

34704-960

02/04/2010

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

FEB 04 2010

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Chris Mason
Loveland Products, Inc.
P.O. Box 1286
Greeley, Colorado 80632-1286

Subject: Change Primary Brand Name and Update Emergency Number, Warranty Statement and Storage and Disposal Statement

Dear Mr. Mason:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 & 98-10 dated January 18, 2010 for:

EPA Registration 34704-960

Imidacloprid 0.5G name changed to Malice 0.5G

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 & 98-10 and finds that the label change(s) requested falls within the scope of PRN-2007-4 & 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, call me at 703 305-5409 or electronically at daniel.dani@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "LD" or similar initials.

Dani Daniel
Registration Division (7505P)
Insecticide/Rodenticide Branch

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

NOTIFICATION

FEB 04 2010

Application for Pesticide - Section I

1. Company/Product Number 34704-960	2. EPA Product Manager John Hebert	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Imidacloprid 0.5G	PM# Team 7	
5. Name and Address of Applicant (Include ZIP Code) Loveland Products, Inc. P.O. Box 1286 Greeley, Colorado 80632-1286 <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 or identical in composition and labeling to: EPA Reg. No. _____ 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 checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification of Imidacloprid 0.5G (EPA Reg No 34704-960) for the following revisions: change the Primary Brand Name from 'Imidacloprid 0.5G' to 'Malice 0.5G'; warranty statement; medical emergency number; storage and disposal per PR Notices 98-10 and 2007-4. 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. Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt	No. per container	<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 30 lbs, 50 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> Label Booklet	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input checked="" type="checkbox"/> Other Pressure sensitive - self adhering	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Chris Mason	Title Registration Manager	Telephone No. (Include Area Code) 970-347-3415
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 	3. Title Registration Manager	
4. Typed Name Chris Mason	5. Date January 18, 2010	

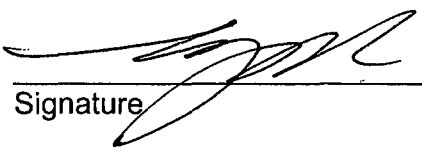
Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
34704-00960	2010/01/18	034704.00960.20100118103006V5D01RB10.pdf

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.



 Signature

01/18/2010

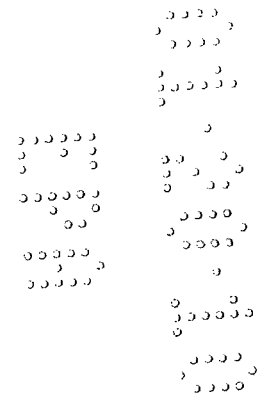
 Date

Christopher J. Mason

 Name (typed)

Manager Registrations, Loveland Products, Inc.

 Title



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Performance

Quality

Value

January 18, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S Crystal Drive
Arlington VA 22202

Subject: Imidacloprid 0.5G, EPA Reg. No. 34704-960

Loveland Products, Inc. is submitting this notification in accordance with PR Notice 98-10 and 2007-4 to accomplish these label updates:

1. **Change the Primary Brand Name from 'Imidacloprid 0.5G' to 'Malice 0.5G' per PR Notice 98-10**
2. **Update Medical Emergency Number per PR Notice 98-10**
3. **Update Warranty Statement per PR Notice 98-10**
4. **Update Storage and Disposal Statement per PR Notice 2007-4**

Please find the following supporting documentation enclosed:

1. Form 8570-1 Application for Registration
2. 2 copies of revised label
3. Copy of EPA letter dated May 11, 2009 approving our warranty statement
4. E-Label Certification Statements
5. CD ROM Containing Searchable PDF Files

Change the Primary Brand Name, Update Medical Emergency Number, Update Warranty Statement:

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.

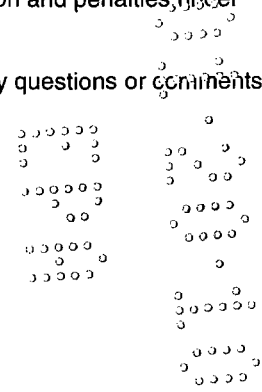
Update Storage and Disposal Statement:

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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 contact me at 970-534-3415 or by e-mail (chris.mason@cpsaqu.com) if there are any questions or comments concerning this submission.

Sincerely,

Chris Mason
Registration Manager
Enclosures



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NOTIFICATION

FEB 04 2010



Systemic insecticide for use on turfgrass and landscape ornamentals.

ACTIVE INGREDIENT:

Imidacloprid: 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine 0.5%

OTHER INGREDIENTS: 99.5%

TOTAL 100.0%

Contains imidacloprid, the active ingredient used in Merit®.

KEEP OUT OF REACH OF CHILDREN CAUTION

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 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

NOTE TO PHYSICIAN: No specific antidote is available. Treat the patient symptomatically.

FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL: 1-866-944-8565.

EPA REG. NO. 34704-960

EPA EST. NO. 8378-IN-001

NET CONTENTS 30 LBS. (13.63 KG)

IHT

103006 V5D 01RB10

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MALICE™ 0.5G
EPA REG. NO. 34704-960

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution: Harmful if swallowed or absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DIRECTIONS FOR USE

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

GENERAL INFORMATION

Malice™ 0.5G will control insects on turf and ornamentals grown in commercial and residential landscapes. Malice 0.5G is a systemic insecticide applied as a soil treatment **only** and is translocated upward within the plant. For best results, Malice 0.5G must be applied where the roots of the target plants can absorb the active ingredient. After application, irrigate moderately but thoroughly being sure to avoid leaching and runoff from the container for at least three irrigations or 10 days whichever is longer.

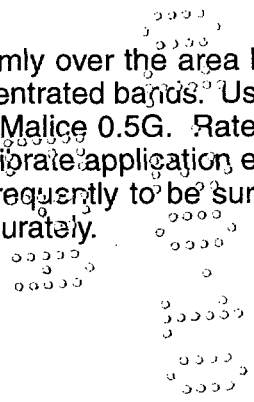
Treated areas may be replanted with any crop specified on an imidacloprid label, or with any crop for which a tolerance exists for the active ingredient. For crops not listed on an imidacloprid label, or for crops for which no tolerances for the active ingredient have been established, a 12-month plant-back interval should be observed.

Malice 0.5G General Use Precautions:

- Do NOT apply more than 80 lbs. (0.4 lb. of active ingredient) per acre per year.
- Following application, avoid runoff or puddling of irrigation water.
- Avoid application of Malice 0.5G to areas which are waterlogged or saturated, which will not allow penetration into the root zone of the plant.
- Prior to commercial use of this product, be sure to carefully calibrate application equipment.

Application Equipment

Using either drop-type or rotary-type spreaders, apply Malice 0.5G uniformly over the area being treated. Avoid the use of spreaders that apply the material in narrow, concentrated bands. Use the following chart as a guide for establishing an accurate application rate of Malice 0.5G. Rates will vary depending on speed, equipment wear and condition of spreader. Calibrate application equipment according to the manufacturer's directions prior to use and check frequently to be sure the equipment is working properly and distributing granules uniformly and accurately.



MALICE™ 0.5G
EPA REG. NO. 34704-960

Spreader Model	Speed (mph)	Settings for 60 lbs./A	Settings for 80 lbs./A
Cyclone Model CB4000	3	3-1/4	3-1/2
Earthway® Drop	3	9	10
Earthway 10' Rotary	3	11	12
Gandy® Turf Tender 24"	3	16	19
Gandy Turf Tender 42"	3	21	23
Lely®	4.5	3.5	-
Lesco® Model 6000	3	B 1/2	C
PSB Prizelawn® CBR-II	3	3-1/4	3-1/2
Scott's® Proturf R-8A	3	H	I
Scott's Proturf SR-1	3	H	I
Scott's PF-1, PF-2, PF-3, PF-4 Drop	3	4	4-1/2
Scott's SS-1 Drop	3	4	4-1/2
Spyker® Model 34	3	3.1	3.2
Vicon Model PS-203	4.5	13	16

APPLICATION TO TURFGRASS

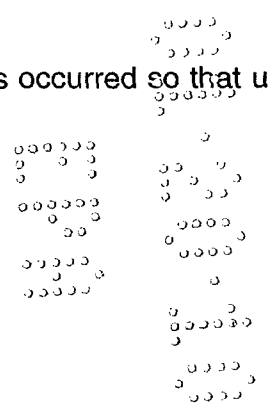
NOTE: Malice 0.5G may NOT be used on commercial sod farms or grass grown for seed.

Malice 0.5G will control soil-inhabiting pests in turfgrass on sites such as home lawns, business and office complexes, shopping complexes, multi-family residential complexes, golf courses, airports, cemeteries, parks, playgrounds, and athletic fields.

The need for an application can be based on historical monitoring of the site, previous records or experiences, current season adult trapping or other methods. Applications may be made preceding the egg laying activity of the target pests and high levels of control may be achieved when applications are made proceeding or during the egg laying period. Consult your local State Agricultural Experiment Station or State Extension Turf Specialist for more specific information regarding timing of application.

For best results, make applications prior to egg hatch of the target pests, followed by sufficient irrigation or rainfall to move the active ingredient through the thatch. The treated turf must be in such a condition that the rainfall or irrigation will penetrate vertically in the soil profile. On golf courses, irrigate treated areas following application.

NOTE: Avoid mowing turf or lawn area until after irrigation or rainfall has occurred so that uniformity of application will not be affected.



MALICET™ 0.5G
EPA REG. NO. 34704-960

RECOMMENDED RATES AND INSTRUCTIONS FOR TURF APPLICATIONS

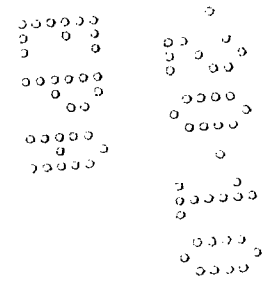
Pest	Application Rate	Specific Instruction
Larvae of: Annual bluegrass weevil Asiatic garden beetle Billbugs Black turfgrass ataenius Cutworms (suppression) European chafer European crane fly Green June beetle Japanese beetle May or June beetle Northern masked chafer Oriental beetle Southern masked chafer	50 to 80 lbs. per acre or 1.2 to 1.8 lbs. per 1,000 sq. ft.	Apply prior to egg hatch for optimum control of grubs, billbugs, European crane fly and annual bluegrass weevil. Be sure to read the "Application Equipment" section of this label under "GENERAL INFORMATION" above.
Chinchbugs (suppression) Mole crickets	80 lbs. per acre or 1.8 lbs. per 1,000 sq. ft.	Apply prior to the hatching of the first instar nymphs for suppression of chinchbugs. For control of mole crickets, apply prior to or during the peak egg hatch period. Malice 0.5G applications should be accompanied by a curative insecticide when adults or large nymphs are present and actively tunneling.

APPLICATION TO ORNAMENTALS

NOTE: Malice 0.5G may NOT be used in commercial greenhouses or nurseries.

Malice 0.5G can be applied as a broadcast application on ornamentals intended for aesthetic purposes or climatic modification in commercial and residential landscapes such as interior plantscapes, ornamental gardens or parks, or on golf courses or lawns and grounds.

The need for an application can be based on historical monitoring of the site, previous records or experiences, current season adult trapping or other methods. Applications may be made preceding the egg laying activity of the target pests and high levels of control may be achieved when applications are made proceeding or during the egg laying period. Consult your local State Agricultural Experiment Station or State Extension Turf Specialist for more specific information regarding timing of application.



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MALICE™ 0.5G
EPA REG. NO. 34704-960

RECOMMENDED RATES AND INSTRUCTIONS FOR ORNAMENTAL APPLICATIONS

Pest	Application Rate	Specific Instructions
White Grub Larvae: (such as Japanese beetle larvae, Chafers, <i>Phyllophaga</i> spp., Asiatic garden beetle, Oriental beetle, etc.)	1.4 to 1.8 lbs. per 1,000 sq. ft.	Apply as a broadcast treatment. Prior to application, remove black plastic or other weed barrier material that will not permit water permeability. For optimum control, mechanical incorporation, irrigation or rainfall should occur within 24 hours after application to move the active ingredient into soil. Be sure to read the "Application Equipment" section of this label under "GENERAL INFORMATION" above.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place in original container and out of the reach of children, preferably in a locked storage area.

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: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment by shaking and tapping sides and bottom to loosen clinging particles. Offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration. Do not burn, unless allowed by state and local ordinances.

For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC 1-800-424-9300.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

BEFORE BUYING OR USING THIS PRODUCT, read the entire Directions for Use and the following Conditions of Sale and Limitation of Warranty and Liability. By buying or using this product, the buyer or user accepts the following Conditions of Sale and Limitation of Warranty and Liability, which no employee or agent of LOVELAND PRODUCTS, INC. or the seller is authorized to vary in any way.

Follow the Directions for Use of this product carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop or other plant injury, ineffectiveness, or other unintended consequences may result from such risks as weather or crop conditions, mixture with other chemicals not specifically identified in this product's label, or use of this product contrary to the label instructions, all of which are beyond the control of LOVELAND PRODUCTS, INC. and the seller. The buyer or user of this product assumes all such inherent risks.

Subject to the foregoing inherent risks, LOVELAND PRODUCTS, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when the product is used in strict accordance with such Directions for Use under normal conditions of use. EXCEPT AS WARRANTED IN THIS LABEL AND TO THE

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MALICE™ 0.5G
EPA REG. NO. 34704-960

EXTENT CONSISTENT WITH APPLICABLE LAW, THIS PRODUCT IS SOLD "AS IS," AND LOVELAND PRODUCTS, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ELIGIBILITY OF THIS PRODUCT FOR ANY PARTICULAR TRADE USAGE.

IN THE UNLIKELY EVENT THAT BUYER OR USER BELIEVES THAT LOVELAND PRODUCTS, INC. HAS BREACHED A WARRANTY CONTAINED IN THIS LABEL AND TO THE EXTENT REQUIRED BY APPLICABLE LAW, BUYER OR USER MUST SEND WRITTEN NOTICE OF ITS CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, P.O. BOX 1286, GREELEY, CO 80632-1286.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE BUYER'S OR USER'S EXCLUSIVE REMEDY FOR ANY INJURY, LOSS, OR DAMAGE RESULTING FROM THE HANDLING OR USE OF THIS PRODUCT, INCLUDING BUT NOT LIMITED TO CLAIMS OF BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORTS, SHALL BE LIMITED TO ONE OF THE FOLLOWING, AT THE ELECTION OF LOVELAND PRODUCTS, INC. OR THE SELLER: DIRECT DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE PRODUCT OR REPLACEMENT OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, LOVELAND PRODUCTS, INC. AND THE SELLER SHALL NOT BE LIABLE TO THE BUYER OR USER OF THIS PRODUCT FOR ANY CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES, OR DAMAGES IN THE NATURE OF A PENALTY.

Earthway® is a registered trademark of Earthway Products, Inc.
Gandy® is a registered trademark of the Gandy Company.
Lesco® is a registered trademark of Lesco Technologies LLC.
Malice® is a registered trademark of Loveland Products, Inc.
Merit® is a trademark of Bayer.
Prizelawn® is a registered trademark of White Castle Management Company.
Scott's® is a registered trademark of OMS Investements Inc.
Spyker® is a registered trademark of Spyker Spreaders LLC.

FORMULATED FOR



Loveland
PRODUCTS INC.

P.O. BOX 1286, GREELEY, COLORADO 80632-1286

