

FEB 23 1995

Lesley Palmer Czochoz, Ph.D.
AgrEvo USA Co.
Little Falls Centre One
2711 Centerville Road
Wilmington, DE 19808

Dear Dr. Czochoz:

Subject: Conditional amendment of Clofentezine on apples
(delayed dormant tight cluster stage, non-bearing
and post-harvest)
Apollo^(R) SC
EPA Registration No. 45639-135
Resubmission of December 21, 1994

The Agency is conditionally approving an 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 a 1-year time limited registration on apples, to expire automatically February 23, 1996. 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. A successful completion of a method validation will be needed before the Agency can conclude that an analytical method will be available for enforcement. Any additional data/information needed on your proposed enforcement method must be submitted within 2 months after being notified in writing by the Agency.
2. Submit five (5) copies of your final printed labeling before you release the product for shipment.

You should note that if you fail to satisfy the condition 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 application test guidelines, EPA may issue a Notice to cancel this amendment under section 6(e) of FIFRA.

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You should also note that, regardless of whether you satisfy the conditions, this conditional registration will expire automatically on February 23, 1996. Sales and distribution of the subject product bearing labeling for use on apples after February 23, 1996 will be illegal.

The Agency will not renew or extend this conditional registration for apples until there is a successful method validation and any requested additional information has been submitted and reviewed.

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 (7505C)

Enclosure



Specimen Label

A company of Hoechst and NOR-AM

Apollo®

OVICIDE/MITICIDE

EPA Registration Number 45639-135

ACCEPTED
with COMMENTS
in EPA Letter Dated

FEB 23 1995

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

ACTIVE INGREDIENT:	Percent by Weight
3,6-bis (2-chlorophenyl)-1,2,4,5-tetrazine	42%
INERT INGREDIENTS:	58%
	TOTAL 100%

Contains 1 pound of active ingredient per quart.

EPA Reg. No. 45639-135

U.S. Patent Number 4,237,127

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.

IN CASE OF MEDICAL EMERGENCIES OR HEALTH AND SAFETY INQUIRIES, OR IN CASE OF FIRE, LEAKING, OR DAMAGED CONTAINERS, INFORMATION MAY BE OBTAINED BY CALLING 800-228-5635, EXT. 202.

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.

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- ▶ Long-sleeved shirt and long pants
- ▶ Chemical-resistant gloves, such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, poly-vinyl chloride (PVC), or Viton
- ▶ Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

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

45639-135

ENGINEERING CONTROLS STATEMENT

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- ▶ Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

ENVIRONMENTAL HAZARDS

For terrestrial uses, 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 apply within 100 feet of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, estuaries, and commercial fish farm ponds. Do not apply when weather conditions favor drift from treated area. Do not allow spray to drift off of crop, especially when spraying outer rows. Always direct spray *into* the orchard. Do not contaminate water when disposing of equipment wash waters.

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

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

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 a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval.

The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- ▶ Coveralls
- ▶ Chemical-resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, poly-vinyl chloride (PVC), or Viton
- ▶ Shoes plus socks

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.

GENERAL INFORMATION

APOLLO SC is a specific miticide which acts as an ovicide. 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 Apples, Pears, Apricots, Cherries, Peaches, Nectarines, Almonds, and Walnuts

Because APOLLO SC acts primarily against the egg, apply APOLLO SC at the first sign of mite activity. On apples, delayed dormant or early season applications of APOLLO SC may not effectively control two-spotted spider mites or McDaniel mites which invade trees later in the summer. If the mite population is approaching damaging levels or if pear rust mite is present, combine APOLLO SC with an appropriate adulticide.

RECOMMENDATIONS FOR USE

TARGET SPECIES:

European red mite *Panonychus ulmi*
 McDaniel spider 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*
Apples	4-8 oz.	Delayed dormant through tight cluster	**
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 days
Almonds, Walnuts	2-8 oz.***	First sign of mites	30 days

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

**Do not apply to apples after tight cluster stage.

***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 warrant higher rates (4-8 ounces) of APOLLO SC per acre include:

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

APPLICATION METHOD

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

Apples and 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, and Nectarines

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

Almonds and Walnuts

50-400 gallons per acre: Apply 2-8 ounces of APOLLO SC per acre. Use at least 4 ounces of APOLLO SC south of California Highway No. 152. A tank-mix of APOLLO SC with an adulticide may be warranted when adult mites are present. Do not use the tank-mix under conditions where the adulticide alone is not recommended. Before use, read the adulticide label for additional information and precautions.

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, AgrEvo USA Company recommends that the ovicide APOLLO SC be applied only once per season. If additional miticide applications are needed, use a miticide with a different mode of action.

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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 AgrEvo USA Company's control, it is impossible for AgrEvo USA Company 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, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, WHICH EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of AgrEvo USA Company is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. AgrEvo USA Company disclaims any liability whatsoever for incidental or consequential damages, including, but not limited to, liability arising out of breach of contract, express or implied warranty (including warranties of merchantability and fitness for a particular purpose), tort, negligence, strict liability or otherwise.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES 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 AGREVO USA COMPANY'S ELECTION, THE REPLACEMENT OF PRODUCT.

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