

MAY 7 1991

Ms. Paula F. Paul
 Nor-Am Chemical Company
 P. O. Box 7495, Riverside Road
 Wilmington, DE 19802

Dear Ms. Paul:

Subject: Conditional Amendment for
 Almonds and Almonds
 Apollo CC
 EPA Registration No. 45639-126
 Your resubmission of March 14, 1991

The Agency is conditionally approving an amendment to the registration of the above-referenced product under the authority of section 10(c)(1)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This amendment allows use of the product on almonds and almond hulls. In accordance with your request, this amendment will become automatically effective on September 20, 1993. In addition, during the period that this amendment is effective, it will be subject to the conditions listed below. To maintain your registration you must:

1. Submit the data required by the guidelines below, from tests conducted in accordance with the Good Laboratory Practice Registration Standards, 40 CFR Part 166, and appropriate test guidelines as referenced in EPA's Data Requirements for Registration Regulation, 40 CFR Part 152.

71-4 - Avian reproduction-both upland game and waterfowl.

72-4 - Daphnia life cycle study

72-5 - Fish life cycle study

Submit the above data no later than May 1, 1993.

2. Submit five (5) copies of your final printed label before you release the product for shipment.

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CONCURRENCES

SYMBOL							
SURNAME							
DATE							

3. Submit and/or cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.

You should note that if you fail to satisfy any of the conditions imposed on this registration, e.g., you fail to submit the required data by the specified deadlines or the data submitted were not generated in accordance with the applicable test guidelines, EPA may issue a Notice to cancel this amendment under section 6(e) of FIFRA.

You should also note that, regardless of whether you satisfy all applicable conditions, this conditional registration will expire automatically on September 30, 1993. Sales and distribution of the subject product bearing labeling for use on almonds and walnuts after September 30, 1993 will be illegal. The tolerance authorizing residues of the subject product in almonds and walnuts will expire automatically, on September 30, 1994. After that date, sales or distribution of food in interstate commerce containing any residue of the subject product will be in violation of the Federal Food, Drug and Cosmetic Act.

The Agency will not renew, extend or establish a new tolerance nor issue a new conditional registration for the almonds and walnuts uses until the avian reproduction studies and Daphnia and fish life have been submitted, reviewed and found acceptable.

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

Sincerely yours,

Dennis E. Edwards, Jr.
Product Manager (12)
Insecticide Rodenticide Branch
Registration Division (H-7505C)

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SYMBOL				
SIGNATURE				
DATE				

SUPPLEMENT L LABEL

This label must be in the possession of the user at the time of the pesticide application.

Apollo®

MAY 7 1991

Label for use of Apollo SC on Walnuts and Almonds.
This label is not to be used for any other use.
as it is not registered for such use.
registered under EPA Reg. No.
45639-135

OVICIDE MITICIDE

A Suspension Concentrate (SC) Formulation for Mite Control on
Walnuts and Almonds

RESTRICTED USE PESTICIDE

RESTRICTED USE PESTICIDE

For the retail sale to, and use only by, Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

EPA Registration No. 45639-135

IMPORTANT—Read the entire Directions for Use and Disclaimer of Warranties before using this product.

DIRECTIONS FOR USE

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

Do not apply this product in such a manner as to directly or through drift expose workers or other persons. The area being treated must be vacated by unprotected persons.

REENTRY STATEMENT

Do not enter treated areas without protective clothing until sprays have dried. Because certain states may require more restrictive reentry intervals for various crops treated with this product, consult your State Department of Agriculture for further information.

Written or oral warnings must be given to workers who are expected to be in a treated area or in an area about to be treated with this product. When oral warnings are given, warnings shall be given in a language customarily understood by workers. Oral warnings must be given if there is reason to believe that written warnings cannot be understood by workers. Written warnings must include the following information:

CAUTION: Area treated with APOLLO® SC on (date of application). Do not enter without appropriate protective clothing until leaves are completely dry. In case of accidental exposure, see Statement of Practical Treatment on the label.

GENERAL INFORMATION

APOLLO® SC is a specific miticide which acts as an ovicide and on the young motile stages. APOLLO SC is relatively non-toxic to beneficial insects and mites. It has good residual activity on European red mites, two-spotted spider mites, McDaniel mites, yellow spider mites, and pacific spider mite when applied according to label directions.

MANAGING MITE RESISTANCE

Repeated use of miticides with a similar mode of action may lead to buildup of resistant strains of mites. For good resistance management practices, NOR-AM Chemical Company recommends that the ovicide/ larvicide APOLLO SC be applied only once per year.

NOR-AM
NOR-AM CHEMICAL COMPANY
A Schering-Boehr Company

3509 Silverside Road, P.O. Box 7495
Wilmington, DE 19803

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ALMONDS AND WALNUTS

TARGET SPECIES

European red mite	<i>Panonychus ulmi</i>
Two-spotted spider mite	<i>Tetranychus urticae</i>
Pacific spider mite	<i>Tetranychus pacificus</i>
McDaniel mite	<i>Tetranychus mcdanieli</i>

APOLLO SC may be applied by ground using either dilute or concentrate spray equipment. Do not apply by air.

Concentrate or Dilute Application (50-400 gallons per acre): Apply 2-8 ounces of APOLLO SC per acre.

For best results, apply APOLLO SC at first appearance of mite activity. When mite populations are approaching damaging levels and require quick knockdown, APOLLO SC application should be made in combination with an appropriate contact adulticide. When tank mixing APOLLO SC with an adulticide, use label rates for both products.

Applications with rates below 4 ounces of APOLLO SC per acre are recommended only in association with established IPM programs and only when adequate beneficial insects/mites are prevalent.

IMPORTANT: Do not apply within 30 days of harvest. DO NOT APPLY MORE THAN 1 APPLICATION OF APOLLO SC PER SEASON. Do not graze livestock in treated areas or harvest cover crop for livestock feed. Do not apply this product through any type of irrigation system.

IN CASE OF FIRE, LEAKY OR DAMAGED CONTAINERS, OR OTHER EMERGENCY, REPORT AT ONCE BY TOLL-FREE TELEPHONE TO: 800-424-9300.

IMPORTANT: READ BEFORE USE

By using this product, user accepts the following conditions, warranty, disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should be followed carefully. However, because of extreme weather and soil conditions, manner of use and other factors beyond NOR-AM Chemical Company's control, it is impossible for NOR-AM to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible.

DISCLAIMER OF WARRANTIES: THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, WHICH EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of NOR-AM Chemical Company is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. UNDER NO CIRCUMSTANCES SHALL NOR-AM CHEMICAL COMPANY BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM FAILURE TO USE THIS PRODUCT IN ACCORDANCE WITH LABEL DIRECTIONS.

LIMITATIONS OF LIABILITY: In no event shall NOR-AM Chemical Company's liability for damages arising out of the use of this product exceed the purchase price of the product used.

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