

59807-7

7-24-2008

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg.
Number:

59807-7

Date of Issuance:

JUL 24, 2008

Term of Issuance: **Conditional**

Name of Pesticide Product:
Marathon 1% Granular

NOTICE OF PESTICIDE:

Registration
 Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Ms. Sherri Gray
OHP, Inc.
P.O. Box
Mainland, PA 19451

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A). Once a pesticide is registered, however, it is not regarded as permanently acceptable. Registration does not eliminate the need for continual reassessment of pesticides. If the Agency determines that, at any time, additional data are required to maintain in effect an existing registration, the Agency will require submission of such data under FIFRA section (3)(c)(2)(B).

- 1. Revise the EPA Registration Number to read, EPA Reg. No. "59807-7".

Signature of Approving Official:

Date:

July 24, 2008

Venus Eagle
PM 01/Insecticide-Rodenticide Branch
Registration Division (7505P)

2. The following changes are necessary due to the Agency's definitive language policy.

- On page 2 delete the word "**General**" from the "**General Information**" header. The sub-headers contain mandatory information and the header "**General Information**" may mislead users to believe the information contained beneath is advisory instead of mandatory.
- On page 3 under the section entitled "**Food Crops**" replace the word "**should**" with the word "**must**" in the last part of the sentence. The sentence would then read, "**...a 12 month plant back interval must be observed.**"
- Also on page 3 under the section entitled "**Insect Resistance**", remove the word "**recommended**" from the last sentence of the paragraph.
- Under the section entitled "**Woody Perennials**", rewrite the last sentence to read as, "**Because of this make applications to woody perennials well in advance of expected insect activity.**"
- Under the section entitled "**Grassy Area Use Precautions**", replace the word "**should**" in the second bullet to the word "**must**".

3. On page 5 make the following changes under the section "**Application Instructions on Ornamentals in Field and Forest Nurseries**":

- Reword the first sentence to delete the word "**should**". The sentence would then read, "**Mow vegetation in the area.....**".
- Also revise the wording in the last paragraph to read to read : **For optimum control, apply treatment May through July by irrigation or rainfall.**

5. Submit two copies of your final printed label before you release the product for shipment. 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 constitute acceptance of these conditions.

A stamped copy of the label is enclosed for your records. If you have any questions regarding this notice, contact team reviewer, Dani Daniel at (703) 305-5409.

Enclosure

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MARATHON 1% Granular

A Systemic Insecticide for Use on Ornamental Plants in Greenhouses, Nurseries and Interior Plantscapes

ACTIVE INGREDIENT:

Imidacloprid.....1.0%

INERT INGREDIENTS:99.0%

TOTAL.....100.0%

EPA Reg. No. 59807-To Be Assigned

EPA Est. No.:

KEEP OUT OF REACH OF CHILDREN CAUTION

See inside label booklet for additional precautionary statements.

FIRST AID

IF IN EYES:	<ul style="list-style-type: none"> • 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 SWALLOWED:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Have person sip a glass of water if able to swallow. • Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • 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.
<p align="center">For MEDICAL Emergencies Call 24 Hours A Day 1-800-222-1222.</p> <p align="center">Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p>	

NOTE TO PHYSICIAN: No specific antidote is available. Treat the patient symptomatically.

STOP – Read the label before use.

Keep out of reach of children.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed or absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. Keep children or pets off treated area until spray is dry.

**ACCEPTED
With COMMENTS
In EPA Letter Dated:
JUL 24 2008**

Under the Federal Insecticide, Fungicide and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No:

59807-7

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton
- Shoes plus socks

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

ENGINEERING CONTROLS STATEMENTS

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.
- Remove clothing 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. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. 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 disposing of equipment washwater.

This chemical demonstrates the properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in any 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.

Exception: If the product is applied by drenching, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

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 such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton
- Shoes plus socks

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GENERAL INFORMATION

Marathon 1% Granular will control insects on ornamental plants grown in nurseries and greenhouses. Marathon 1% Granular is a systemic insecticide that is translocated upwards within the plant. For best results, Marathon 1% Granular must be applied where the roots of the target plants can absorb the active ingredient. After application, irrigate moderately but thoroughly being sure to avoid leaching and runoff from the container for at least three irrigations or 10 days whichever is longer.

Use Precautions:

- Do NOT graze treated areas or use clippings from treated areas for feed or forage.
- Do NOT apply to soils which are waterlogged or saturated. This condition will not allow penetration of water into the root zone of the plants.
- Do NOT over-irrigate or allow excessive runoff to occur following an application of Marathon 1% Granular.
- Do NOT apply more than 40 lbs. of Marathon 1% Granular per acre per year.
- On plants with a production cycle of less than one year, application is not to exceed a frequency of more than once each 16 weeks for a particular plant. On stock plants and woody crops with a production cycle of greater than one year, application may not exceed once a year.

Food Crops: Treated areas may be replanted with any crop specified on an imidacloprid label, or with any crop for which a tolerance exists for the active ingredient. For crops not listed on an imidacloprid label, or for crops for which no tolerance for the active ingredient have been established, a 12-month plant-back interval should be observed.

Insect Resistance: After repeated use of a particular insecticide, some insects may develop a resistance. It is important that the use of this product conforms to resistance management practices established for the use area. Consult your Cooperative Extension Service for resistance management strategies and recommended pest management practice for your area.

Do not make a foliar application of any chloronicotinyl insecticide following Marathon 1% Granular soil application to the same crop.

Woody Perennials: Protection in woody perennials is slower than in herbaceous species and a delay of 2 or more weeks should be expected, with longer delays for larger plants. Because of this, applications to woody perennials should be made well in advance of expected insect activity.

Incorporation: Incorporation of Marathon 1% Granular can be accomplished by cultivation, irrigation, rainfall, mechanical placement, or by using mechanical soil or media mixing equipment.

Bark Media: When treating bark media with 30 – 50% or more bark content, the period of protection with Marathon 1% Granular will be shortened.

APPLICATION TO GRASS AREAS IN NURSERIES

Note: Marathon 1% Granular may NOT be used on commercial sod farms.

Marathon 1% Granular will control soil-inhabiting pests in grassy areas in or around nurseries such as under or around field or container grown plants, on roadways or other grassy areas. The need for an application can be based on historical monitoring of the site, previous records or experiences, current season adult trappings or other methods. Applications may be made preceding the egg laying activity of the target pests and high levels of control may be achieved when the applications are made preceding or during the egg laying period. For best results, make applications prior to egg hatch of the target pests, followed by sufficient irrigation or rainfall to move the active ingredient through the thatch.

PESTS CONTROLLED	
Annual bluegrass weevil (<i>Hyperodes</i> spp.) Billbugs (<i>Spherophorus</i> spp.) Green June beetle (<i>Cotinis nitida</i>) May or June beetle (<i>Phyllophaga</i> spp.) Oriental beetle (<i>Anomala orientalis</i>) Northern and Southern masked chafers (<i>Cyclocephala borealis</i> , <i>C. immaculate</i> , and/or <i>C. lurida</i>)	Asiatic garden beetle (<i>Maladera castanea</i>) European chafer (<i>Rhizotrogus majalis</i>) Japanese beetle (<i>Popillia japonica</i>) Mole Crickets (<i>Scapteriscus</i> spp.) Black turfgrass ataenius (<i>Ataenius spretulus</i> and <i>Aphodius</i> spp.)
PESTS SUPPRESSED	
Cutworms	Hairy Chinchbugs

Grassy Area Use Precautions

- Applications must NOT exceed a total of 40 lbs. (0.4 lb. of active ingredient) per area per year.
- Applications should NOT be made when grassy areas are waterlogged or the soil is saturated with water because adequate distribution of the active ingredient cannot be achieved when these conditions exist.
- The treated grassy area must be in such a condition that the rainfall or irrigation will penetrate vertically in the soil profile.

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APPLICATION TO ORNAMENTALS GROWN IN FLATS, BENCHES, BEDS AND CONTAINERS.

Marathon 1% Granular will suppress or control the following insect pests when applied to ornamentals grown in flats, benches, beds and containers in greenhouses and nurseries.

Adelgids	Aphids
Armored scale (suppression)	Fungus gnats (larvae only) ¹
Japanese beetles (adults)	Lacebugs
Leafminers	Mealybugs
Psyllids	Root Weevil
Soft scale	Thrips (suppression) ³
Whiteflies	Leaf beetles (including Elm and Viburnum leaf beetles)
Leafhoppers (including glassy-winged sharpshooter)	Complex (such as Black Vine Weevil, Apopka Weevil, Citrus Root Weevil ²)

¹ Fungus gnat larvae in the soil will be controlled by incorporation. Marathon 1% Granular will not control adult Fungus Gnat. Other foliar insect control is achieved by the uptake of Marathon 1% Granular from a healthy root system translocating the active ingredient up into the plant.

² Citrus Root Weevil: For use on non-bearing nursery stock.

³ Thrips suppression on foliage only. Thrips in buds and flowers will not be suppressed.

1 level teaspoon of Marathon 1% Granular = 4.1 grams

3 teaspoons = 1 tablespoon

HERBACEOUS AND WOODY PERENNIAL SPECIES

Herbaceous Species (one or two plants per pot)				
Container Size (inches)	Application Rates			
	Bulk Application		Topical Application	
	Pots/cu. yd. of mix	Bulk Rate lbs./cu. yard	Topical Rate (level teaspoonful)	Grams/pot
2.0 to 3.0	4500 to 3200	7.0 to 3.5	1/8 to 1/4	0.5 to 1.0
3.5 to 5.0	1600 to 1300	3.9 to 3.0	1/4 to 1/3	1.0 to 1.4
5.5 to 7.0	900 to 400	1.8 to 1.2	1/3 to 1/2	1.4 to 2.0
8.0 to 10.0	200 to 160	1.0 to 0.8	1/2 to 2/3	2.0 to 2.7
11.0 to 12.0	80 to 60	0.8 to 0.5	2/3 to 1	2.7 to 4.1

Woody Perennial Species or Herbaceous Species (three or more plants per pot)				
2.0 to 3.0	4500 to 3200	9.0 to 7.0	1/4 to 1/3	1 to 1.3
3.5 to 5.0	1600 to 1300	6.0 to 4.0	1/3 to 1/2	1.3 to 2.0
5.5 to 7.0	900 to 400	2.5 to 2.0	1/2 to 2/3	2.0 to 2.7
8.0 to 10.0	200 to 160	1.5 to 1.0	2/3 to 1	2.7 to 4.1
11.0 to 12.0	80 to 60	1.0 to 0.8	up to 1 1/2	4.1 to 6.1

Bulk Rate Application: Mix the required amount of Marathon 1% Granular per cubic yard of medium. Mix thoroughly before filling pots and transplanting.

Topical Application: May be made at transplanting, repotting or on established containerized plants. Irrigate moderately after application into the root zone. Do not allow significant leaching and runoff for at least 3 irrigations or 10 days whichever is longer.

CONTAINERIZED PLANTS

Container Size (Gallons)	Application Rate			
	Bulk Application		Topical Application	
	Pots/cu. yd. of mix	Bulk Rate lbs./cu. yard	Topical Rate (level teaspoonful)	Grams/pot
1	260 to 230	5.0 to 2.5	1 ¼ to 2 ½	5 to 10
2	125 to 100	4.4 to 2.2	2 ½ to 5.0	10 to 20
3	70 to 60	3.3 to 1.7	3 2/3 to 7 1/3	15 to 30
5	50 to 30	2.0 to 1.0	4 ½ to 9.0	18.5 to 37

For optimum control make applications prior to egg hatch of the target pest. Irrigate moderately after application to move the active ingredient into the root zone.

ORNAMENTAL PLANTS GROWN IN FLATS, BENCHES OR BEDS

Application Rate	Application Instructions
15 oz. per 1000 sq. ft.	Apply as a broadcast treatment and incorporate into the soil or media before planting. On established plants, irrigate moderately after application to move the active ingredient into the root zone. Minimize leaching and runoff for at least 3 irrigations or 10 days, whichever is longer.

FOR CONTROL OF WHITE GRUB LARVAE* ON ORNAMENTALS IN FIELD AND FOREST NURSERIES

Application Rate	Application Instruction
Use 45 oz. per 1000 sq. ft. of row or 3000 sq. ft.	<p>Vegetation in the area to be treated should be mowed to a height of 3 inches or less prior to application. Mowing to the lowest possible height will ensure greater consistency of control.</p> <p>For grub control in areas of turf, apply as a broadcast application using 45 oz per 3000 sq. ft.</p> <p>Apply May through July. For optimum control, treatment should be followed by rainfall or irrigation. Apply as a uniform band on either side of row using a band six (6) inches wider than the actual root ball diameter to be dug. Do not allow bands in adjacent rows to overlap.</p>

*White grub larvae include Japanese beetle, Masked Chafer, Oriental beetle, and Asiatic Garden beetle.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

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

Paper Bags: Completely empty bag into application equipment. Then 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.

Plastic Container: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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LIMITATION WARRANTY AND DISCLAIMER

The directions for use of this product are believed to be adequate and must be followed carefully, it is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result due to such factors as weather conditions, presence or absence of other materials, or the manner of use or application, all of which are beyond the control of OHP, Inc., the manufacturer, or the seller.

To the extent consistent with applicable law, the products sold to you are furnished "as is" by OHP, Inc. The manufacturer and the seller are subject only to the manufacturer's warranties, if any, which appear on the label of the product sold to you. Except as warranted by this label, OHP, Inc., the manufacturer, or the seller makes no warranties, guarantees, or representations of any kind to the buyer or the user, either express or implied, or by usage of trade, statutory or otherwise, with regard to the product sold or use of the product, including, but not limited to, merchantability, fitness for a particular purpose or use, or eligibility of the product for any particular trade usage. To the extent consistent with applicable law, Buyer's or user's exclusive remedy, and OHP, Inc.'s, the manufacturer's or the seller's total liability shall be limited to damages not exceeding the cost of the product. No agent or employee of OHP, Inc., or the seller is authorized to amend the terms of this warranty disclaimer or the product's label or to make a presentation or recommendation different from or inconsistent with the label of this product.

To the extent consistent with applicable law, OHP, Inc., the manufacturer, or the seller shall not be liable for consequential, special, or indirect damages resulting from the use, handling, application, storage, or disposal of this product or for damages in the nature of penalties, and the buyer and the user waive any right that they may have to such damages.

NOTICE TO BUYER

Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside of the United States.

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