

59639-87

9/11/2007

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D C 20460

OFFICE OF
PREVENTION PESTICIDES AND
TOXIC SUBSTANCES

SEP 11 2007

Mr Joseph L Powell
Product Registration
Valent U S A Corporation
1600 Riviera Ave Suite 200
Walnut Creek CA 94596 8025

SUBJECT Application for Pesticide Notification (PRN 98 10)
Request Alternate Brand Name Orthene Turfgrass & Container Grown Nursery
Stock 15 Granular
EPA Reg No 59639 87
Application Dated August 20 2007

Dear Mr Powell

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98 10 dated 08/20/07 for the above product The Registration Division (RD) has conducted a preliminary screen of this request for its applicability under PRN 98 10 and finds that the action(s) requested fall within the scope of PRN 98 10 The label submitted with the application has been stamped Notification and will be placed in our records

If you have any questions please call me directly at 703 305 6249 or Owen F Beeder of my staff at 703 308 8899

Sincerely,

A handwritten signature in cursive script, appearing to read "Theresa A. Lowe for", is written over the typed name.

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

SIG

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Please read instructions on reverse before completing form

Form Approved, OMB No. 2070-0060, Approval expires 2 28 95

	United States Environmental Protection Agency Washington DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number <div style="border: 1px solid black; padding: 2px; text-align: center;">306323</div>
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Application for Pesticide Section I

1 Company/Product Number 59639 87	2 EPA Product Manager Ms Marilyn Mautz	3 Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company/Product (Name) Pinpoint 15 Granular	PM# 14	
5 Name and Address of Applicant (Include ZIP Code) Valent U S A Corporation 1600 Riviera Ave Suite 200 Walnut Creek CA 94596 8025 <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

<input type="checkbox"/> Amendment Explain below <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> Me Too Application <input type="checkbox"/> Other Explain below
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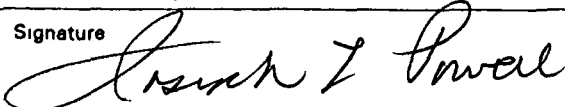
Explanation Use additional page(s) if necessary (For section I and Section II)

NOTIFICATION Name change of primary brand name Pinpoint 15 Granular to Orthene Turfgrass & Container Grown Nursery Stock 15 Granular

Section III

1 Material This Product Will Be Packaged In				2 Type of Container	
Child Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4 Size(s) Retail Container		5 Location of Label Directions <input checked="" type="checkbox"/> On Labeling	
6 Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 Joseph L Powell	Title R&RA Project Manager & State Manager	Telephone No (Include Area Code) (925) 256 2719	
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 <div style="border: 1px solid black; padding: 5px; text-align: center;">(Stamped)</div>
2 Signature 	3 Title R&RA Project Manager & State Manager		
4 Typed Name Joseph L Powell	5 Date <div style="text-align: center;">August 20 2007</div>		

1600 Riviera Avenue
Suite 200
PO Box 8025
Walnut Creek CA 94596 8025
(925) 256 2700



August 20 2007

PinPoint® 15 Granular
(EPA Reg No 59639 87)

Notification Submission as Permitted by
EPA PR Notice 98 10
A Change of the Primary Name

Ms Marilyn Mautz
Product Management Team 14
Insecticide and Rodenticide Branch
Registration Division
Office of Pesticide Programs (7504P)
U S Environmental Protection Agency
Document Processing Desk (NOTIF)
One Potomac Yard – Room S4900
2777 S Crystal Drive
Arlington Virginia 22202

Dear Ms Mautz

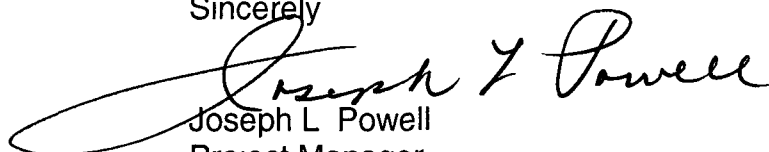
Valent USA Corporation would like to submit a registration application to the Agency as permitted under the Agency's PR Notice 98 10 Section II A brand names which permits a registrant to change the primary brand name of a registered end use product by way of notification Valent would like to change the brand name of our registered end use product PinPoint® 15 Granular containing the active ingredient acephate to Orthene® Turfgrass & Container Grown Nursery Stock 15 Granular

In support of the Orthene[®] Turfgrass & Container Grown Nursery Stock 15 Granular notification name change Valent is submitting the following documents

- 1 An Application for the Pesticide (OPP Identifier No 306323) addressing our request to change the primary brand name of our currently registered insecticide product Pinpoint[®] 15 Granular to Orthene[®] Turfgrass & Container Grown Nursery Stock 15 Granular
- 2 Two (2) copies of Confidential Statement of Formula that note the change in the primary brand name from Pinpoint[®] 15 Granular to Orthene[®] Turfgrass & Container Grown Nursery Stock 15 Granular as well as an update of the address and name of the supplier of the inert ingredient magnesium stearate
- 3 One (1) red line label copy of product labeling showing the primary brand Product name has been changed from Pinpoint[®] 15 Granular to Orthene[®] Turfgrass & Container Grown Nursery Stock 15 Granular
- 4 One (1) CD containing the electronic labeling for the name change of Pinpoint[®] 15 Granular to Orthene[®] Turfgrass & Container Grown Nursery Stock 15 Granular
- 5 One (1) clean copies of the product labeling showing the new primary brand name change to Orthene[®] Turfgrass & Container Grown Nursery Stock 15 Granular
- 6 A certification form with Respect to Label Integrity

Please contact Mr Eric Maurer in our Washington D C office at (202) 872 4682 or myself at (925) 256 2719 if you have any questions or require additional information

Sincerely



Joseph L. Powell

Project Manager

Registration & Regulatory Affairs

Enclosures



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NOTIFICATION

~~PINPOINT[®] 15 Granular~~ **Orthene[®] Turfgrass & Container Grown Nursery Stock 15 Granular**

An ORTHENE[®] Turfgrass & Container Grown Nursery Stock 15 Granular Insecticide for Use on Container Grown Nursery Stock Golf Course and Sod Farm Turfgrass and for Treatment of Ant Mounds on Turfgrass and Non Crop Areas

GIVES EFFECTIVE CONTROL

Active Ingredient
Acephate
Other Ingredients
Total

By Wt
15 0%
<u>85 0%</u>
100 0%

O S Dimethyl acetylphosphoramidothioate

U S Patent Nos 5 298 501 5 369 100 5 352 674

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS

NET WEIGHT 10 POUNDS

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PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Harmful if swallowed or absorbed through skin Causes moderate eye irritation Avoid contact with skin eyes or clothing

FIRST AID

Acephate is an organophosphate cholinesterase inhibitor

- | | |
|-------------------------------|--|
| If swallowed | Call a poison control center or doctor immediately for treatment advice
Have person sip a glass of water if able to swallow
Do not induce vomiting unless told to do so by the poison control center or doctor
Do not give anything by mouth to an unconscious person |
| If in eyes | Hold eye open and rinse slowly and gently with 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 |
| 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 inhaled | Move person to fresh air
If person is not breathing call 911 or an ambulance then give artificial respiration preferably by mouth to mouth if possible
Call a poison control center or doctor for further treatment advice |

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor or going for treatment You may also contact **1 800 892 0099** for emergency medical treatment information

NOTE TO PHYSICIAN

This material contains a cholinesterase inhibitor Measurement of blood cholinesterase activity may be useful in monitoring exposure but decisions regarding treatment will usually need to be made before test results are available If signs of cholinesterase inhibition appear atropine sulfate is antidotal 2 PAM (PROTOPAM) is also antidotal and may be used in conjunction with atropine but should not be used alone

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PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

Mixers, Loaders, Applicators and Other Handlers must wear Long sleeved shirt and long pants, chemical resistant gloves such as Butyl rubber ≥ 14 mils, Nitrile rubber ≥ 14 mils or Neoprene ≥ 14 mils and socks plus shoes.

In addition, Mixers, Loaders and Applicators supporting or making broadcast applications to turf must wear A NIOSH approved dust/mist filtering respirator with MSHA/NIOSH approved number prefix TC 21C or a NIOSH approved respirator with any N, R, P or HE filter.

See engineering controls for additional requirements.

ENGINEERING CONTROLS

When handlers use closed systems or enclosed cabs 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.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. As soon as possible, wash thoroughly and change into clean clothing.

USER SAFETY RECOMMENDATIONS

Users should

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds. 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 contaminate water when cleaning equipment or disposing of equipment washwaters. Cover or soil incorporate spills.

DIRECTIONS FOR USE

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

Applications to trees, shrubs and potted plants by hand or hand held application equipment is prohibited.

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

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 24 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 made of any waterproof material and shoes plus socks.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are **NOT** within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Do not enter or allow others to enter until dusts have settled or for those areas where irrigation is required following treatment until treated areas have dried.

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**DISCLAIMER RISKS OF USING THIS PRODUCT
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT Read the entire Label including this Disclaimer Risks of Using this Product Limited Warranty and Limitation of Liability before using this product. If the terms are not acceptable THEN DO NOT USE THE PRODUCT rather return the unopened product within 15 days of purchase for a refund of the purchase price

RISKS OF USING THIS PRODUCT

The Buyer and User (referred to collectively herein as Buyer') of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These risks include but are not limited to injury to plants and crops to which this product is applied, lack of control of the target pests or weeds, resistance of the target pest or weeds to this product, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application (or a combination of such factors) all of which are factors beyond the control of Valent. The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks THEN THIS PRODUCT SHOULD NOT BE APPLIED. By applying this product Buyer acknowledges and accepts these inherent unintended risks AND TO THE FULLEST EXTENT ALLOWED BY LAW AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

Valent shall not be responsible for losses or damages (including but not limited to loss of yield, increased expenses of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTY

Valent warrants only that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label under average use conditions when used strictly in accordance with the label and subject to the Risks of Using This Product as described above. EXCEPT AS SET FORTH ABOVE VALENT MAKES NO OTHER WARRANTIES EITHER EXPRESSED OR IMPLIED. No agent or representative of Valent or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

To the fullest extent allowed by law, Valent or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes but is not limited to loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages. TO THE FULLEST EXTENT ALLOWED BY LAW, THE EXCLUSIVE REMEDY OF THE BUYER AND THE EXCLUSIVE MAXIMUM LIABILITY OF VALENT OR SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT OR AT THE ELECTION OF VALENT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

PROMPT NOTICE OF CLAIM

To the extent consistent with applicable law allowing such requirements, Valent must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty one days from date of planting or twenty one days from the date of application, whichever is latter, so that an immediate inspection of the affected property and growing crops can be made.

To the extent consistent with applicable law, if Buyer does not notify Valent of any claims in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS

Valent and Seller offer this product and Buyer accepts it subject to the foregoing Disclaimer, Risks of Using This Product, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

TANK MIXES

NOTICE Tank mixing or use of this product with any other product which is not specifically and expressly authorized by the label shall be the exclusive risk of user, applicator and/or application advisor.

Read and follow the entire label of each product to be used in the tank mix with this product.

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DIRECTIONS

CONTAINER GROWN NURSERY STOCK Including Outdoor and Shadehouse, Lathhouse and Greenhouse Grown Containers

CROPS	PESTS CONTROLLED	AMOUNT PINPOINTORTHENE TURFGRASS & CONTAINER GROWN NURSERY STOCK 15 GRANULAR	SPECIAL INSTRUCTIONS
Container Grown Nursery Stock (including Outdoor Shadehouse Lathhouse and Greenhouse Grown Containers) Azalea Holly Pyracantha Photinia Crape Myrtle	Ants (excluding fire harvester carpenter and pharaoh ants) Aphids Azalea Lacebug Mealybugs	Broadcast Application Apply over pots at 0.4 lb per 1 000 sq ft with a broadcast applicator	Potted Plants Pot Size (diameter) 3 to 12 Uniformly distribute specified dosage over soil surface. Irrigate after application and as needed avoiding excessive irrigation to maintain product in root zone Do Not Apply to freshly rooted cuttings
Application to trees shrubs and potted plants by hand or hand held application equipment (i.e. belly grinders) is prohibited			

TURFGRASS AND NON CROP AREAS MOUND TREATMENT

APPLICATION SITES	PESTS CONTROLLED	AMOUNT PINPOINTORTHENE TURFGRASS & CONTAINER GROWN NURSERY STOCK 15 GRANULAR	SPECIAL INSTRUCTIONS
Turfgrass Residential Recreational and Commercial Turf Non Crop Areas	Imported Fire Ants and Harvester Ants	Mound Treatment Evenly distribute 2 Tbsps of product over the mound (2 Tbsps = 15 shakes) This statement will be added to 12 oz shaker canister label only	For best results apply material in the early morning or late afternoon when the ants are most active. Applications made under prolonged hot and dry conditions may be ineffective due to the location of the ants deep within the nest. Grass in treated area may be injured.

GENERAL USE PRECAUTIONS

Irrigate immediately after application with 1/8 inch of water

Do not over water or allow puddles to form This formulation readily dissolves when exposed to water

Immediate irrigation without puddling minimizes exposure of birds to broadcast granules

Do not apply by air

User must allow at least 3 days between last application and harvesting of sod

GOLF COURSE AND SOD FARM TURFGRASS

CROPS	PESTS CONTROLLED	RATE OF PINPOINT-ORTHENE TURFGRASS & CONTAINER GROWN NURSERY STOCK 15 GRANULAR PER ACRE	REMARKS
Golf Course and Sod Farm Turfgrass	Armyworms Mole Crickets Cutworms Chinch Bugs Sod Webworms Spittlebugs	Sod Farm Turfgrass 20 lbs /A (0 46 lb per 1 000 sq ft) Golf Course Turfgrass 27 lbs /A (0 62 lb per 1 000 sq ft)	Apply using broadcast ground equipment accurately calibrated to uniformly apply a granular pesticide Repeat application may be necessary Do not apply at more than 1 week intervals Do not allow livestock to graze treated areas Do not feed treated grass to livestock

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STORAGE AND DISPOSAL

Do not contaminate water food or feed by storage disposal or cleaning of equipment

PESTICIDE STORAGE

Keep pesticide in original container

Store in a cool dry place Protect from excessive heat

Do not contaminate food or foodstuffs

Do not store or transport near feed or food

For help with any spill leak fire or exposure involving this material call day or night **800 892 0099**

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

Completely empty bag into application equipment Do not reuse container Dispose of empty bag in a sanitary landfill or by incineration or if allowed by State and local authorities by burning If burned stay out of smoke

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~~PINPOINT® Reg TM of Valent U S A Corporation~~

Manufactured for

Valent U S A Corporation

P O Box 8025

Walnut Creek CA 94596 8025

www.valent.com

Made in U S A

EPA Reg No 59639 87

EPA Est No