

PM 19

45639-135

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NOV 16 1993

Lesley Palmer Czochoz, Ph.D.
Nor-Am Chemical Company
Little Falls Centre One
2711 Centerville Road
Wilmington, DE 19808

) Dear Dr, Czochoz:

Subject: Removal of "Restricted Use" statement and
request to extend the conditional registration
Apollo SC
EPA Registration No. 45639-135
Amendment application of April 19, and
July 7, 1992

On September 9, 1993 the Agency granted an extension to a Conditional Registration for the use of Apollo SC on peaches, nectarines, almonds, walnuts, apricots, and cherries to expire on December 31, 1993. Tolerances were established for all of these crops and related commodities to expire on September 30, 1994. This extension was granted because all data required under this Conditional Registration were submitted and are in review. The Agency has not completed it's review, but based on a preliminary review of these studies the Agency has determined that the "Restricted Use" statement may be deleted from the subject labeling.

Since the review is not complete the Agency is changing this extension from December 31, 1993 to December 31, 1994. The Agency is working on removing the expiration date (September 30, 1994) from the established tolerances.

The Agency is conditionally approving the amendment to the registration of the above-referenced product under the authority of section 3(c)(7)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This amendment allows the removal of "Restricted Use" Classification and continued use of the subject product on peaches, nectarines, almonds, walnuts, apricots and cherries. In accordance with your request, this amendment will expire automatically on December 31, 1994. In addition, during the period this amendment is effective, it will be subject to the conditions listed below. To maintain your registration you must:

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

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

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.

You should also note that, regardless of whether you satisfy all applicable conditions, this conditional registration will expire automatically on December 31, 1994. Sales and distribution of the subject product bearing labeling for use on peaches, nectarines, almonds, walnuts, apricots and cherries after December 31, 1994 will be illegal. The established tolerances authorizing residues of the subject product will remain in effect.

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

Sincerely yours,

DHE

Dennis H. Edwards, Jr.
Product Manager (19)
Insecticide Rodenticide Branch
Registration Division (H-7505C)

ATTACHMENT 4

PROPOSED LABEL FOR APOLLO® SC
"RESTRICTED USE" DESIGNATION REMOVED

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SPECIMEN LABEL

ACCEPTED
with COMMENTS
in EPA Letter Dated

NOV 16 1993

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

45639-135

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Apollo®

OVICIDE/MITICIDE

A Suspension Concentrate (SC) Formulation for Mite Control on Pears, Apricots, Cherries, Peaches, Nectarines, Almonds, and Walnuts

ACTIVE INGREDIENT:

3,6-bis (2-chlorophenyl)-1,2,4,5-tetrazine

Percent by Weight

42%

INERT INGREDIENTS:

58%

TOTAL 100%

Contains 1 pound of active ingredient per quart.

EPA Reg. No. 45639-135

EPA Est. No. 33689-WG-01

KEEP OUT OF REACH OF CHILDREN

CAUTION

STATEMENT OF PRACTICAL TREATMENT

IF IN EYES: Flush with plenty of water. Call a physician if irritation persists.

IF ON SKIN: Wash with plenty of soap and water. Get medical attention if irritation persists.

NOR-AM

NOR-AM CHEMICAL COMPANY
A Schering-Boehringer Company

AGRIBUSINESS DIVISION
3509 Silverside Road, P.O. Box 7195
Wilmington, DE 19813

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION

Avoid contact with skin, eyes or clothing. In case of skin contact carefully remove contaminated clothing and wash affected area with soap and water. In case of eye contact, flush eyes with plenty of water. Get medical attention if irritation persists.

Wash hands and exposed skin before eating, drinking or smoking and after spraying or handling. Wash all contaminated clothing thoroughly before reuse.

ENVIRONMENTAL HAZARDS—Do not apply directly to water. Do not apply when weather conditions favor drift from treated area. Do not contaminate water when disposing of equipment wash waters.

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

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

Use Precautions

- **IMPORTANT: DO NOT MAKE 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.

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 not disruptive to beneficial insects and mites. It has good residual activity on European red mites, McDaniel mites, Pacific spider mites, two-spotted spider mites, and Yellow spider mites when applied according to label directions.

For Use on Pears, Apricots, Cherries, Peaches, Nectarines, Almonds, and Walnuts

Because APOLLO SC acts primarily against the egg and larval stages, apply APOLLO SC at the first sign of mite activity. If the mite population is approaching damaging levels or if pear rust mite is present, combine APOLLO SC with an appropriate adulticide. When tank mixing APOLLO SC with an adulticide, use label rates for both products.

Recommendations For Use

TARGET SPECIES:

- European red mite *Panonychus ulmi*
- McDaniel mite *Tetranychus mcdanieli*
- Pacific spider mite *Tetranychus pacificus*
- Two-spotted spider mite *Tetranychus urticae*
- Yellow spider mite *Eotetranychus carpini borealis*

Rate & Timing of Application

Crop	Rate/Acre	Timing	PHI*
Pears	4-8 oz.	First sign of mites	21 days
Apricots, Cherries	2-8 oz.**	First sign of mites	21 days
Peaches, Nectarines	2-8 oz.**	First sign of mites	21 day
Almonds, Walnuts	2-8 oz.**	First sign of mites	30 days

*PHI = Pre-Harvest Interval, the latest timing for an application prior to harvest.

**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.

Factors which may warrant consideration of higher rates of APOLLO SC per acre include:

1. Earliest seasonal timings for blocks with high overwintering European red mite egg populations.
2. When mite predator populations are low.
3. To ensure adequate coverage of full size standard trees and/or trees with heavy leaf densities.
4. For control of McDaniel mites.

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Application Method

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

Pears

50-400 gallons per acre: Apply 4-8 ounces of APOLLO SC per acre. Use sufficient volume of water to obtain complete coverage but not less than 50 gallons per acre.

For applications above 400 gallons per acre: Use 1-2 ounces of APOLLO SC per 100 gallons of spray. Do not apply less than 4 ounces of APOLLO SC per acre.

Apricots, Cherries, Peaches, Nectarines, Almonds, and Walnuts

50-400 gallons per acre: Apply 2-8 ounces of APOLLO SC per acre.

Managing Mite Resistance

Repeated use of miticides with a similar mode of action may lead to build-up of resistant strains of mites. For good resistance management practices, NOR-AM Chemical Company recommends that the ovicide/larvacide APOLLO SC be applied only once per season. If additional miticide applications are needed, use a miticide with a different mode of action, such as the adulticide CARZOL® SP.

STORAGE AND DISPOSAL

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

Storage: Store in original container, tightly closed, in a safe 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 Disposal: Triple rinse (or equivalent) Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

DO NOT RE-USE EMPTY CONTAINER

IMPORTANT: READ BEFORE USE

By using this product, user or buyer 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. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, OR 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 SPECIAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES, OR DAMAGE 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 NOR-AM'S ELECTION, THE REPLACEMENT OF PRODUCT.

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