

53263-28

5-28-2003

1/5

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 05-31-98



EPA

United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other: Notification

OPP Identifier Number
265394

Application for Pesticide - Section I

1. Company/Product Number 53263-28	2. EPA Product Manager Cynthia Giles-Parker	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Agnique MMF Mosquito Larvicide & Pupicide	PM# Insecticide Branch	
5. Name and Address of Applicant (Include ZIP Code) Cognis Corporation 4900 Este Avenue Cincinnati, OH 45232 PLEASE DIRECT ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW <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

- Amendment - Explain below.
- Resubmission in response to Agency letter dated _____
- Notification - Explain below.
- Final printed labels in response to Agency letter dated _____
- "Me Too" Application
- Other - Explain below

NOTIFICATION

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

MAY 28 2003

Notification of ALTERNATE USE DIRECTIONS FOR 4 AND 16 OZ. CONTAINERS AND ADDITION OF CONSUMER ACCESS NUMBER in Accordance With PR Notice 98-10

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 95-2 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be the subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Signature: Ana Rodriguez-Koster Date: 5/21/2003

Section - III

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

Section - IV

1 Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name: Ana Rodriguez-Koster, Lewis and Harrison, LLC 122 C St., NW Suite 740 Washington, DC 20001	Title: Agent for Cognis Corporation	Telephone No. (Include Area Code): (202) 393-3903 x.17
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 <u>Ana Rodriguez-Koster</u>	3. Title: Agent for Cognis Corporation	
4. Typed Name Ana Rodriguez-Koster, Lewis & Harrison LLC	5. Date 5/21/2003	

AGNIQUE MMF MOSQUITO LARVICIDE & PUPICIDE

ACTIVE INGREDIENT:

Poly (oxy-1,2-ethanediyl), a-Isooctadecyl-w-hydroxyl (100%)

KEEP OUT OF REACH OF CHILDREN CAUTION

See Back Panel for Additional Precautions and Product Information

FIRST AID TREATMENT

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

IF IN EYES: Flush with plenty of water. Get medical attention if irritation develops.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMAN AND DOMESTIC ANIMALS

CAUTION: Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. To be used in governmental mosquito control program, by professional pest control operators, or in other mosquito or midge control operations.

This product is for the control of immature mosquitoes and midges in ponds, lakes, swamps, ditches, floodwater areas and many other areas where they breed and develop. This product may be used in potable water and irrigation waters, permanent and semi-permanent waters, and in croplands and pastures.

APPLICATION DIRECTIONS

This product may be applied by both ground and aerial applications. To use spray the desired rate of neat MMF onto the surface of the water. No dilution is required. The MMF will spread to cover hard to access areas. A fan spray is recommended. Do not pour or inject a stream spray directly into water. AGNIQUE® MMF is not visible on the surface of the water. Excess MMF on the water surface will form a globule.

APPLICATION NOTES

Rate of Kill: The rate of kill when using MMF is dependent on the species, the life stage, the habitat and the temperature. Pupicidal action will typically result in 24 hours. Larvicidal action will usually result in 24-72 hours. If the film is present, as indicated by the indicator oil, control will be achieved.

Indicator Oil: AGNIQUE® MMF is not visible on the surface of the water. To check the habitat for the presence and persistence of the product, add a drop of AGNIQUE® MMF Indicator Oil to several locations in the habitat. If the Indicator Oil forms a tight bead on the surface of the water, then the MMF is present for control.

Persistence: The AGNIQUE® MMF surface film typically persists on the water's surface for 5 to 22 days. Polluted waters will cause more rapid degradation of the film. Higher application rates will prolong film life and extend the interval between retreatment.

Species: Mosquitoes and midges that require little or no surface contact for breathing will be affected by the product during the pupae and emerging adult life stages.

Wind: The high end of the dosage rate is recommended when spraying habitats where multi-directional winds of 10mph (16km/hr) or greater are expected to persist. While the film will be pushed by the winds, it will re-spread quickly once the winds have subsided. If persistent unidirectional winds of 10 mph (16km/hr) or greater are expected, the displacement of the surface film may result in poor control.

Spray Tanks: Thoroughly clean the spray system of contaminants such as petroleum oils, water, detergents and conventional toxicants prior to adding AGNIQUE® MMF. Detergents will destroy the film-forming of the AGNIQUE® MMF; other contaminants (water and oil) will result in the formation of an unsprayable paste.

Dilution: AGNIQUE® MMF is typically applied to the water's surface without dilution. However, if it is desired to spray higher volumes of liquid, AGNIQUE® MMF may be diluted using a high shear injection system, that dilutes the MMF at the nozzle to a maximum of 10% in water. Do not AGNIQUE® MMF to water in non-agitated spray systems. Conventional bypass recirculation will not provide adequate agitation to effectively mix MMF in water.

Expanding Waters: Significant expansion of the habitat's surface due to rain or tidal fluxes can be compensated for by using a dosage that is based on the largest expected surface area. This will ensure complete coverage, and eliminate the need for re-treatment of the flooded area.

NOTIFICATION
MAY 28 2003

9/5

{Note to Review: the following chart will be used on containers larger than 1 gallon in size:}

MOSQUITO HABITAT		Suggested Rate Range*
Fresh and Brackish Water Examples include salt marshes, ponds, storm water and retention & detention basins, roadside ditches, grassy swales, fields, pastures, potable water containers, reservoirs, irrigated croplands, woodland pools, tidal water, etc.		0.2 - 0.5 gallons/acre 2 - 5 liters/hectare
Polluted Waters Examples include sewage lagoons, animal waste effluent lagoons, septic ditches, etc.		0.35 - 1.0 gallons/acre 3.5 - 10 liters/hectare
* Use higher rates when emergent or surface vegetation is present, due to the wicking action of the product. The more vegetation or the drier the vegetation, the higher the rate. * The lower rates may be used when only pupae are present.		
MIDGE HABITAT		Suggested Rate Range*
Fresh water Examples include ponds and lakes		0.5 gallons/acre 5 liter/hectare
Polluted waters Examples include sewage lagoons and percolation ponds		0.5 - 1.0 gallons/acre 5 - 10 liters/hectare
* Reapplication is recommended every two weeks during the midge season.		

{Note to Review: the following chart will be used on 4 oz. containers:}

Surface Area of Standing Water	Suggested Quantity of AGNIQUE® MMF
1 to 75 square feet	Four full trigger applications of the spray bottle containing AGNIQUE® MMF*
75-100 square feet	Six full trigger applications of the spray bottle containing AGNIQUE® MMF*
Every additional 100 square feet	Four to six full trigger applications of the spray bottle containing AGNIQUE® MMF*
1,000 square feet	20-25 full trigger applications (1-1.5 oz.)
* The application can vary between 1 and 1.5 oz. per 1000 sq. ft. (0.1 to .15 oz. /100 sq. ft.)	

{Note to Review: the following chart will be used on 16 oz. containers:}

Surface Area of Standing Water	Suggested Quantity of AGNIQUE® MMF
1 to 75 square feet	One full trigger application of the spray bottle containing AGNIQUE® MMF*
75-100 square feet	Two full trigger applications of the spray bottle containing AGNIQUE® MMF*
Every additional 100 square feet	Two to three full trigger applications of the spray bottle containing AGNIQUE® MMF*
1,000 square feet	20-25 full trigger applications (1-1.5 oz.)
* The application can vary between 1 and 1.5 oz. per 1000 sq. ft. (0.1 to .15 oz. /100 sq. ft.)	

{Note to Review: the following chart will be used on containers smaller than 1 gallon in size:}

STORAGE AND DISPOSAL

Do not allow product to freeze. Do not reuse empty container. Wrap container and put in trash.

{Note to Review: the following chart will be used on containers larger than 1 gallon in size:}

STORAGE AND DISPOSAL

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

Pesticide Storage: Do not allow storage containers to rust. Rust contaminants may clog spray nozzles. Do not allow product to freeze.

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, then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill, or by other procedures approved by state or local authorities.

NOTICE

Cognis Corporation makes no warranty, express or implied of merchantability, fitness or otherwise concerning the use of this product other than as indicated on the label. User assumes all risks, storage or handling not in strict accordance with the label.

For information on this pesticide product (including health) concerns, medical emergencies or pesticide incidents, call the National Pesticide Telecommunication Net work at 1-800-858-7378.

{-OR-}

For assistance call the Barr Help Line 1-800-398-3892 Monday through Friday 7 am to 5 pm Central Time.

Monomolecular Surface Film for Control of Immature Mosquitoes and Midges
Stops Mosquitoes from Breeding
Standing Water Treatment
Spreads to cover hard to reach areas
Use every two weeks

Net (Contents) (WT) _____

EPA Reg. No. 53263-28

EPA Establishment No. _____

Cognis Corporation
4900 Este Avenue
Cincinnati, OH 45232-1419
1-800-254-1029

5/15

LEWIS & HARRISON

Consultants in Government Affairs

122 C Street, N.W., Suite 740
Washington, D.C. 20001

telephone 202.393.3903
fax 202.393.3906

May 21, 2003

HAND DELIVERED

Document Processing Desk [NOTIF]
Office of Pesticide Programs
U.S. Environmental Protection Agency (7504C)
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202-4501

ATTENTION: Cynthia Giles-Parker
Chief, Insecticide Branch

SUBJECT: Cognis Corporation
Agnique MMF Mosquito Larvicide & Pupicide (EPA Reg. No. 53263-28)
Notification per PR Notice 98-10

Dear Ms. Giles-Parker:

On behalf of Cognis Corporation ("Cognis"), we are submitting a "Notification" pursuant to PR Notice 98-10 for their product, **Agnique MMF Mosquito Larvicide & Pupicide (EPA Reg. No. 53263-28)**. This Notification involves the addition of alternate use directions for 4 and 16-ounce containers and a consumer access number. The alternate use directions do not affect the product's dilution ratio or the minimum or maximum use dilutions.

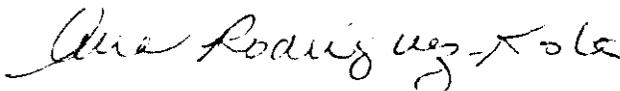
Please note that these additions do not involve any changes to the ingredients statement, signal word, use classification, precautionary statements, or first aid. Furthermore, the additions do not substitute for or conflict with label text, and are not false or misleading.

Enclosed please find the following documents in support of this Notification:

1. Application for Pesticide Notification (OPP ID No. 265394), which includes a signed statement certifying compliance with PR Notice 98-10;
2. One (1) copy of the product label with changes highlighted; and,
3. Two (2) clean copies of the label.

Thank you for your assistance with this Notification. If you have any questions or need additional information, please call me at 202-393-3903 ext. 17 or e-mail me at alkoster@lewisharrison.com.

Sincerely,



Ana Rodriguez-Koster
Agent for Cognis Corporation

Enclosures

cc: Sharon Post, Cognis Corporation