

62719-497

3/26/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAR 26 2008

NOTIFICATION

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 March 5, 2008 for:

EPA Registration 62719-497 Spinosad NT

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

2 8 7



United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-497	2. EPA Product Manager George T. LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/Spinosad NT	PM# 13	
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 or identical in composition and labeling to: EPA Reg. No. _____ 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.)

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.

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 type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input checked="" type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt	No. per container	<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lb		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 March 5, 2008	

308/2E
March 5, 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

SPINOSAD NT (A.I. SPINOSAD)
EPA REGISTRATION NUMBER: 62719-497
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 2007-4

Enclosed please find labeling for the notification action of Spinosad NT 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.

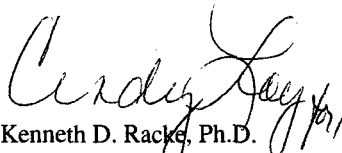
Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of 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 Spinosad NT (T6P/Spinosad NT/Notif/03-05-08) (3 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. Racker, Ph.D.
Regulatory Leader
(317) 337-4654
(317) 337-4649 (FAX)

Enclosures

4 8 7

T6P / Spinosad NT / Notif / 03-05-08
file: Spinosad NT-497 05Mar08N.doc

Spinosad NT

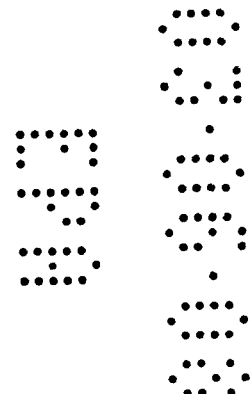
EPA Reg. No. 62719-497

Registration Notes:

Source label text based on EPA-accepted copy dated November 20, 2007 and notification coded "T6P / Spinosad NT / Notif / 12-07-07."

Change by notification:

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



5 7 7

Spinosad NT

Insecticide

For Manufacturing Use Only

Active Ingredient:

Spinosad, including:

Spinosyn A:

2-[(6-deoxy-2,3,4-tri-O-methyl-a-L-mannopyranosyl)oxy]-13-[[5-(dimethylamino)tetrahydro-6-methyl-2H-pyran-2-yl]oxy]-9-ethyl-2,3,3a,5a,5b,6,9,10,11,12,13,14,16a,16b-tetradecahydro-14-methyl-1H-as-Indaceno[3,2-d]oxacyclododecin-7,15-dione, [2R-[2R*,3aS*,5aR*,5bS*,9S*,13S*(2R*,5S*,6R*),14R*,16aS*,16bR*]](9CI) and

Spinosyn D:

2-[(6-deoxy-2,3,4-tri-O-methyl-a-L-mannopyranosyl)oxy]-13-[[5-(dimethylamino)tetrahydro-6-methyl-2H-pyran-2-yl]oxy]-9-ethyl-2,3,3a,5a,5b,6,9,10,11,12,13,14,16a,16b-tetradecahydro-4,14-dimethyl-1H-as-Indaceno[3,2-d]oxacyclododecin-7,15-dione, [2S-[2R*,3aS*,5aR*,5bR*,9R*,13R*(2S*,5R*,6S*),14S*,16aR*,16bR*]](9CI)

.....	90.4%
Other Ingredients.....	9.6%
Total.....	100.0%

Precautionary Statements

Environmental Hazards

This product is toxic to 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.

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

This product may only be formulated into manufacturing-use insecticide products or end-use insecticide products for the following uses: acerola, artichoke, asparagus, atemoya, avocado, banana, birdseed, biriba, black sapote, bulb vegetables, bushberries, caneberries, canistel, cereal grains, cherimoya, citrus, cole crops, commercial aquatic plants, corn (field corn, sweet corn, popcorn, and corn grown for seed), cotton, cranberry, cucurbits, custard apple, feijoa, fig, fruiting vegetables (okra, tomatoes, peppers and eggplants), garden beet, grape, grass, grass grown for seed, guava, herbs, ilama, jaboticaba, leafy vegetables, leaves of root and tuber and legume vegetables, legume forages, legume forage grown for seed, lingonberry, longan, lychee, mamey sapote, mango, mint, non-crop areas (roadsides, rights-of-way, industrial areas, farmsteads, corrals, and in or around agricultural animal premises), papaya, passionfruit, peanut, permanent pastures, plantain, pome fruits, potatoes and tuberous and corm vegetables, pitavan, rambutan, rangeland, recreation areas, root vegetables, sapodilla, sorghum, sourop, soybean, Spanish lime, star apple, starfruit, stone fruits, strawberry, succulent and dry beans and peas, sugar apple, sugar beet, tree farms or plantations, tree nuts and pistachios, turf and ornamental, and wax jambu; mosquito and midge larvae in non-crop sites (temporary standing water, other freshwater sites, freshwater swamps



and marshes, marine/coastal areas, stormwater/drainage systems, wastewater, dormant rice fields, natural and artificial containers) and agricultural/crop sites (pastures/hay fields, rangeland, orchards, citrus groves). This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group or grower has complied with U.S.EPA submission requirements regarding the support of such use(s). Consult Dow AgroSciences for instructions for formulation and other information.

(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: Store in original container only. In case of leak or spill, contain material with absorbent materials and dispose as waste.

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 nonrigid containers any size)

Storage and Disposal

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

Pesticide Storage: Store in a cool, dry place. Store in original container. In case of leak or spill, use absorbent material and dispose as waste.

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.

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

Storage and Disposal

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

Pesticide Storage: Store in original container only. In case of leak or spill, contain material with absorbent materials and dispose as waste.

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 larger than 5 gal)

Storage and Disposal

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

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Pesticide Storage: Store in original container only. In case of leak or spill, contain material with absorbent materials and dispose as waste.

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.

EPA Reg. No. 62719-497

EPA Est. _____

**Produced for
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268**

Net Weight _____

EPA accepted 11/20/07

