

61282-12

12/15/2003

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

December 15, 2003

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HACCO, Inc.
P.O. Box 7190
Madison, WI 53707

Attention: Ms. Judith A. Thompson

Subject **Diphacinone Technical Grade
EPA Reg. No. 61282-12
Your letter of July 11, 2003
Revised Label**

Purpose The purpose of your submission under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is to revise your label according to PR Notice 2001-1 and other current labeling requirements.

Label The label submitted with the above letter is acceptable, provided that you make the following changes and submit one (1) copy of final printed labeling, before you release product for shipment. A copy of the stamped label is enclosed for your records.

1. Use Enclosure 1 to revise your first aid text.
2. In your "CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY" section, begin the 2nd Paragraph as follows:

To the extent allowed by law, in no event shall Manufacturer ...

Existing stocks Stocks of existing labels may be used for eighteen (18) months.

Consequence for non-compliance If these conditions are not complied with, the registrations will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Questions If you have questions about this letter, please contact me at 703-305-5407 (by phone), 703-305-6596 (by fax), or peacock,dan@epa.gov (by E-Mail).

Sincerely yours,

Daniel B. Peacock, Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

Enclosures 1. Suggested First Aid Text for EPA Reg. No. 61282-5.
2. Stamped label

Letter location Dan Peacock, Disk 131:A:\Diphacinone\61282-5, revised label, final version, 12-15-2003.wpd

Enclosure 1. Suggested First Aid Text for EPA Reg. No. 61282-5

| FIRST AID | |
|--|--|
| Have label with you when obtaining treatment advice, including 1-800-301-7976. | |
| If swallowed | <ul style="list-style-type: none"> •Call a poison control center or doctor immediately for treatment advice or transport the patient to the nearest hospital. •Do not drink water. •Do not administer anything by mouth or induce vomiting unless told to do so by the poison control center or doctor. |
| 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 immediately for treatment advice. |
| If inhaled | <ul style="list-style-type: none"> •Move person to fresh air. •If person is not breathing, call an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. •Call a poison control center or doctor immediately for treatment advice. |
| 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 immediately for treatment advice. |
| NOTE TO PHYSICIAN | |
| If ingested, administer Vitamin K ₁ , intramuscularly or orally. Severe cases may require administering Vitamin K ₁ intravenously and giving blood transfusions. Repeat as necessary based on monitoring of prothrombin times. | |

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Diphacinone Technical Grade
EPA Reg. No. 61282-5
July 10, 2003, Page 1 of 3

DIPHACINONE TECHNICAL GRADE

**A Vertebrate Pesticide For Formulating Registered Products for Use in Terrestrial Non-Food
Crops: Indoor Nonfood; Indoor Residential; Outdoor Residential; Forestry, and Aquatic,
Non-Food Sites.**

ACTIVE INGREDIENT:

Diphacinone [2-(Diphenylacetyl)-1, 3 indandione]..... 98.6%

INERTS:..... 1.4%

Total 100.0%

EPA Reg. No. 61282-5

EPA Est. No. 61282-WI-1

POISON DANGER POISON



**ACCEPTED
with COMMENTS
in EPA Letter Dated:
DEC 15 2003**

KEEP OUT OF REACH OF CHILDREN

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

61282-5

| FIRST AID | |
|---|---|
| If Swallowed: | <ul style="list-style-type: none"> • Call a poison control center or doctor 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. |
| If on Skin: | <ul style="list-style-type: none"> • Wash with plenty of soap and water. |
| If Inhaled: | <ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing call an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. |
| If in Eyes | <ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 20 minutes. • Remove contact lenses if present, after the first 5 minutes, then continue rinsing eye. |
| <ul style="list-style-type: none"> • Call a poison control center or doctor for treatment advice. • Have label with you when obtaining treatment advice | |
| <ul style="list-style-type: none"> • Note to Physician: If ingested, administer Vitamin K₁, intramuscularly or orally as indicated in bishydroxycoumarin overdose. Severe cases may require administering Vitamin K₁ intravenously and giving blood transfusions. Repeat as necessary based on monitoring of prothrombin times. | |
| For a medical emergency involving this product, Call 1-800-301-7976 | |

See other panels for additional precautionary statements.

Net Weight

HACCO, INC.
BOX 7190
MADISON, WI 53707 U.S.A.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

Fatal if swallowed, inhaled or absorbed through the skin. Causes eye irritation. Do not get in eyes, on skin, or on clothing. Do not breathe dust. Wear protective clothing and respiratory protection as listed under "Personal Protective Equipment". Wash thoroughly with soap and water after handling and before eating or smoking. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT:

Handlers who mix this product must wear:

- Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves (such as waterproof or rubber gloves)
- Chemical-resistant footwear plus socks
- Respirator with a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C or NIOSH approved respirator with any N, R, P, or HE filter)

ENVIRONMENTAL HAZARDS

This product is toxic to mammals and birds. 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.

Only for formulation into Products for:

- (1) use in and around homes, agricultural and industrial buildings, and similar man-made structures and in sewers to control Norway rats, roof rats and house mice and use in non-crop areas, forests, parks, nurseries, dormant and non-bearing orchards, rangeland, and crop land (manual application underground or around burrow entrance) to control Polynesian rats, ground squirrels, moles, chipmunks, muskrats, jackrabbits, cotton-tail rabbits, meadow mice, deer mice, meadow voles, pine voles, prairie voles, pocket gophers, or mongooses
- (2) uses for which USEPA has accepted the required data and/or citations of data that the formulator, user group, or grower has submitted in support of the registration; and
- (3) uses for experimental purposes that are in compliance with USEPA requirements.

STORAGE AND DISPOSAL

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

STORAGE: Store in original container in a well ventilated area separately from fertilizer, feed, or foodstuffs and away from product with strong odors. Avoid cross-contamination with other pesticides.

In Case of Spill: Isolate area and keep animals and unprotected persons away. Personnel equipped with protective suits, gloves, and dust respirators should place the spilled product in sift-proof containers or plastic bags. Spillage or leakage should be contained, moistened, and carefully swept up avoiding inhalation of dust. Wash areas of spill with detergent and water. Contact local authorities for disposal.

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PESTICIDE DISPOSAL: Pesticide wastes may be acutely hazardous. Improper disposal of excess pesticide, mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Fiber Box with Plastic Bag Liner: Completely empty bag in 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. If box is contaminated and cannot be used, dispose of in the same manner.

Plastic Pail: 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. **Fiber drums with liners:** Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Then dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner.

**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.