

62719-364

12-19-2007

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

62719-364

Date of Issuance:

DEC 19 2007

NOTICE OF PESTICIDE:

- Registration
[x] Reregistration
(under FIFRA, as amended)

Term of Issuance:

Unconditional

Name of Pesticide Product:

Dursban 20

MEC Insecticidal Concentrate

Name and Address of Registrant (include ZIP Code):

Dow AgroSciences
9330 Zionsville Road
Indianapolis, IN 46268

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. 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.

Based on your response to the Reregistration Eligibility Decision, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

Generic data requirements that have been identified in the RED as confirmatory data for the active ingredient contained in the subject product will continue to be tracked and assessed in the Agency's continual reassessment of pesticides.

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable with the following comments:

Please see page 2 for comments:

You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this Notice or the next printing of the label whichever occurs first, must bear the new revised label.

A stamped copy of the label "Accepted with Comments" is enclosed for your records. Should you have any questions, please contact Registration Review Manager, Dr. Akiva Abramovitch at 703-308-8328.

Signature of Approving Official:

Meredith F. Laws, Chief
Insecticide-Rodenticide Branch
Registration Division (7505P)

Meredith F. Laws (handwritten signature)

Date:

DEC 19 2007

1) Add after apples ("Only one application of any chlorpyrifos containing product can be made per year. The application can be either a pre-bloom dormant/dormant delayed to the canopy or the trunk, or a post-bloom application to the lower 4 feet of the trunk")

2) Add the complete company address to the label.

3) Add after corn (maximum of 3 lb ai/acre/season)

4 Under Prohibited Uses include termiticide uses and remove "Other" from the title

5) Add "To the extent allowed by applicable laws" before DAS....disclaims.

6) Add bees to "This pesticide is toxic to.....and very toxic to fish, aquatic organisms and bees."

7) The Agency recommends adding "Harmful if Swallowed" under the "Hazard to Humans and Domestic animals.

8) Delete "including but not limited to" from the Ornamentals section.

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**Dursban® 20 MEC**  
**Microencapsulated Insecticidal Concentrate**  
**Insecticide**

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated:**

DEC 19 2007

*Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
62119-364*

**For Manufacturing Use Only**

Active Ingredient:

chlorpyrifos: O,O-diethyl O-(3,5,6-trichloro-2-pyridinyl) phosphorothioate.....	20%
Other Ingredients .....	80%
Total .....	100%

Contains petroleum distillate

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**Precautionary Statements**

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**Hazards to Humans and Domestic Animals**

**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.

**Note to physician:** Contains petroleum distillate – vomiting may cause aspiration pneumonia.

**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 further guidance, contact your state water board or regional office of the EPA.

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**Directions for Use**

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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.

**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., [Terrestrial Food Crop]) 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, 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

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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;

**Ornamentals – Commercial Production Only [Commercial Terrestrial Non-Food Crop, Commercial Greenhouse Non-Food Crop]:** 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:**

- 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 fruits (dormant/delayed dormant; trunk spray or preplant dip): 4 days
  - Citrus fruits: 5 days
  - Citrus orchard floors: 5 days
  - Fig: 4 days
  - Cauliflower: 3 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 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.~~

#### **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 and disposal.

**Pesticide Storage:** Do not store above 122°F or below 32°F. Storage below 32°F may result in solidification. If warmed to 32°F, product will return to original form. Freezing does not adversely affect this product.

#### Nonrefillable containers 5 gallons or less:

**Container Reuse:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

#### Refillable containers 5 gallons or larger:

**Container Reuse:** 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. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

### 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. 62719-364

EPA Est. \_\_\_\_\_

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

EPA accepted \_\_/\_\_/\_\_

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# Dursban<sup>®</sup> 20 MEC

Microencapsulated Insecticidal Concentrate  
EPA Reg. No. 62719-364

## Registration Notes:

Source label text based on EPA-accepted copy (Notice of Registration) dated January 31, 2001.

### Proposed changes by amendment previously submitted February 19, 2003:

1. Based upon the following acute tox studies and PR Notice 2001-1, revised First Aid section:

#### Acute Toxicity Category by Route of Exposure:

Route of Exposure	Dursban 20 MEC
Oral LD <sub>50</sub>	Cat IV
Dermal LD <sub>50</sub>	Cat IV
Inhalation	Cat IV
Ocular Irritation	Cat IV
Dermal Irritation	Cat IV
Dermal Sensitization	Non-sensitizer

2. Added "For Manufacturing Use Only."
3. Deleted "Contains Petroleum Distillate."
4. Revised Environmental Hazards section.
5. Revised Storage and Disposal section.
6. Text describing use as a wood treatment product are made based on a letter dated September 8, 2000 from Lois Rossi, EPA, and discussions between Dow AgroSciences LLC and the EPA - Dennis McNeilly on September 11, 2000 and Tom Meyers on September 13, 2000:

Under the Non-Agricultural, Non-Termite Control Uses section, the term Non-Residential Outdoor was removed with respect to control of wood infesting insects and the restriction that application of these end-use products must be made at manufacturing, industrial, or right of way settings was added. The text for this use now reads: "**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."

The application of end-use product text for control of wood infesting insects was also added to the product label under the Non-Agricultural, Non-Termite Control Uses section wherein the labeling for product used for reformulation is described.

7. Minor revisions throughout for clarity.

#### 09June03 – Additional proposed changes made to this amended label:

1. Removed signal word, Precautionary Statements and First Aid statements because all routes of exposure are Category IV.

#### Proposed changes by amendment in response to Chlorpyrifos IRED dated February 11, 2003:

1. Environmental Hazards: Revised first statement to read "This pesticide is toxic to birds and wildlife, and extremely toxic to fish and aquatic organisms."
2. Additional proposed changes are made based on a document from the EPA entitled "Additional Tech/MUP Site Text" (revised 8/25/00). Specifically, use text for **Pest Control Outdoors [Terrestrial Non-Food]** will now read: **Pest Control Outdoors [Terrestrial Noncrop]:** 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.

3. Directions for Use, Non-Agricultural, Non-Termite Control Uses: Added "Crop" to Turf [Terrestrial Non-Food Crop]; changed "Control of Wood Infesting Insects [Terrestrial Non-Food]" to Control of Wood Infesting Insects [Terrestrial Noncrop]."
4. Directions for Use, Termite Control Uses: Changed "Wood or Wood Structure Protection Treatments [Terrestrial Non-Food]" to "Wood or Wood Structure Protection Treatments [Terrestrial Noncrop]."

**25Jan07 – Additional proposed changes to this label in response to an EPA review dated April 10, 2006:**

1. Updated trademark symbol throughout.
2. Moved generic descriptor "insecticide" directly underneath the product name.
3. Ingredients Statement: (1) Changed "inert" to "other"; (2) retained phrase "Contains petroleum distillate."
4. Precautionary Statements: Added "Note to Physician: Chlorpyrifos . . . airway and respiration." and "Note to Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia."
5. Added Agricultural Uses.
6. Deleted Non-Agricultural, Non Termite Control Uses; and Termite Control Uses.

**27Jul07 – Additional proposed changes by amendment:**

1. Storage and Disposal: Revised section per Federal Register Notice dated August 16, 2006.
2. Added "Produced for" before registrant name and address.

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