

61282-3

3/2/2009

1/4



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

MAR 02 2009

Jennifer Seifert  
Hacco, Inc.  
110 Hopkins Drive  
Randolf, WI 53956

Subject: **Notification:** Updated Storage and Disposal Statement  
Zinc Phosphide 93  
EPA Reg. No. 61282-3  
Decision Number: 406049

Dear Ms. Seifert:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-04 dated 2-4-09 for the product EPA Reg No 61282-3. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-04 and finds that the action(s) requested fall within the scope of PRN 2007-04. The Confidential Statement of Formula (CSF) and/or label submitted with the application has (have) been stamped "Notification" and will be placed in our records.

If you have any questions, please call me @ 703-305-5314.

Sincerely,

A handwritten signature in black ink, appearing to read "Autumn Metzger".

Autumn Metzger  
Biologist  
Insecticide-Rodenticide Branch  
Office of Pesticide Programs

<b>EPA</b>	United States Environmental Protection Agency	<input type="checkbox"/> Registration	<b>NOTIFICATION</b> <b>MAR 02 2009</b>
	Office of Pesticide Programs (H7505C) Washington, DC 20460	<input checked="" type="checkbox"/> Other	
<b>Application for Pesticide:</b>		Notification	

**Section I**

1. Company/Product Number 61282-3	2. EPA Chemical Manager John Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Zinc Phosphide 93	PM# 4	
5. Name and Address of Applicant (Include ZIP Code)  HACCO, Inc. 110 Hopkins Drive Randolph, WI 53956	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 _____	
<input type="checkbox"/> Check if this is a new address		

**Section II**

<input type="checkbox"/> Amendment - Explain Below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below	<input type="checkbox"/> Other - explain below

**Explanation:** Notification of label change per PR Notice 2007-04. This notification is consistent with the guidance in PR Notice 2007-04 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
*Certification must be submitted		If "Yes" Package Wt. No. Per Container	If "Yes" Package Wt. No. Per Container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container  110 pounds	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 type="checkbox"/> Other ( _____ ) <input checked="" type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled			

**Section IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Jennifer J. Seifert	Title Manager, Regulatory Affairs	Telephone No. (Include Area Code) (920) 326-2461
<b>Certification</b> 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 	3. Title Manager, Regulatory Affairs	
4. Typed Name Jennifer J. Seifert	5. Date 2/2/09	



**Manufacturing Plant**  
110 Hopkins Drive  
Randolph, WI 53956-1316  
920 / 326-5141  
920 / 326-5135  
www.hacco.com

**Registration Office**  
110 Hopkins Drive  
Randolph, WI 53956-1316  
920 / 326-5141  
920 / 326-5135  
www.hacco.com

February 4<sup>th</sup>, 2009

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501

**Fed Ex:** 8671 4551 2236

RE: Zinc Phosphide 93  
EPA Reg. No. 61282-3

Gentlemen/Ladies:

Pursuant to PR-Notices 2007-04, in regard to the subject product, we are hereby notifying the Agency of the revision to the Storage and Disposal text.

Following is my statement as required by PR-Notice 2007-04:

Notification of label change per PR Notice 2007-04. This notification is consistent with the guidance in PR Notice 2007-04 and the requirements of EPA's regulations at 40 CFR §156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §156.10, 156.140, 156.144, 156.146, and 156.156, 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.

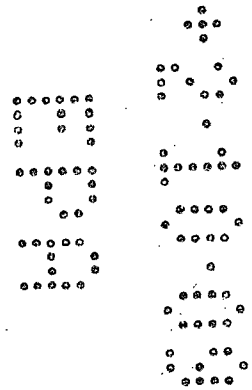
Attached please find the completed application form marked for Notification, as well as a "before" and "after" label, with the alternate brand name clearly marked.

If you should have any questions regarding this matter, please contact me at 920-326-2461.

Sincerely,

Jennifer J. Seifert  
Manager, Regulatory Affairs  
HACCO, Inc.  
[jseifert@neogen.com](mailto:jseifert@neogen.com)

Enclosure(s): 2



# ZINC PHOSPHIDE 93

A pesticide for formulation into registered products for the following uses: terrestrial food crop, terrestrial food/feed crop, terrestrial nonfood crop, aquatic nonfood outdoor, forestry, residential outdoor, indoor nonfood, and indoor residential.

**ACTIVE INGREDIENT:**

Zinc Phosphide ..... 93.0% W/W (min)

**INERT INGREDIENTS:** ..... 7.0% W/W (max)


**TOTAL** ..... 100.0%

EPA Reg. No. 61282-3

EPA Est. No. 41876-1Y-01

**KEEP OUT OF REACH OF CHILDREN**

**DANGER**

**POISON**  **POISON**

**NOTIFICATION**

**MAR 02 2009**

**FIRST AID**

Have label with you when obtaining treatment advice.

Any persons applying zinc phosphide products and experiencing signs and symptoms such as nausea, abdominal pain, tightness in the chest, or weakness should be seen by a physician immediately.

<b>If Swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center, doctor or 1-800-498-5743 immediately for treatment advice or transport the patient to the nearest hospital.</li> <li>• Do not drink water.</li> <li>• Do not administer anything by mouth.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> </ul>
<b>If on Skin or Clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> </ul>
<b>If Inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.</li> </ul>
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> </ul>

Call a poison control center, doctor, or 1-800-498-5743 immediately for treatment advice.

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**DANGER**

Fatal if swallowed or inhaled. May be fatal if absorbed through the skin. Do not breathe dust. Use dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C) or a NIOSH approved respirator with any N, R, P, or HE filter. Do not get in eyes, on skin or on clothing. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Keep away from humans, domestic animals and pets. Avoid contamination of feed or food stuffs. Avoid contact with acids.

**ENVIRONMENTAL HAZARDS**

This pesticide is extremely toxic to fish and wildlife. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters, unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

**DIRECTIONS FOR USE**

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

**NOTICE TO FORMULATORS:**

Formulators who use this product are responsible for providing data to support their own registrations.

**STORAGE AND DISPOSAL**

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

*Non-Household Label*

**Pesticide Storage:** Store only in original container in a cool, dry place inaccessible to children and pets. Keep containers closed and away from other chemicals.

**Pesticide Disposal:** Wastes resulting from the use of this product, and spoiled and unconsumed bait, may be disposed of on site or at an approved waste disposal facility.

**Pesticide Container Disposal:** Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. If recycling is not available then dispose of empty container in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY**

**NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

Manufacturer and Seller warrant that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Manufacturer, and Buyer and User assume the risk of any such use. MANUFACTURER AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall Manufacturer or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF MANUFACTURER AND 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 THE PRODUCT OR, AT THE ELECTION OF MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

Manufacturer and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of Manufacturer.

For non-emergency (e.g., current product information)

call: 1-800-621-8829

Manufactured For:  
HACCO, Inc.  
110 Hopkins Drive  
Randolph, WI 53956

Code (NO.NU.) NR.NO.

4/4