

62719-350

09/08/2000

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania, N.W.
Washington, D.C. 20460

EPA Reg. Number:
62719-350

Date of Issuance:
9/8/00

NOTICE OF PESTICIDE:
 Registration
 Reregistration

Term of Issuance:
Conditional

Name of Pesticide Product:
XRM-5222

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Dow AgroSciences
9330 Zionsville Road
Indianapolis, IN 46268-1054

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA Section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA Section 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA Section 4.
2. Make the following label changes before you release the product for shipment:
 - a. Revise the EPA Registration Number to read, "EPA Reg. No. 62719-350."

Signature of Approving Official:

Dennis McNeilly
Insecticide-Rodenticide Branch

Date:

Sep 8, 2000

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EPA Reg. No. 62719-350

As requested in your letter of July 5, 2000, the conditions of of the June 2000 Memorandum of Agreement between the Environmental Protection Agency and the signatory registrants regarding the registration of the pesticide products containing Chlorpyrifos are accepted by the Agency as conditions of the subject registration.

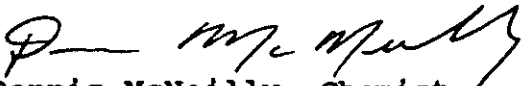
Failure to comply with any of the conditions of registration set forth in Paragraph 10 the MOA shall be grounds for cancellation of the affected registration(s) under FIFRA section 6(e).

Submit one copy of the revised final printed label before releasing the product for shipment.

If the conditions enumerated above are not complied with, the registration will be subject to cancellation in accordance with FIFRA Section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. Please contact me on (703) 308-6742 if you have questions regarding this registration.

Sincerely,


Dennis McNeilly, Chemist
Insecticide-Rodenticide Branch
Registration Division (7505C)

Enclosure 1) Stamped Label

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(Logo) Dow AgroSciences LLC

XRM-5222

For Manufacturing Use Only

Active Ingredient:

chlorpyrifos: O,O-diethyl O-(3,5,6-trichloro-2-pyridinyl) phosphorothioate 22.8%

Inert Ingredients 77.2%

Total Ingredients 100.0%

ACCEPTED
with COMMENTS
In EPA Letter Dated:

SEP - 8 2000
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.

~~62719-350~~

Precautionary Statements

Hazards to Humans and Domestic Animals

Keep Out of Reach of Children

CAUTION

Harmful If Swallowed or Absorbed Through Skin • Causes Moderate Eye Irritation

Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

First Aid

If in eyes: Flush with plenty of water. Get medical attention if irritation persists.

If swallowed: Do not induce vomiting. Call a physician or poison control center. Contains ingredients which may cause chemical pneumonia if aspirated into the lung. Do not induce vomiting or give anything by mouth to an unconscious person. Avoid alcohol.

If on skin: Wash with plenty of soap and water. Get medical attention if irritation persists.

Note to physician: Active ingredient is a cholinesterase inhibitor. Treat symptomatically. Atropine, by injection only, is the preferable antidote. Oximes, such as 2-PAM/Protopam, may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe acute poisoning, use antidote immediately after establishing an open airway and respiration.

Environmental Hazards

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. The June 7, 2000 memorandum of agreement between EPA and registrants of pesticide products containing chlorpyrifos only applies to registered uses of chlorpyrifos in the U.S.

For Manufacturing Use Only

Manufacturing-Use Product Labeling Requirements

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After October 1, 2000, any manufacturing-use product formulated from this product must bear EPA-approved labeling that is consistent with the terms of the June 7, 2000, memorandum of agreement between EPA and registrants of pesticide products containing chlorpyrifos.

This product may ONLY be formulated into manufacturing-use insecticide products or end-use insecticide products for the following uses. Text in square brackets (e.g. [Indoor Food]) after each site category heading refers to the general use group as referenced in 40 CFR 158.

Agricultural Uses

Agricultural Crops [Terrestrial Food Crop, Greenhouse Food Crop]: Alfalfa, apple (post-bloom application prohibited), asparagus, banana, bean (snap, lima), beet (sugar, table, including crops grown for seed), blueberry, brassica (cole) leafy vegetables (bok choy, broccoli, broccoli raab, broccoli, Brussels sprout, cabbage, Chinese cabbage, cauliflower, collard, kale, kohlrabi), caneberry, cherimoya, cherry (sour, sweet), citrus (lemon, orange, grapefruit and citrus, other) citrus orchard floor, corn (field, sweet, including crops grown for seed), cotton, cranberry, cucumber, date, feijoa, fig, grape, kiwifruit, leek, legume vegetables, mint, nectarine, onion (dry bulb), pea, peach, peanut, pear, pepper, plum, prune, pumpkin, radish (including crops grown for seed), rutabaga, sapote, seed and pod vegetables, sorghum (grain, milo), soybean, strawberry, sugarcane, sunflower, sweet potato, tobacco, tree nuts (almond, filbert, pecan, walnut, other), turnip, wheat, and seed treatment; in addition, this product may be used to formulate products for any additional crop uses not listed on this label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses;

Livestock [Indoor Food]: Cattle ear tags, non-residential animal housing including but not limited to poultry houses, feedlots, corrals, stockyards, holding pens, and other livestock holding areas;

Ornamentals – commercial production only [Commercial Terrestrial Non-Food, Commercial Greenhouse Non-Food]: Greenhouse, outdoor (excluding any residential outdoor use), field grown and nursery grown ornamentals (including, but not limited to flowers, shrubs, evergreens, vines, shade and flowering trees, and non-bearing fruit, nut, and citrus trees); Christmas tree plantations, nurseries, forest tree nurseries, sod farms, perennial grass seed crops, soil treatment of potted, containerized or balled and burlapped nursery stock plants in nurseries and greenhouses only; annual and perennial plants;

Forest Trees [Forestry]: Plantations, forests, seed orchards, felled trees, and cut stumps.

If the product is labeled for reformulation into products bearing labeling for agricultural uses, the label may not contain instructions permitting formulation into products registered for tomatoes. In addition, the label must contain the following statements:

- Use of this product for formulation into any end-use product bearing instructions for use on apple trees is prohibited unless the end-use product bears EPA-approved labeling prohibiting post-bloom application to apple trees.
- This product may only be formulated for the agricultural uses listed below if the EPA-approved labeling of the formulated product bears revised worker reentry intervals (REIs) of a duration no less than the following:

For all crops: 24 hours, unless specifically noted as otherwise below

- Tree nuts and sweet potatoes: 2 days
- Fruit trees: 4 days
- Citrus trees: 5 days
- The end-use product labeling may include the following statement: 'Certified crop advisors or persons entering under their direct supervision under certain circumstances may be exempt from the early reentry requirement pursuant to 40 CFR Part 170.'
- Any emulsifiable concentrate (EC) end-use product formulated from the product must be labeled as a restricted use product. All other end-use products (except for cattle ear tags) formulated from the product must either be labeled as restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation, 50 pounds of a granular formulation, or 25 pounds of any other dry formulation.

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Non-Agricultural, Non-Termite Control Uses

Turf [Terrestrial Non-Food]: Golf course turf, turf in road medians, and turf in industrial plant sites (provided the use rate is no greater than 1 lb ai/acre);

Pest Control Indoors [Indoor Residential]: Containerized baits in child-resistant packaging for indoor residential uses;

Pest Control Indoors [Indoor Non-residential]: Crack, crevice, and spot treatments in food and non-food areas of non-residential buildings and structures including warehouses, ship holds, railroad boxcars, industrial plants, manufacturing plants, food processing plants such as bakeries (not in food service establishments), bottling facilities, breweries, food manufacturing plants, granaries, grain mills, and wineries; or containerized baits in child-resistant packaging;

Pest Control Outdoors [Terrestrial Non-Food, Domestic Outdoor]: Public health uses to control fire ant mounds. Public health uses as a mosquito adulticide; mosquito control may only be applied by trained personnel of public health organizations, mosquito abatement districts, public mosquito control programs, and professional pest control operators;

Pest Control Outdoors [Terrestrial Non-Food]: Underground utility cables and conduits in non-residential sites; sewer manhole lids and walls; turf and ornamentals in road medians as well as turf and ornamentals in industrial plant sites (provided the use rate is no greater than 1 lb ai/acre); localized exterior surface treatment of warehouses, railroad boxcars, industrial plants, manufacturing plants, food processing plants only; soil applied perimeter treatment of warehouses, industrial plants, manufacturing plants, food processing plants only;

Non-Residential Outdoor Control of Wood Infesting Insects [Terrestrial Non-Food]: Fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts, and processed wood products.

If the product is labeled for reformulation into products bearing labeling for non-agricultural uses (other than termite control), the label must contain the following statements:

After December 1, 2000, this product may only be used to formulate an end-use pesticide product labeled for non-agricultural, non-termite control uses in accordance with the following conditions:

- Any emulsifiable concentrate (EC) end-use product formulated from this product must be labeled as a restricted use product. All other end-use products formulated from the product (other than containerized baits in child-resistant packaging) must either be labeled as restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation or 25 pounds of a dry formulation.
- The end-use product may not bear use directions for any indoor residential use (as that term is defined in 40 CFR 152.3) other than containerized baits in child-resistant packaging.
- Any emulsifiable concentrate (EC) end-use product formulated from this product may not bear use directions for any indoor non-residential use. All other end-use products may not bear use directions for any indoor non-residential use other than one or more of the following uses: warehouses, ship holds, railroad boxcars, industrial plants, manufacturing plants, food processing plants, or containerized baits in child-resistant packaging.
- The end-use product may not bear use directions for any residential outdoor use other than one or more of the following public health uses: individual fire ant mound treatment or mosquito adulticide use.
- The end-use product may not bear use instructions for any non-residential outdoor use other than one or more of the following uses:
 - golf courses, road medians, and industrial plant sites, provided that the maximum label application rate is no greater than 1 lb ai/acre;
 - mosquito adulticide use for public health purposes;
 - individual fire ant mound treatment for public health purposes; and
 - fence posts, utility poles, railroad ties, landscape timbers, logs, pallets, wooden containers, poles, posts, and processed wood products.

Termite Control Uses

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Wood or Wood Structure Protection Treatments [Terrestrial Non-Food]: Spot and localized termiticide treatments.

If the product is labeled for reformulation into products labeled for termite control, the label must contain the following statements:

After December 1, 2000, this product may only be used to formulate an end-use pesticide product labeled for termite control in accordance with the following conditions:

- This product may not be used after December 31, 2004, to formulate any product labeled for termite control, unless prior to that date, EPA has made a written determination that pre-construction termite control use may continue.
- Any end-use product formulated from this product must bear EPA-approved labeling that (a) does not include use instructions for any post-construction applications other than spot and local treatment; and (b) states this product may only be used for spot and local treatment until December 31, 2002.
- Any end-use product formulated from this product must bear EPA-approved labeling with a maximum chlorpyrifos end-use dilution of 0.5% active ingredient.
- Any emulsifiable concentrate (EC) end-use product formulated from this product (other than containerized baits in child-resistant packaging) must be labeled as a restricted use product. All other end-use products formulated from the product must either be labeled as restricted use or packaged in containers no smaller than 15 gallons of a liquid formulation or 25 pounds of a dry formulation.

Other Uses

This product may be formulated into insecticide products for other uses for which the US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration excluding any use strictly prohibited by this label.

Experimental Uses

This product may be formulated into insecticide products for uses for experimental purposes that are in compliance with US EPA requirements.

Other Prohibited Uses

All manufacturing-use and end-use products produced from this product must bear the following statement:

'This product may NOT be used for formulation into manufacturing-use or end-use products for the following uses:

Aquatic Uses [Aquatic Food Crop, Aquatic Non-Food]: Any aquatic use, including mosquito larvicide.'

Important Note:

Because of their properties and intended uses, insecticidal formulations containing this product will require precautionary labeling differing from that given. Formulators should develop their own use and precautionary labeling based on the properties and intended uses of their own finished formulations, and are responsible for obtaining EPA registration of these products.

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Storage and Disposal

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

Storage: Store in original container in a secured dry storage area. Do not store above 100°F for extended periods of time. Storage below 40°F may result in the formation of crystals. If product crystallizes, store at 72°F to 90°F and agitate to redissolve crystals. Contain spills using an inert absorbent and transfer contaminated absorbent material to a container.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of federal law. Dispose of excess or waste pesticide by use according to label directions or contact your state pesticide or environmental control agency or the hazardous waste representative at the nearest EPA regional office for guidance.

Metal Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Returnable Bulk Container Disposal: Empty container completely. Do not attempt to clean or rinse container after use. Reseal openings utilized in dispensing product during use. Return reusable container to Dow AgroSciences according to instructions provided.

Warranty Limitations and Disclaimer

Dow AgroSciences warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

This is the only warranty made on this product. **Dow AgroSciences expressly disclaims any implied warranties of merchantability and fitness for a particular purpose and, except as set forth in the above paragraph, any other express or implied warranties.** Buyer acknowledges the use of its own independent skill and expertise in the selection and use of the product and does not rely on any oral or written statements or representations.

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

Manufacturing Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-XXX

EPA Est. _____

Lot

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Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A.

Insecticide

Net Contents XX Gallons