

61282-43

04/13/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

APR 13 2009

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

Subject: **Notification:** Updated Storage and Disposal Statement
Diphacin 110 Concentrate Rodenticide
EPA Reg. No. 61282-43
Submission Dated: March 11, 2009

Dear Ms. Seifert:

The Agency is in receipt of your Application for Pesticide Notifications under Pesticide Registration Notice (PRN) 2007-04 dated 3-11-09 for the product EPA Reg No 61282-43. 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 "AMetzger".

Autumn Metzger
Biologist
Insecticide-Rodenticide Branch
Office of Pesticide Programs

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<p>(A)</p> <h1 style="text-align: center;">EPA</h1>	United States Environmental Protection Agency Office of Pesticide Programs (H7505C) Washington, DC 20460 Application for Pesticide:	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other Notification	OPP Identifier Number
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Section I

1. Company/Product Number 61282-43	2. EPA Chemical Manager John Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Diphacin® 110 Concentrate Rodenticide	PM# 6788 4	
5. Name and Address of Applicant (Include ZIP Code) HACCO, Inc. 110 Hopkins Drive Randolph, WI 53956 <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 _____

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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 *Certification must be submitted.	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Unit Package Wt. No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Package Wt. No. Per Container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) <u>Cardboard</u>
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container 5lb, 10lb, 50lb, 100lb	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 checked="" type="checkbox"/> Lithograph 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) 324-2461
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 (Stamped)
2. Signature 	3. Title Manager, Regulatory Affairs	
4. Typed Name Jennifer J. Seifert	5. Date 3/11/09	



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

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March 11th, 2009

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

Fed Ex: 8541 0696 8298

RE: Diphacin[®] 110 Concentrate Rodenticide
EPA Reg. No. 61282-43

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 revisions 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

Enclosure(s): 2

Diphacin[®] 110

CONCENTRATE RODENTICIDE

KILLS RATS and MICE

Anticoagulant for Rodent Control

FOR COMMERCIAL USE ONLY

NOTIFICATION
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ACTIVE INGREDIENT:

Diphacinone
 (2-Diphenylacetyl-1,3-Indandione)..... 0.1%

INERT INGREDIENTS:..... 99.9%

TOTAL:..... 100.0%

EPA Reg. No. 61282-43

EPA Est. No. 61282-WI-1

KEEP OUT OF REACH OF CHILDREN
CAUTION

FIRST AID	
Have label with you when obtaining treatment advice	
If swallowed	<ul style="list-style-type: none"> Call a poison control center, doctor, or 1-800-498-5743 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.
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.
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, doctor, or 1-800-498-5743 immediately for treatment advice. 	
<p>Note to Physician: If ingested, administer Vitamin K₁ intramuscularly or orally as indicated in bishydroxycoumarin overdose. Repeat as necessary based on monitoring of prothrombin times.</p>	

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Keep away from humans, domestic animals and pets. If swallowed, this material may reduce the clotting ability of the blood and cause bleeding.

ENVIRONMENTAL HAZARDS

This product is toxic to mammals and birds. Do not contaminate water when disposing of equipment wash water or rinsate. Do not apply this product directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark.

DIRECTIONS FOR USE

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

READ THIS LABEL: Read this entire label and follow all use directions and use precautions.

IMPORTANT: Do not expose children, pets, or other non-target animals to rodenticides. To help to prevent accidents:

- Store product not in use in a location out of reach of children and pets.
- Apply bait in locations out of reach of children, pets, domestic animals and non-target wildlife, or in tamper-resistant bait stations. These stations must be resistant to destruction by dogs and by children under six years of age, and must be used in a manner that prevents such children from reaching into bait compartments and obtaining bait. If bait can be shaken from stations when they are lifted, units must be secured or otherwise immobilized. Even

stronger bait stations are needed in areas open to hoofed livestock, raccoons, bears, or other potentially destructive animals, or in areas prone to vandalism.

- Dispose of product container, and unused, spoiled, and unconsumed bait as specified on this label.

USE RESTRICTIONS: Baits prepared from this product may be used to control Norway rats, roof rats, and house mice in and around homes, industrial buildings, and similar man-made structures. Do not place bait in areas that come into direct contact with food. Do not broadcast bait. Wear protective gloves when mixing and applying bait. Thoroughly wash all implements used for mixing and applying baits. Do not use these implements for mixing, holding, or transferring human foods or animals' feeds.

SELECTION OF TREATMENT AREAS: Determine areas where rats or mice will most likely find and consume the bait. Generally, these areas are along walls, by gnawed openings, in or beside burrows, in corners and concealed places, between floors and walls, or in locations where rodents or their signs have been seen. Protect bait from rain or snow. Remove as much alternative food as possible.

MIXING DIRECTIONS

Thoroughly mix one part of concentrate with 19 parts (by weight) of suitable bait material (e.g., cereal grains, oils, and sweeteners). For example, mix one part of this product with 10 parts #2 yellow ground corn, 4 parts steamed rolled oat groats, 2 parts corn germ meal, 1 part powdered sugar, 1 part corn oil and 1 part fish meal & salt mixture (90% fish meal; 10% salt). Bait materials resembling human foods must be altered in form by crushing, balling, or pelletizing so that they are not readily recognizable as foods.

APPLICATION DIRECTIONS

Rats: Apply 4 to 16 oz. of bait per placement. Maintain an uninterrupted supply of fresh bait for at least 10 days.

Mice: Apply ¼ to ½ oz. (1-2 level tablespoons) of bait at 8- to 12-foot intervals. Larger placements (up to 2 oz.) may be needed at points of very high mouse activity. Maintain an uninterrupted supply of fresh bait for at least 15 days.

Rats/Mice: Replace contaminated or spoiled bait immediately. Check perishable baits daily. Collect and dispose of all dead animals and leftover bait properly. To prevent reinfestation, limit sources of rodent food, water, and harborage as much as possible. If reinfestation does occur, repeat treatment. Where a continuous source of infestation is present, establish permanent bait stations and replenish as needed.

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, IN BREACH OF WARRANTY, CO (OTHERWISE) RESULTING FROM THE RETURN OF THE PURCHASED MANUFACTURER OR SELLER, TO

Manufacturer and Seller offer this) conditions of sale and limitations of written agreement signed by a duly au

For non-emerg

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ctive animals, or in areas prone to vandalism.
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PLACEMENTS
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STORAGE AND DISPOSAL

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Non-Household Label

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be disposed of on site or at an approved waste disposal

Disposal: Non-refillable container. Do not reuse or refill this
ycling if available. If recycling is not available then dispose
sanitary landfill, or by incineration, or if allowed by state
burning. If burned, stay out of smoke.

WARRANTY AND LIMITATION OF WARRANTY AND LIABILITY

Directions for Use and Conditions of Sale and Limitation of Warranty
g or using this product. If the terms are not acceptable, return the
and the purchase price will be refunded.

nt that this product conforms to the chemical description on the label and is
s stated in the Directions for Use, subject to the inherent risks referred to
nce with directions under normal use conditions. This warranty does not
duct contrary to label instructions, or under abnormal conditions or under
easable to or beyond the control of Seller or Manufacturer, and Buyer and
uch use. **MANUFACTURER AND SELLER MAKE NO WARRANTIES**
OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER
WARRANTY EXCEPT AS STATED ABOVE.

er or Seller be liable for any incidental, consequential or special damages
iding of this product. **THE EXCLUSIVE REMEDY OF THE USER OR**
CLUSIVE 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 By:
HACCO, Inc.
110 Hopkins Drive
Randolph, WI 53956 U.S.A.

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AFTER LABEL

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