

53263-30

1/4/2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

January 4, 2011

Ms. Georgia Anastasiou
Agent for Cognis Corporation
Lewis & Harrison
122 C Street, N.W., Suite 740
Washington, DC 20001

5888149
332/1300

Subject: AGNIQUE® MMF GR MOSQUITO LARVICIDE & PUPICIDE
EPA Registration No. 53263-30
Notification Application Submitted on or about December 9, 2010

Dear Ms. Anastasiou:

The Agency has received your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated December 9, 2010, for the product Agnique® MMF GR Mosquito Larvicide & Pupicide, EPA Reg. No. 53263-30. The Registration Division (RD) finds that the actions requested fall within the scope of PRN 98-10, with the understandings that the label submitted on or about December 9, 2010, and the alternate brand name, Agnique® MMF G PAK 35, will only be used when this product is sub-packaged on water-soluble packaging (WSP).

The label has been stamped "Notification" and placed in our records.

If you have any questions, please call me directly at 703-305-6406.

Sincerely,

A handwritten signature in cursive script that reads "William W. Jacobs".

William W. Jacobs
Insecticide-Rodenticide Branch
Registration Division (7505P)
Office of Pesticide Programs

**EPA**United States
Environmental Protection Agency

Washington, DC 20460

- ☐ Registration
☐ Amendment
☒ **Other: Notification**

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 53263-30	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Agnique MMF GR Mosquito Larvicide & Pupicide	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Cognis Corporation 4900 Este Avenue Cincinnati, OH 45232 <u>PLEASE DIRECT ALL CORRESPONDENCE TO</u> <u>"CONTACT POINT" LISTED BELOW</u> <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 _____ <u>NOTIFICATION</u> <u>JAN 04 2011</u>

Section - II

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

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

Notification in Response to Letter Dated November 17, 2010 - to Add Alternate Brand Name.

Notification per 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 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

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) Polylined Bag
*Certification must be submitted		3 lbs 35 or 40	

3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 44 lbs	5. Location of Label Directions <input checked="" 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 checked="" 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: Georgia Anastasiou, 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.19
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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.

2. Signature 	3. Title: Agent for Cognis Corporation	6. Date Application Received (Stamped)
4. Typed Name Georgia Anastasiou	5. Date October 21, 2010	

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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

Hand Delivered
Stamp: HAND DELIVERED

December 9, 2010

Document Processing Desk [NOTIF]
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
One Potomac Yard Room S-4900
2777 S. Crystal Drive
Arlington, VA 22202

ATTENTION: Venus Eagle

**SUBJECT: Cognis Corporation
Agnique MMF GR Mosquito Larvicide & Pupicide (EPA Reg. No. 53263-30)
Response to Letter dated 11/17/2010 - Notification per PR Notice 98-10**

Dear Ms. Eagle:

In response to the letter dated November 17, 2010 (attached), I am re-submitting a notification for the product, Agnique MMF GR Mosquito Larvicide & Pupicide (EPA Reg. No. 53263-30). The purpose of this submission is to add a new alternate brand "**Agnique MMF G PAK 35.**" This brand name will only be used with the water soluble packaging (WSP). In support of this brand name I have enclosed the label. Please note that label's claims, directions and other statements will only appear on the containers for WSP.

When reviewing the label please note the following:

- 1) I have removed the claim "Can be used on ponds, pools, ditches, irrigation water, potable waters containers, flood water areas, other areas where mosquitoes breed and develop" from the label.
- 2) The "Indicator Oil" instructions have been removed from the label because it is considered optional language. The purpose of these instructions is for a user to have the option to check for the MMF in the water; however, it is not required that the presence of the product needs to be detected.
- 3) The "Persistence" and "Wind" sections have been modified to not include references to higher applications rates since only one application is specified for the WSP.

Notification per 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 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.

If you can please provide an acceptance letter at your earliest convenience it would be greatly appreciated.

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

1. Application for Pesticide Notification.
2. Two (2) copies of the label.

Thank you for your assistance with this submission. If you have any questions or need additional information, please call me at 202-393-3903 ext. 19 or e-mail me at georgia@lewisharrison.com.

Sincerely,



Georgia Anastasiou
Agent for Cognis Corporation

AGNIQUE® MMF G PAK 35

Mosquito Larvicide & Pupicide

Granular monomolecular surface film in a ready-to-use water soluble pouch

For Control of Immature Mosquitoes and Midges

PAK 35 is a Water Soluble Pouch packed with MMF G

Stop Mosquitoes Before they Start

Can be used in habitats containing birds, fish, pets and wildlife and residential areas where water accumulates and provides ideal breeding habitats for mosquitoes.

Water Soluble Pouch is Ready-To-Use

ACTIVE INGREDIENT:

Poly (oxy-1,2-ethanediyl), α -(C₁₆₋₂₀ branched and linear alkyl)-

ω -hydroxy-..... 32.0%

INERT INGREDIENTS..... 68.0%

TOTAL..... 100.0%

KEEP OUT OF REACH OF CHILDREN CAUTION

See Back Panel for Additional Precautions and Product Information

FIRST AID

IF ON SKIN OR CLOTHING:

- 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:

- Hold eye open and rinse slowly and gently with plenty of 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.

EPA Reg. No. 53263-30

EPA Establishment No: 82979-IL-001



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

NOTIFICATION

JAN 04 2011

Net Contents: 40 WSP, 3 pounds.

12/1/10

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMAN AND DOMESTIC ANIMALS

CAUTION: Avoid contact with skin or clothing. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Wear long-sleeved shirt and long pants, socks, shoes, and gloves. Avoid contact with eyes or clothing. Wear protective eyewear.

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, by homeowners, or in other mosquito or midge control operations.

APPLICATION DIRECTIONS

This product may be applied by both ground and aerial applications. To use, calculate the desired rate based on water surface area. The water depth is a factor in rate determination. Apply the desired rate of AGNIQUE® MMF G PAK 35 onto the surface of the water. The AGNIQUE® MMF G will spread to cover hard to access areas. For large areas with dense vegetation it is recommended that application is made in several locations to assist in the spreading action. AGNIQUE® MMF G PAK 35 is not visible on the surface of the water. Excess MMF G on the water surface will form a white globule.

APPLICATION SITES

This product is for the control of immature mosquitoes and midges in areas where they breed and develop. This product may be used in habitats including potable water and irrigation waters, permanent and semi-permanent waters, irrigated croplands and pastures, and waters with outlets to natural water bodies. The following habitats provide examples of where the product can be applied but is not intended to be all inclusive.

Fresh and Brackish Water: fresh water and salt marshes, ponds, lakes, storm water, drainage systems and retention & detention basins, roadside ditches, grassy swales, flooded fields and pastures, potable water containers, reservoirs, irrigated croplands, temporary and semi-permanent woodland pools, tidal water, and other areas where water accumulates.

Residential Areas: Ponds, storm water basins, tree holes, rain barrels, landscape and ornamental ponds, tires, storm drains, stationary flower pots, pot holes, gutters, tarps, potable water containers and residential areas where water accumulates and provides ideal breeding habitats for mosquitoes or midges.

Polluted Waters: Sewage lagoons, percolation ponds, animal waste effluent lagoons, septic ditches, waste treatment facility areas, etc.

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APPLICATION NOTES

Rate of Kill: The rate of kill when using AGNIQUE® MMF G PAK 35 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 24-96 hours. If the film is present, control will be achieved.

Persistence: The AGNIQUE® MMF G PAK 35 film typically persists on the water's surface for 5 to 22 days. Polluted waters will cause more rapid degradation of the film.

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: 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.

Expanding Waters: Significant expansion of the habitat's surface area 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.

MOSQUITO HABITAT	Application Rate
Fresh and Brackish Water	1 AGNIQUE® MMF G PAK 35 will treat up to 350 sq ft of water surface area. For every additional 350 sq ft – apply 1 additional pouch.
Polluted Waters	1 AGNIQUE® MMF G PAK 35 will treat up to 160 sq ft of water surface area. For every additional 160 sq ft – apply 1 additional pouch.
MIDGE HABITAT	Application Rate^
Fresh and Polluted Waters	1 AGNIQUE® MMF G PAK 35 will treat up to 160 sq ft of water surface area. For every additional 160 sq ft – apply 1 additional pouch.

^ Reapplication is recommended every two weeks during the midge season.

STORAGE AND DISPOSAL

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

Pesticide Storage: Avoid prolonged storage at temperatures above 35°C (95°F).

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 container. Offer for recycling if available or dispose of empty container in a sanitary landfill or by incineration.

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.

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