



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

DEC 19 2002

OFFICE OF
PREVENTION OF PESTICIDES AND
TOXIC SUBSTANCES

A. Sterett Robertson
Regulatory Manager
Regulatory Success-America
Dow AgroSciences LLC
9330 Zionsville, IN 46268-1054

Subject: Label Amendment: First Aid per PR Notice 2001-1, Storage and Disposal
EPA Reg. No. 62719-351
Dursban HF
Submission dated September 19, 2002, **Acceptable with Comments.**

Dear Mr. Robertson:

The revised labeling referenced to above, submitted in connection with the registration under the Federal Insecticide, fungicide, and Rodenticide Act (FIFRA) as amended, is accepted with the following comment:

Add to the "Note to Physician" "Contains petroleum distillate-vomiting may cause aspiration pneumonia".

A stamped copy "accepted with comments" of the label is enclosed for your records.

Please submit two (2) copies of the final printed label for our records before releasing the product to market.

If you have any questions please call me at (703) 308-8328.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Akiva Abramovitch".

Akiva Abramovitch, Ph.D.

Chemist

Insecticide/Rodenticide Branch

Registration Division (7505C)

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(Logo) Dow AgroSciences

Dursban* HF

Insecticidal Concentrate

For Manufacturing Use Only

Active Ingredient:

Chlorpyrifos: 0,0-diethyl 0-(3,5,6-trichloro-2-pyridinyl) phosphorothioate	62.5%
Inert Ingredients	37.5%
Total	100.0%

Contains 6 pounds of chlorpyrifos per gallon.

ACCEPTED
with COMMENTS
In EPA Letter Dated:
 1 SEP 19 2002
 Under the Federal Insecticide,
 Fungicide, and Rodenticide Act,
 as amended, for the pesticide
 registered under EPA Reg. No.
 62719-351

WARNING

Precautionary Statements

Hazard to Humans and Domestic Animals

May Be Fatal If Swallowed • Harmful If Inhaled

Avoid breathing dust. Handle concentrate in a ventilated area. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash clothing before reuse. Keep away from food, feedstuffs and water supplies.

First Aid

If swallowed: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give **any** liquid to the person. Do not give anything by mouth to an unconscious person.

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 if possible. Call a poison control center or doctor for further treatment advice.

Note to physician: Chlorpyrifos is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate significance of exposure (baseline data are useful). Atropine, only by injection, 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

This pesticide is toxic to birds and wildlife, and extremely toxic to fish and aquatic organisms. 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

Combustible. Do not use or store near heat or open flame.

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

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 170.¹
- 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.

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;

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; end-use product application to lumber, logs, and other wood products for control of wood-infesting insects must be made in a manufacturing, industrial, or right-of-way setting.

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; end-use product application to lumber, logs, and other wood products for control of wood-infesting insects must be made in a manufacturing, industrial, or right-of-way setting.

Termite Control Uses

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 U.S. 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 U.S. 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.'

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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.

Storage and Disposal

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

Pesticide Storage: Store in original container in secured dry storage area. Prevent cross-contamination with other pesticides and fertilizers. Do not store above 100°F for extended periods of time. Storage below 45°F may result in formation of crystals. If product crystallizes, store at 72°F to 90°F and agitate to redissolve crystals. If container is damaged or spill occurs, use product immediately or dispose of product and damaged container as indicated below.

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 the 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.

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.

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. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

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

EPA Reg. No. 62719-351

EPA Est. _____

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

Insecticide

Net Weight _____

EPA-Accepted: ___/___/___