

62719-595

6/19/2008

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

EPA Reg. Number: 62719-595  
Date of Issuance: 06/19/08

Term of Issuance:  
Conditional

Name of Pesticide Product:  
GF - 1934 Naturalyte Insect Control

NOTICE OF PESTICIDE:  
 Registration  
 Reregistration  
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Regulatory Success - Americas  
Dow AgroSciences LLC  
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.

This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(b) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, subject to the following listed comments and/or terms:

- You will submit and/or cite the following data and/or studies, conducted where appropriate, in accordance with the 40CFR Part 158 Test Guidelines:
  - Data to support and/or confirm the claim that this product is efficacious at the proposed label rate against *Culex* and *Anopheles* mosquitoes; and the raw data associated with MRID Nos. 47297103, 4729104 and 47297105. Thus, the proposed label claims ("controls mosquito larvae for up to 30 days at an application rate of 6g/100 ft<sup>2</sup> surface area of 2' deep water") are acceptable, contingent upon your submission of the requested data within 3 years of the date of this NOR.
  - Data on one year storage stability testing (830.6317), conducted concurrently with the corrosion characteristics study (830-6320) at 0, 3, 6, 9 and 12 months of warehouse storage, within one year from this NOR.

Signature of Approving Official:

*George LaRocca*  
George LaRocca  
Product Manager (RM 13)

Insecticide Branch  
Registration Division (MC 7505P)

Date:

June 19, 2008

In addition, you will also submit the data listed below conducted in accordance with the 40 CFR 158 test guidelines referred to below (See NOR for the me-too products 62719-531 & 532):

<u>Guideline Ref. No.</u>	<u>Title of Study</u>	<u>Date Due</u>
OPPTS 850.1735	Whole Sediment Acute Toxicity Invertebrates, Freshwater.	Under Review
OPPTS 850.1740	Whole Sediment Acute Toxicity Invertebrates, Estuarine and Marine	10/30/2008
162-4	Aerobic Aquatic Metabolim	10/30/2009
164-1	Terrestrial Field Dissipation	10/30/2010
164-2	Aquatic Dissipation	10/30/2010
165-4	Fish Accumulation	10/30/2009

2. You will make the following labeling changes before you release the product for shipment:
  - a. Revise the EPA Registration Number to read: **"EPA Registration No. 62719-595"**
  - b. Add the signal word – **"Caution"** to the front panel, immediately beneath "Keep Out of Reach of Children".
  - c. Add the following precautionary statements, first aid statements, etc.

***Hazards to Humans and Domestic Animals***

***Harmful if swallowed. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Avoid contact with eyes or clothing. Wear protective eyewear (Such as goggles, face shield or safety glasses).***

***First Aid:***

***If swallowed:***

- ***Call a poison control center or doctor immediately for treatment advice.***
- ***Have person sip a glass of water if able to swallow.***
- ***Do not induce vomiting unless told to by a poison control center or doctor.***
- ***Do not give anything to an unconscious person.***

***If in eyes:***

- ***Hold eye open and rinse slowly and gently with water for 15-20 minutes.***
- ***Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.***
- ***Call a poison control center or doctor for treatment advice.***

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

d. Under Environmental Hazards, add "This product is toxic to aquatic organisms" (as first sentence), and "Apply this product only as specified on this label" (as last sentence).

Please note that if you fail to satisfy any of the conditions imposed on this registration, the Agency may issue notice to cancel this product. You must also submit the final printed label bearing the above stated revisions prior to releasing this product for sale.

See enclosed copy of the stamped label for your records. If you have any questions concerning this action, please contact Dr. B.A. Akinlosotu at (703) 605-0653.

Enclosure

(Base label for rigid containers 5 gal or less):

## GF-1934

### Naturalyte® Insect Control

For use only by federal, state, tribal or local government officials responsible for public health or vector control or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform larval mosquito control applications or by persons under their direct supervision.

Group	5	INSECTICIDE
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#### Active Ingredient:

spinosad (a mixture of spinosyn A and spinosyn D) .....	(dry weight basis)	8.33%
Other ingredients.....		91.67%
Total .....		100.00%

U.S. Patent No. 5,362,634 and 5,496,931

GF-1934 is an 8.33% tablet. This product may absorb moisture; therefore, the weight of the tablet and percent by weight of active ingredient will vary with hydration.

### Keep Out of Reach of Children

#### Precautionary Statements

##### Environmental Hazards

Non-target aquatic invertebrates may be killed in waters where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

##### Storage and Disposal

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

**Pesticide Storage:** Store in a cool dry place in original container only.

**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.

Refer to label booklet for Directions for Use.

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

JUN 19 2008  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
62719-575

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**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

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

EPA Reg. No. 62719-XXX

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

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

**Net Weight** \_\_\_\_\_

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(Base label for nonrigid containers any size):

# GF-1934

## Naturalyte® Insect Control

For use only by federal, state, tribal or local government officials responsible for public health or vector control or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform larval mosquito control applications or by persons under their direct supervision.

<b>Group</b>	<b>5</b>	<b>INSECTICIDE</b>
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spinosad (a mixture of spinosyn A and spinosyn D) .....	(dry weight basis) 8.33%
Other ingredients.....	91.67%
Total .....	100.00%

U.S. Patent No. 5,362,634 and 5,496,931

GF-1934 is an 8.33% tablet. This product may absorb moisture; therefore, the weight of the tablet and percent by weight of active ingredient will vary with hydration.

### Keep Out of Reach of Children

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### Precautionary Statements

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#### Environmental Hazards

Non-target aquatic invertebrates may be killed in waters where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

<p><b>Storage and Disposal</b></p> <p>Do not contaminate water, food, or feed by storage and disposal.</p> <p><b>Pesticide Storage:</b> Store in a cool dry place in original container only.</p> <p><b>Pesticide Disposal:</b> Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.</p> <p><b>Container Reuse:</b> Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.</p>
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Refer to label booklet for Directions for Use.

**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

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

EPA Reg. No. 62719-XXX

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

Produced for  
Dow AgroSciences LLC  
9330 Zionsville Road

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T6P / GF-1934 / Prop Sec 3 / 11-09-07

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Indianapolis, IN 46268

Net Weight \_\_

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(Base label for refillable rigid containers greater than 5 gal):

## GF-1934

### Naturalyte® Insect Control

For use only by federal, state, tribal or local government officials responsible for public health or vector control or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform larval mosquito control applications or by persons under their direct supervision.

Group	5	INSECTICIDE
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U.S. Patent No. 5,362,634 and 5,496,931

GF-1934 is an 8.33% tablet. This product may absorb moisture; therefore, the weight of the tablet and percent by weight of active ingredient will vary with hydration.

### Keep Out of Reach of Children

#### Precautionary Statements

##### Environmental Hazards

Non-target aquatic invertebrates may be killed in waters where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

##### Storage and Disposal

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

**Pesticide Storage:** Store in a cool dry place in original container only.

**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.

Refer to label booklet for Directions for Use.

**Notice:** Read the entire label. Use only according to label directions. Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.

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

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EPA Reg. No. 62719-XXX

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

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

**Net Weight** \_\_\_\_\_

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(Base label for nonrefillable rigid containers larger than 5 gal):

## GF-1934

### Naturalyte® Insect Control

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Group	5	INSECTICIDE
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U.S. Patent No. 5,362,634 and 5,496,931

GF-1934 is an 8.33% tablet. This product may absorb moisture; therefore, the weight of the tablet and percent by weight of active ingredient will vary with hydration.

### Keep Out of Reach of Children

#### Precautionary Statements

##### Environmental Hazards

Non-target aquatic invertebrates may be killed in waters where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

##### Storage and Disposal

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

**Pesticide Storage:** Store in a cool dry place in original container only.

**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.

Refer to label booklet for Directions for Use.

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**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

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

EPA Reg. No. 62719-XXX

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

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

**Net Weight** \_\_\_\_

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(Label booklet cover)

# GF-1934

## Naturalyte<sup>®</sup> Insect Control

For use only by federal, state, tribal or local government officials responsible for public health or vector control or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform larval mosquito control applications or by persons under their direct supervision.

**Active Ingredient:**

spinosad (a mixture of spinosyn A and spinosyn D) .....	(dry weight basis)	8.33%
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U.S. Patent No. 5,362,634 and 5,496,931

GF-1934 is an 8.33% tablet. This product may absorb moisture; therefore, the weight of the tablet and percent by weight of active ingredient will vary with hydration.

### Keep Out of Reach of Children

Refer to inside of label booklet for additional precautionary information including Directions for Use.

**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

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

EPA Reg. No. 62719-XXX

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

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

Net Weight \_\_\_\_\_

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## Precautionary Statements

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### Environmental Hazards

Non-target aquatic invertebrates may be killed in waters where this pesticide is used. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

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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. Read all Directions for Use carefully before applying.

### Storage and Disposal

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

**Pesticide Storage:** Store in a cool dry place in original container only.

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

#### Nonrefillable rigid 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 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.

#### Nonrefillable nonrigid containers:

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

#### Refillable rigid containers larger than 5 gal:

**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.

#### Nonrefillable rigid containers larger than 5 gal:

**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

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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.

## General Information

GF-1934 is a Naturalyte® insect product for killing mosquito and midge larvae. This product's active ingredient, spinosad, is biologically derived from the fermentation of *Saccharopolyspora spinosa*, a naturally occurring soil organism. GF-1934 releases effective levels of spinosad for up to 30 days under typical environmental conditions.

Release of spinosad is affected by the dissolution of the tablet of GF-1934. If tablets become covered by obstructions such as debris, vegetation, or loose sediment as a result of high rainfall or flow, normal dispersion of the active ingredient can be inhibited. Water flow may increase the dissolution of the tablet, thus reducing the residual life of the tablet. Inspect areas of water flow to determine appropriate re-treatment intervals. To assure positive results, place tablets of GF-1934 where they will not be swept away by flushing action.

## General Use Precautions

### Integrated Pest Management (IPM) Programs

GF-1934 is intended to kill mosquito and midge larvae. Mosquitoes are best killed when an IPM program is followed. Larval kill efforts should be managed through habitat mapping, active adult and larval surveillance, and integrated with other kill strategies such as source reduction, public education programs, harborage or barrier adult mosquito kill applications, and targeted adulticide applications.

### Insecticide Resistance Management (IRM)

GF-1934 contains a Group 5 insecticide. Any insect population may contain individuals naturally resistant to insecticides. The resistant individuals may eventually dominate the insect population if appropriate resistance management strategies are not followed. Currently, spinosad is the only active ingredient classified as a Group 5 insecticide and resistance to other insecticide groups is not likely to impact the effectiveness of this product. Spinosad may be used in rotation with all other labeled products in a comprehensive IRM program.

To minimize the potential for resistance development, the following practices are recommended:

- Base insecticide use on comprehensive IPM programs.
- Do not use less than the labeled rates.
- Routinely evaluate applications for loss of effectiveness.
- Rotate with other labeled mosquito larvicides with different modes of action.
- In dormant rice fields, standing water within agricultural/crop sites, and permanent marine and freshwater sites, do not make more than 5 applications per year.
- Use insecticides with a different mode of action (different insecticide group) on adult mosquitoes so that both larvae and adults are not exposed to products with the same mode of action.
- Contact your local extension specialist, technical advisor, and/or manufacturer for insecticide resistance management and/or IPM recommendations for the specific site and resistant pest problems.
- For further information or to report suspected resistance, you may contact your local Dow AgroSciences representative by calling 800-253-3033 or over the internet at [www.dowagro.com](http://www.dowagro.com).

## Application

Proper application techniques help ensure adequate coverage and correct dosage necessary to obtain optimum kill of mosquito and midge larvae. Tablets of GF-1934 provide up to 30 days of residual kill. GF-1934 can be applied prior to flooding, on snow and ice in breeding sites prior to spring thaw, or at any

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time after flooding in listed sites. Continue treating through the last brood of the season. Tablets of GF-1934 will be unaffected in dry down situations and will begin working again during subsequent wetting events until the tablet is exhausted. **Note:** GF-1934 has no effect on mosquitoes which have reached the pupal or adult stage prior to treatment.

### **Application Sites and Rates**

Tablets of GF-1934 are designed to kill mosquitoes in small bodies of water. Do not apply to water intended for irrigation. Examples of application sites are:

Storm water drainage areas, sewers and catch basins, woodland pools, snow pools, roadside ditches, retention ponds, freshwater dredge spoils, tire tracks, rock holes, pot holes and similar areas subject to holding water.

Natural and manmade aquatic sites, fish ponds, ornamental ponds and fountains, other artificial water-holding containers, flooded crypts, transformer vaults, abandoned swimming pools, construction and other natural or manmade depressions.

Stream eddies, creek edges, detention ponds.

Freshwater swamps and marshes including mixed hardwood swamps, cattail marsh, common reed wetland, water hyacinth ponds, and similar freshwater areas with emergent vegetation.

Brackish water swamps and marshes, intertidal areas.

Sewage effluent, sewers, sewage lagoons, cesspools, oxidation ponds, septic ditches and tanks, animal waste lagoons and settling ponds, livestock runoff lagoons, wastewater impoundments associated with fruit and vegetable processing and similar areas

Also for use in dormant rice fields (for application only during the interval between harvest and preparation of the field for the next cropping cycle) and in standing water within pastures/hay fields, rangeland, orchards, and citrus groves where mosquito breeding occurs. Do not apply to waters intended for irrigation.

For mosquito kill in non- or low-flow, shallow depressions (up to 2 feet in depth), treat on the basis of surface area placing 1 tablet of GF-1934 per 100 sq ft.

For applications in storm water drainage areas, sewers and catch basins, place 1 tablet of GF-1934 into each catch basin. For application sites connected by a water system, i.e., storm drains or catch basins, treat all of the water holding sites in the system to maximize the efficiency of the treatment program.

For application to small contained sites which may not be amenable to a rate of a single tablet per 100 sq ft, use 1 tablet per contained site (e.g., cesspools and septic tanks, transformer vaults, abandoned pools, and other small artificial water-holding containers).

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### **Terms and Conditions of Use**

If terms of the following *Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies* are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under *Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies*.

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### **Warranty Disclaimer**

Dow AgroSciences warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT PERMITTED BY LAW, Dow

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AgroSciences MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

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### **Inherent Risks of Use**

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It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Dow AgroSciences or the seller. All such risks shall be assumed by buyer.

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### **Limitation of Remedies**

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To the extent permitted by law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Dow AgroSciences' election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used

To the extent permitted by law, Dow AgroSciences shall not be liable for losses or damages resulting from handling or use of this product unless Dow AgroSciences is promptly notified of such loss or damage in writing. To the extent permitted by law, in no case shall Dow AgroSciences be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Dow AgroSciences or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

®Trademark of Dow AgroSciences LLC  
EPA accepted \_\_\_/\_\_\_/\_\_\_