

62341-15

4/19/2012

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Trinity Manufacturing, Inc.
C/O Mr. Edward W. Lyle
Regulatory Counsel
1805 45th Street N.W.
Washington, D.C. 20007-2070

APR 19 2012

Subject: Technical Chloropicrin
EPA Registration Number 62341-15
Phase 2 Red Mitigation Amendment dated December 22, 2011
Decision Number 459020

Dear Mr. Lyle:

The amended labeling referred to above, submitted in connection with reregistration of chloropicrin under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended is acceptable provided the following label revisions are made and the following conditions are met:

LABEL REVISIONS

1. On page 1 revise the First Aid section as follows:
"FIRST AID
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.
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 IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Call a poison control center or doctor for treatment advice."
2. On page 1, add the heading "Note to Physician" and the following text below the First Aid Statements: Chloropicrin is a volatile liquid that is the active ingredient in tear gas. As a gas it is a powerful lachrymator. Early symptoms of overexposure are lachrymation, respiratory distress and vomiting. Pulmonary edema may develop later. Treatment is symptomatic."
3. On page 2, in the Precautionary Statements, move the last three sentences in the first paragraph to the Directions for Use section below the misuse statement.
4. On page 4 under the Directions for Use, delete the sentence "Structural greenhouse and/or enclosed space fumigation uses have been cancelled and must be deleted from end-use product labels."

- 5. On page 4, replace the last paragraph under the Directions for Use and the first paragraph on page 5 with the following text:

“Chloropicrin cannot be formulated into end-use products labeled for pre-plant or pre-transplant uses unless the end-use registrant makes available to certified applicators who purchase or apply the end-use product a registrant developed training program approved by EPA. The training program must provide information on (1) how to correctly apply the fumigant, including how to comply with new label requirements; (2) how to protect handlers and bystanders; (3) how to determine buffer zone distances; (4) how to complete an FMP and the post-application summary; (5) how to determine when weather and other site-specific factors are not favorable for fumigant application; (6) how to comply with required GAPs and how to document compliance with GAPs in the FMP; and (7) how to develop and implement emergency response plans. The registrant developed training program must be made available at least annually to the certified applicators. The end-use applicator license and/or certificate number of persons who successfully complete the registrant developed training program.

Chloropicrin cannot be formulated into end-use products labeled for pre-plant or pre-transplant uses unless the end-use registrant ensures Buffer Zone signs suitable for posting buffer zones or templates for the buffer zones signs are available to its downstream distributors/customers who in turn will provide the signs at the point of sale.

Templates may be downloaded from
http://www.epa.gov/pesticides/reregistration/soil_fumigants/index.htm

The Buffer Zone sign must met the following standards:

- Signs must remain legible during the entire posting period, and must meet the general standards outlined in the WPS for sign size, text size, and legibility (see 40 CFR§ 170.120).”

- 6. Make the following revisions to the Storage and Disposal section as follows:
 - a. Add the following sentence immediately below the heading Storage and Disposal: “Do not contaminate water, food, or feed by storage and disposal.”
 - b. Revise the heading “Storage” to “Pesticide Storage”.
 - c. Add the following section immediately below the Pesticide Storage section: “Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to the label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.”
 - d. Add the subheading “Container Handling:” in front of the text beginning with “Refillable container. Refill this container. . .”
 - e. Revise the “Handling section” to read as follows: “Container Handling: Remove the valve protection bonnet and safety cap only when fumigant is about to be removed from the cylinder. The safety cap and valve protection bonnet must be replaced when the cylinder is not in use. Do not subject cylinders to rough handling or abnormal mechanical shock such as dropping, bumping, dragging, or

sliding. Do not use ropes, slings, hooks, tongs, and similar handling devices for unloading cylinders. Transport heavier cylinders by using a suitable hand truck, fork truck or similar device to which the cylinders can be firmly secured."

- f. In the Spill or Leak Procedure section, revise the third sentence as follows: "Move leaking or damaged containers outdoors to an isolated location. . ."
- g. In the Spill or Leak Procedures section, revise the sentence "Allow spilled material to evaporate or to. . ." to read "Allow spilled material to evaporate or to absorb into vermiculite, dry sand, earth or similar absorbent material which may be disposed of at an approved waste disposal facility."
- h. Delete the last section which begins with "Disposal: Do not contaminate water, food, or feed by storage or disposal. Pesticide wastes. . ."

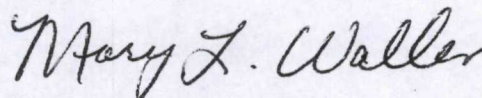
7. On page 8, in the Notice section, revise the sentence to read as follows: "Seller warrants that this product conforms. . .and to the extent consistent with applicable law, buyer assumes the risk of any such use."

CONDITIONS

- 1. EPA has determined that the risk mitigation measures on the revised label for this product are necessary to adequately protect human health and the environment. Therefore, pursuant to 40 CFR § 152.130(d), EPA has decided that no product bearing previously approved labeling may be sold or distributed (released for shipment) by its registrant after December 1, 2012. Wherever state approval is required for sale or distribution of this product with this new labeling, EPA strongly encourages you to submit an application to the state authority as soon as possible. You should be aware that the Agency does not intend to modify the December 1, 2012 deadline because of any failure to obtain state approvals.
- 2. Submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

One copy of the label stamped "Accepted with comments" is enclosed for your records. If you have any questions, you may contact me via email, waller.mary@epa.gov or by phone at (703) 308-9354.

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicides Branch
Registration Division (7504P)

Enclosure

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Trinity Manufacturing, Inc.
Draft Label for Technical Chloropicrin
EPA Reg. No. 62341-15 - Chloropicrin RED Reqs.

Second Column From Left

ACCEPTED
with COMMENTS
In EPA Letter Dated:
4/19/2012

**TECHNICAL
CHLOROPICRIN**

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
62341-15

ACTIVE INGREDIENT:
Chloropicrin 99.4%
OTHER INGREDIENTS: 00.6%

KEEP OUT OF REACH OF CHILDREN



**POISON
DANGER - PELIGRO**

FIRST AID

Send for a doctor immediately in case of exposure.

IF INHALED: Remove victim to fresh air immediately. Keep victim lying down and warm. Give artificial respiration if breathing has stopped. Call physician immediately.

IF ON SKIN: Remove all contaminated clothing and shoes immediately. Wash exposed areas thoroughly with soap and water. If a rash or blister develops, get medical attention. Clean or launder contaminated clothing before re-use. Do not re-use clothing or shoes until free of chemical odor.

IF IN EYES: Flush with running water for at least 15 minutes. Get medical attention promptly.

**TRINITY MANUFACTURING, INC.
PO Box 1519, Hamlet, NC 28345
EPA Reg. No. 62341-15
EPA Est. No. 62341-NC-1**

NET CONTENTS:

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Trinity Manufacturing, Inc.

Draft Label for Technical Chloropicrin

EPA Reg. No. 62341-15 - Chloropicrin RED Reqts.

Left Hand Column

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND

DOMESTIC ANIMALS

DANGER: Poisonous Liquid and Vapor. Contact with Liquid May Produce Burns. Do Not Breathe Vapor. Do Not Get in Eyes, on Skin, or Clothing. Wash all contaminated clothing with soap and water before re-use. Do not re-use contaminated clothing or shoes until free of chemical odor. This fumigant is highly hazardous material and must be handled with care only by those individuals experienced with its proper use. Consult your dealer representative for correct procedure. Before using, read and follow all label directions and product literature specific to your particular requirements.

This fumigant has the capacity to cause marked irritations in the upper respiratory tract and is a strong lachrymator (tear producing eye irritant). Low concentrations, below those necessary to cause serious systemic intoxication, are capable of causing severely painful eye irritation, hence will not be voluntarily tolerated. However, the effect may be so powerful that a person may become temporarily blinded and panic-stricken and that in turn may lead to accidents.

RESPIRATORY EXPOSURE

Respiratory Protection: Do not breathe fumes. Because of the lachrymator action of this fumigant, it will serve as its own identifying agent to help prevent over-exposure. However, if vapor exposure may occur in a confined space, a full face gas mask with an air supply (tank or airline) is recommended. Read and follow the gas mask manufacturers' recommendations. A full face gas mask with a fresh block canister meeting NIOSH specifications for organic vapors can also be used under certain circumstances where the vapor concentration is known to be under 2% by volume (5 lb. per 1000 cu.ft.) Canisters should be used for no more than that period recommended by the manufacturer. Destroy used canisters by crushing. Chloropicrin must not be depended upon as an identifying agent when a canister mask is used.

EYE EXPOSURE

Wear safety glasses when working with this fumigant. Exposure of eyes to splashing liquid fumigant may render an individual helpless. In case of eye exposure, flush eyes with clean water.

SKIN EXPOSURE

Do not spill. If liquid fumigant splashes or spills on shoes or clothing, remove them at once, as fumes from the contaminated area will be an intolerable source of irritation. If liquid

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contacts skin where rings or bandages are worn, remove them and wash exposed skin with soap and water. Air expose shoes or clothing outside and do not wear until free of all traces of fumigant. Always have adequate clean water available to wash skin.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to mammals, birds, fish and aquatic invertebrates. Do not discharge effluent containing this pro-duct into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollution 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.

Precautions Continued in Third Column

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Trinity Manufacturing, Inc.
Draft Label for Technical Chloropicrin
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Second Column From Right

PRECAUTIONARY STATEMENTS

(continued)

CHEMICAL HAZARDS

Do not use containers or application equipment made of magnesium, aluminum or their alloys, as under certain conditions this fumigant may be severely corrosive to such metals. Do not permit water to be used to clean fumigant pressure system as corrosion will result. Diesel oil is satisfactory for this purpose.

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 a fumigant for the following uses: pre-plant soil fumigant in agricultural fields and commercial greenhouses, tree replant, and remedial wood treatment.

Structural greenhouse and/or enclosed space fumigation uses have been cancelled and must be deleted from end-use product labels.

Chloropicrin cannot be formulated into end-use products labeled for pre-plant or pre-transplant uses unless the registrant makes available to certified applicators who purchase or apply the end-use product a training program approved by EPA that provides information on how to correctly apply the fumigant including: how to protect themselves and other handlers and bystanders, how to determine buffer zone distances, how to develop a Fumigant Management Plan, how to determine when weather and other site-specific factors are not favorable for fumigant application, and how to develop an emergency response plan. The training program must be made available at least annually to the certified applicators. Certified applicators must take the training every 36 months. The registrant must be able to provide, upon request, the names, addresses, and certified applicator license and/or certificate number of persons who successfully complete the training program.

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Chloropicrin cannot be formulated into end-use products labeled for pre-plant or pre-transplant uses unless the registrant assures Buffer Zone signs suitable for posting buffer zones are available to end-use product users at the point of sale. The buffer zone must meet the following standards: 1) Signs must remain legible during entire posting period; 2) The size and type of lettering and the size of the buffer zone signs must follow the requirements in the Worker Protection Standard for Agricultural Pesticides for treated area posting.

Contents of sign:



DO NOT ENTER / NO ENTRE

**Chloropicrin [Name of Product] Fumigant BUFFER ZONE.
Certified applicator in charge of fumigation: (insert name
and phone number below)**

This product may be used to formulate products for specific use(s) not listed on the MP label [this label] if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such uses.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry, well-ventilated area under lock and key. Post as a pesticide storage area. Do not contaminate water, food or feed by storage or disposal. Persons moving or handling containers should wear protective clothing. Open container only in a well-ventilated

[Note: Text continues to right-hand column (below)]

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Trinity Manufacturing, Inc.

Draft Label for Technical Chloropicrin

EPA Reg. No. 62341-15 - Chloropicrin RED Reqts.

Right Hand Column

area wearing protective clothing and respiratory protection if necessary.

Return of containers: Cylinders are the property of Trinity Manufacturing, Inc., 11 E. V. Hogan Drive, Hamlet, NC 28345 and should be returned promptly by collect auto freight. When a cylinder is empty, the valve should be closed, the safety cap screwed into the valve outlet, and the protection bonnet replaced prior to its return to the shipper. Do not ship cylinders without safety caps or valve protection bonnets. When a cylinder is partially full and there is no further requirement for the product, contact Trinity Manufacturing, Inc. for return instructions. Containers should never be refilled by the consumer or used for any other product or purpose.

Refillable container. Refill this container with chloropicrin only. Do not use this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal Trinity Manufacturing Inc. shall follow and document internal Standard Operating Procedures for the cleaning of rail cars and pressure cylinders.

Shipping: This fumigant is classified in the U.S. Department of Transportation Hazardous Materials Regulations as Chloropicrin, 6.1 UN 1580, PG 1 Poison-Inhalation Hazard, Hazard Zone B and no exemptions from specifications, packaging, marking and labeling are allowed. Describe empty cylinders as having last contained Chloropicrin, 6.1 UN 1580, PG 1, Poison-Inhalation Hazard, Hazard Zone B. Do not ship with food, feed or clothing

Handling: The valve protection bonnet and safety cap should be removed only when fumigant is about to be removed from the cylinder. The safety cap and valve protection bonnet must be replaced when the cylinder is not in use. Cylinders should never be subjected to rough handling or to abnormal mechanical shock such as dropping, bumping, dragging or sliding. Ropes, slings, hooks, tongs and similar handling devices should not be used for unloading cylinders. A suitable hand truck, fork truck or similar device to which the cylinders can be firmly secured should be used for transporting the heavier cylinders.

Spill or Leak Procedure: Evacuate immediate area of spill or leak. Use SCBA combination air-supplied SCBA respirator or approved canister respirator for entry into affected area to correct problem. Move leaking or damaged containers outdoors or to

an isolated location observing strict safety precautions. Work upwind if possible. Allow spilled material to evaporate or to absorb into vermiculite, dry sand, earth or similar absorbent material which may be disposed of on site, or at an approved disposal facility. Do not permit entry into spill area or cleanup by unprotected persons until concentration of chloropicrin is determined to be less than 0.1 ppm.

Disposal: Do not contaminate water, food or feed by storage or disposal. Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If those 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.

Notice: Seller warrants that this product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use, but neither this warranty nor any other warranty of MERCHANTABILITY or FITNESS FOR A PARTICULAR PURPOSE, express or implied, extends to the use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to Seller, and Buyer assumes the risk of any such use.