

62719-364

2-7-2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

NOTIFICATION

February 7, 2008

Kenneth D. Racke, Ph.D.
Regulatory Leader
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Dr. Racke:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated January 28, 2008 for:

EPA Registration 62719-364 Dursban 20 MEC

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identify the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

308/2E
January 28, 2008



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

DURSBAN 20 MEC MICROENCAPSULATED INSECTICIDAL CONCENTRATE (A.I. CHLORPYRIFOS)
EPA REGISTRATION NUMBER: 62719-364
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 2007-4

Enclosed please find labeling for the notification action of Dursban[®] 20 MEC Microencapsulated Insecticidal Concentrate insecticide. The following change has been made by notification:

1. Storage and Disposal: Revised section per Federal Register Notice dated August 16, 2006 and PR Notice 2007-4.

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Contents of Submission

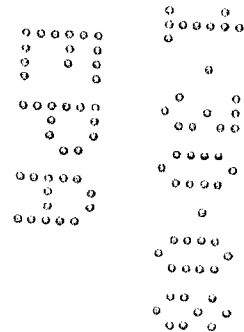
- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Dursban 20 MEC (A1A/Dursban 20 MEC/Notif/01-28-08) (4 Pages plus Registration Notes) (5 Copies)

If you require further information, please contact Cindy Loy, Regulatory Specialist at (317) 337-4655 or Joyce Carroll, Registration Assistant for this product, at (317) 337-4631.

Sincerely,

Kenneth D. Raabe, Ph.D.
Regulatory Leader
(317) 337-4654
(317) 337-4649 (FAX)

Enclosures



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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-364	2. EPA Product Manager Meredith Laws	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/Dursban 20 MEC	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar to _____ in composition and labeling to: NOTIFICATION EPA Reg. No. _____ FEB 7 2008 Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Change by notification: 1. Storage and Disposal: Revised section per Federal Register Notice dated August 16, 2006 and PR Notice 2007-4.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 55 gal		5. Location of Label Directions <input checked="" type="checkbox"/> On label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Kenneth D. Racke, Ph.D.	Title Regulatory Manager	Telephone No. (Include Area Code) (317) 337-4654 (fax: 317-337-4649)
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Manager	
4. Typed Name Kenneth D. Racke, Ph.D. (kracke@dow.com)	5. Date January 28, 2008	

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Dursban[®] 20 MEC Microencapsulated Insecticidal Concentrate

EPA Reg. No. 62719-364

Registration Notes:

Source label text based on EPA-accepted copy dated December 19, 2007.

Change by notification:

1. Storage and Disposal: Revised section per Federal Register Notice dated August 16, 2006 and PR Notice 2007-4.

[®]Trademark of Dow AgroSciences LLC



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Dursban[®] 20 MEC Microencapsulated Insecticidal Concentrate

Insecticide

NOTIFICATION

For Manufacturing Use Only

FEB 7 2008

Active Ingredient:

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

Contains petroleum distillate

Precautionary Statements

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.

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.

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, 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 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.
- Apples: Only one application of any chlorpyrifos containing product can be made per year. The application can be either a pre-bloom dormant/delayed dormant to the canopy or the trunk, or a post-bloom application to the lower 4 feet of the trunk.
- Corn: Maximum of 3 lb ai per acre per season and no application to popcorn.

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.

Prohibited Uses

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

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"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."

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

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 for rigid containers 5 gal or less)

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.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

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 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.

(Storage and Disposal for refillable rigid containers greater than 5 gal)

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.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

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.

(Storage and Disposal for nonrefillable rigid containers greater than 5 gal)

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.

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Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

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. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. 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 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.

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. TO THE EXTENT PERMITTED BY LAW, 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

9330 Zionsville Road

Indianapolis, IN 46268

Net Contents _____

EPA accepted 12/19/07