans, spinach, squash, strawberries, sugar beets, sweet potatoes, Swiss chard, tomatoes, turnips (including tops), walnuts, watermelons and zucchini.

in terrestrial non-crop areas including:

Uncultivated non-agricultural areas (including barrier strips, ditch banks, non-crop areas, roadsides and wastelands).

inside: mushroom houses

on:

ornamentals (including greenhouse) and lawns (excluding golf courses and sod farms)

inside and outside:

domestic dwellings, commercial buildings, food/feed handling establishments, and animal quarters (excluding dairy barns, milk rooms, and poultry houses),

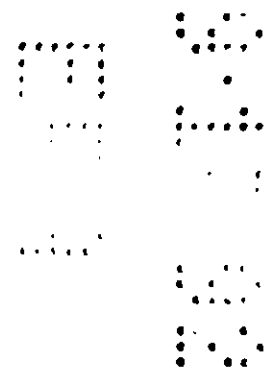
and on the following animals:

cattle (non-lactating), sheep, cats, and dogs.

This product may be used to formulate end-use granular products for use on vegetables, field crops, and turf only if the labeling for such end-use products include certain directions and precautions to insure safety to birds. This product may not be used to formulate end-use granular formulations of diazinon unless the labeling for the end-use product includes the following restrictions and directions:

Turf

1. The following precautions must appear in the directions for use:



SPECIAL PRECAUTIONS TO AVOID HAZARD TO BIRDS

Birds, especially waterfowl (ducks, geese) feeding or drinking on treated areas may be killed. To avoid hazard to birds:

- a) Do not treat areas larger than 15,000 sq. ft.
 - b) Because of the migratory habits of certain waterfowl, do not apply in Nassau County, New York between November 1 and May 20.
 - c) Do not exceed maximum permitted label rates, since rates above those recommended significantly increase potential hazards to birds, especially waterfowl.
 - d) Avoid overlapping treated areas.
 - e) Follow all watering instructions included within the directions for use, however stop watering before puddling occurs.
 - f) Do not apply this product to sites occupied by waterfowl or to sites within 75 ft. of any body of water that may attract waterfowl, such as lakes or ponds.
 - g) If necessary to repeat application, wait a minimum of 3 weeks between applications. Make no more than 4 applications per year.
- 2) Formulations with greater than 5% active ingredient may not be used on turf.
 - 3) The maximum use rate on turf is 4.3 lbs. a. i./Acre.
 - 4) For foundation band treatments around house foundations the band must be no wider than 2 ft. and the use rate no greater than 4.3 lbs. a. i./A.

Vegetables and Field Crops

1. The following precautions must appear in the directions for use:

Birds feeding on treated areas may be killed. To avoid toxicity to birds:

- a) Thoroughly incorporate this product into the soil during or immediately after application. Refer to the soil incorporation depth specified in the directions for use.
 - b) Cover or incorporate spilled granules.
2. Aerial and unincorporated applications of granules is not permitted.

Chemical and Physical Properties

Refer to: "Technical Bulletin - DIANON (Diazinon) Insecticide". Contact your Nippon Kayaku Specialty Sales Representative or Nichimen America Inc., Chemicals Department, in New York, New York for a copy of this document.

Storage and Disposal

Do not contaminate water, food or feed by storage or disposal or cleaning of equipment. Open dumping is prohibited.

Pesticide: Pesticide wastes are toxic. Improper disposal is a violation of federal law. If pesticide or equipment rinsates cannot be used according to formulation instructions or chemically reprocessed, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

Container: Triple rinse or equivalent. Then offer for return to manufacturer, or recycle or recondition or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

Note: For minor spills, leaks, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup and disposal of wastes. In the event of a major spill or accident, contact toll free, day or night (800) 424-9300, or daytime, Nichimen America Inc., Chemicals Department "DIANON Team", (212) 719-1000.

Precautionary Statements

Hazards to Humans and Domestic Animals

WARNING

May be fatal if swallowed. May be absorbed through skin. Do not breathe vapors or spray mist. Do not get in eyes, on skin or on clothing. Wash thoroughly after handling and before eating or smoking. Avoid contamination of food and feed.

Statement of Practical Treatment

If swallowed: Call a physician or Poison Control Center immediately. Drink a large quantity of water and induce vomiting by touching back of throat with finger. Repeat until vomit fluid is clear. Do not induce vomiting or give anything by mouth if person is unconscious or convulsing.

If on skin: Immediately wash with soap and water. Remove contaminated clothing and launder before reuse. Contact a physician or Poison Control Center if symptoms of poisoning develop.

If in eyes: Flush eyes with plenty of water, and get medical attention.

If inhaled: Move to fresh air. If not breathing, apply artificial respiration, and get medical attention immediately. Do not apply mouth-to-mouth resuscitation if exposure was by swallowing.

Note to Physician: Diazinon is a cholinesterase inhibitor. If symptoms of cholinesterase inhibition are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal and may be administered, but only in conjunction with atropine.

Environmental Hazards

This product is highly toxic to fish and wildlife. Do not discharge effluent into lakes, streams, ponds, estuaries, oceans, or public waters unless this product is specifically identified and addressed in an NPDES permit. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or your Regional Office of the Environmental Protection Agency.

September 11, 1992

