

62531-1

12/21/2011

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

CHEMICAL SAFETY

OFFICE OF
AND POLLUTION PREVENTION

John Reese, Jr.
V.P. Technical, E.H.S.
ASHTA Chemicals
3509 Middle Road
Ashtabula, OH 44005

DEC 21 2011

Subject: Chloropicrin
EPA Registration Number 62531-1
Phase 2 Red Mitigation Amendment dated May 25, 2011
Decision Number 458882

Dear Mr. Reese:

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 2 replace the phrase "all handlers must wear" and "handlers must wear" to read "all workers must wear" and "workers must wear".
2. On page 3 at the top of the page, revise the sentence to read "IMPORTANT: A self-contained breathing apparatus (SCBA) is not permitted for routine worker tasks."
3. On page 5 under Spill and Leak Procedures, make the following revisions:
 - a. Revise the sentence "Move leaking or damaged containers outdoors or to an isolated location." to read "Move leaking or damaged containers outdoors to an isolated location."
 - b. Revise the sentence "Such material must be disposed of on site or at an approved disposal facility." to read "Dispose of material at an approved waste disposal facility."
 - c. Delete the sentence "Only, correctly trained and PPE-equipped handlers are permitted to perform such cleanup."
4. On page 6 under Warranty Disclaimer, revise the last sentence to read as follows: To the extent consistent with applicable law, seller's liability for default, breach. . .".

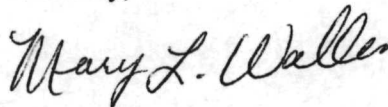
CONDITIONS

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

12/21/2011

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, and the pesticide
regulation authority of FIFRA, Reg. No. 62531-1

CHLOROPICRIN

For Formulating End-Use Products

Active Ingredient:	
Chloropicrin.....	99.3%
Other Ingredients:.....	0.7%
Total:.....	100.0%

This product weighs 14.15 lbs. Per Gallon

KEEP OUT OF REACH OF CHILDREN

DANGER



POISON



[Note : "Poison" will be
printed in red]

PELIGRO

Si Usted no entiende la etiqueta, busque a alguien para que se la explique a Usted en detalle. (If you do not understand the label, find someone to explain it to you in detail).

FIRST AID

IN ALL CASES OF OVEREXPOSURE GET MEDICAL ATTENTION IMMEDIATELY. TAKE PERSON TO A DOCTOR OR AN EMERGENCY TREATMENT FACILITY.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth. Call a poison control center or doctor for further treatment advice.

IF ON SKIN OR CLOTHING: Take off contaminated clothing, shoes, and other items covering the skin. 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 eyes 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 eyes. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: Call a poison control center or doctor 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 a poison control center or doctor. Do not give anything by mouth to an unconscious person.

NOTE TO THE PHYSICIAN: 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.

[SEE SIDE PANELS FOR ADDITIONAL PRECAUTIONARY STATEMENTS.]

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NET WEIGHT: _____ LBS.
LOT NO.: _____

EPA REG. NO. 62531-1
EPA EST. NO. 062531-OH-001

**ASHTA Chemicals Inc.
3509 Middle Road
Ashtabula, Ohio 44004**

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER**

Poisonous liquid and vapor. Inhalation of vapors may be fatal. Chloropicrin is readily identifiable by smell. Exposure to very low concentrations of vapor will cause irritation of eyes, nose, and throat. Continued exposure after irritation, or higher concentrations may cause painful irritation to the eyes or temporary blindness. Liquid will cause chemical burns to skin or eyes. Do not get on skin, in eyes, or on clothing. Harmful or fatal if swallowed.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are PPE constructed of Saranex, neoprene, and chlorinated polyethylene provide short-term contact or splash protection against liquid in this product. Longer-term protection is provided by PPE constructed of Viton, Teflon, and EVAL barrier laminates (for example, responder suits manufactured by Life-Guard or Silvershield gloves manufactured by North). Where chemical-resistant materials are required, leather, canvas, or cotton materials must not be worn as the sole article of protection when contact with this product is possible. For more options, follow the instructions for Category H on the chemical-resistance category selection chart.

When performing tasks with no potential for contact with liquid, all handlers must wear:

- Long-sleeved shirt and long pants, and
- Shoes and socks

When performing tasks with potential contact with liquid fumigant, all handlers must wear:

- Long-sleeved shirt and long pants,
- Chemical-resistant gloves,
- Chemical-resistant apron,
- Protective eyewear (Do **NOT** wear goggles), and
- Chemical-resistant footwear and socks.

In addition, when an air-purifying respirator is required, handlers must wear:

- NIOSH-certified full-facepiece air-purifying respirator with cartridges certified by the manufacturer for protection from exposure to chloropicrin at concentrations up to 5 ppm (e.g., a 3M air-purifying respirator equipped with 3M Model 60928 Organic Vapor/Acid Gas/P100 cartridges)

Note to reviewer: Text in [brackets] indicates optional text or note to reviewer.

Edit date: 2011-05-25

IMPORTANT: A self-contained breathing apparatus (SCBA) is not permitted for routine handler tasks. Wear an SCBA and PPE required for liquid contact potential in emergencies such as a spill or leak or when corrective action is needed to reduce air levels to acceptable levels.

Cartridges or canisters must be replaced when odor or irritation from this product becomes apparent during use, if the measured concentration of chloropicrin is greater than or equal to 1.5 ppm, or after 8 hours of use, whichever occurs first.

USER SAFETY REQUIREMENTS

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

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

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

ENVIRONMENTAL HAZARDS

This pesticide is toxic to mammals, birds, fish, and aquatic invertebrates. 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.

PHYSICAL OR CHEMICAL HAZARDS

Chloropicrin may be corrosive under certain conditions. DO NOT USE WATER to clean equipment. Flush equipment with kerosene or fuel oil. Do not use handling equipment or containers made from magnesium, aluminum, or alkali metals. Chloropicrin is a nonflammable liquid.

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.

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 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 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 meet 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).

Contents of Sign



- "DO NOT ENTER/NO ENTRE,"
- "Chloropicrin [Name of Product] Fumigant BUFFER ZONE,"
- space for contact information for the certified applicator in charge of the fumigation"

Note to reviewer: Text in [brackets] indicates optional text or note to reviewer.

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

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a dry, well-ventilated area under lock and key. Post as a pesticide storage area. Persons moving, handling or opening containers must wear the personal protective equipment specified in the Hazards to Humans section of this labeling. Open container only in a well-ventilated area.

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 label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

[Instructions for refillable cylinders:]

PESTICIDE CONTAINER HANDLING/CONTAINER DISPOSAL

Refillable Container. Refill this container with pesticide only. Do not reuse 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.

RETURN CYLINDERS TO: Return cylinders to the place of purchase as designated on the Bill of Sale. Cylinders are the property of Company and must be returned promptly by collect auto freight. (1) When a cylinder is empty, the valve must be closed, the safety cap screwed on the valve outlet, and the valve protection bonnet replaced prior to its return to the shipper. (2) Do not ship cylinders without safety caps or valve protection bonnets. (3) When a cylinder is partially full and there is no further requirement for the product, contact Company, the distributor or dealer representative for return instructions. (4) Containers must never be refilled by the consumer or used for any other product or purpose.

SHIPPING: This fumigant is classified in the U.S. Department of Transportation Hazardous Materials Regulations as Chloropicrin, 6.1, UN 1580, PG1, Poison-Inhalation Hazard, Hazard Zone B and must be shipped in accordance with DOT requirements. Describe empty cylinders as having last contained Chloropicrin (Inhalation Hazard). Do not ship with foods, feeds, or clothing.

HANDLING: (1) Do not remove the valve protection bonnet and safety cap until the 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. (2) Do not subject cylinders to rough handling or to abnormal mechanical shock such as dropping, bumping, dragging, or sliding. (3) Do not use ropes, slings, hooks, tongs and similar handling devices for unloading cylinders. (4) A suitable hand truck, fork truck, or similar device to which the cylinders can be firmly secured must be used for transporting the heavier cylinders.

Spill and Leak Procedures. Evacuate everyone from the immediate area of the spill or leak. For entry into affected area to correct problem, wear the personal protective equipment specified in the *Hazards to Humans and Domestic Animals* section of this labeling. Move leaking or damaged containers outdoors or to an isolated location. Observe strict safety precautions. Work upwind, if possible. Allow spilled fumigant to evaporate or to absorb onto vermiculite, dry sand, earth, or similar absorbent material. Such material must be disposed of on site or at an approved disposal facility. Only, correctly trained and PPE-equipped handlers are permitted to perform such cleanup. Do not permit entry into the spill or leak area by any other person until the concentration of chloropicrin is measured to be less than **0.15 ppm**.

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WARRANTY DISCLAIMER

Seller warrants that this product complies with the specifications expressed in this label. SELLER MAKES NO OTHER WARRANTIES; AND DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY AND FITNESS FOR THE INTENDED PURPOSE. Seller's liability for default, breach, or failure under this label shall be limited to the amount of the purchase price. Seller shall have no liability for consequential damages.