

66222-47

03/14/2006

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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 20480

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 66222-47	2. EPA Product Manager Dan Kenney	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Apollo SC Ovicide/Miticide	PM# IRB, Team 1	
5. Name and Address of Applicant (Include ZIP Code) Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd., Suite 300 Raleigh, NC 27609 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), 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 _____	NOTIFICATION MAR 14 2006
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input 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 alternate marketing language: This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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 type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> 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 Anne Stout	Title Registration Specialist	Telephone No. (Include Area Code) 901-861-4400	
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 Registration Specialist	
4. Typed Name Anne Stout		5. Date 2-23-06	



**Makhteshim Agan of
North America, Inc.**

February 23, 2006

Document Processing Desk (NOTIF)
Registration Division (7505C)
Office of Pesticide Programs, USEPA
1801 South Bell St.
CM2, Room 266A
Arlington, VA 22202

ATTN: Mr. Carmen Rodia, Jr. c/o Mr. Dan Kenney
Product Manager, Team 1
Insecticide-Rodenticide Branch

Phone: 703-306-0327

Re: Notification of Addition of Alternate Marketing Language
Apollo SC, EPA Reg. No. 66222-47

Dear Mr Rodia and Mr. Kenney:

Makhteshim-Agan of North America, Inc., is adding a geographical restriction on one of its labels prohibiting use on grapes in New York. The reason why we are restricting this use is because the market on this crop does not justify the effort required to add this use in the state of New York. The label incorporates the text from our final printed label (submitted 11-15-05) based on EPA's letter of approval dated March 9, 2005 and November 19, 2002. We consider the attached label the most current marketing version.

In support of this submission, the following documents are attached:

- Application for Pesticide Registration (EPA Form 8570-1)
- Two copies of final printed labeling
- One copy of labeling highlighted to show the additional marketing language

Thank you for your help in processing this amendment.

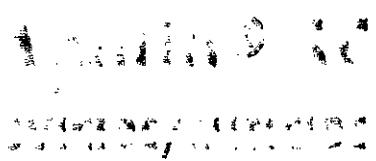
Sincerely,

Anne Stout
Enclosures

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NOTIFICATION

MAR 14 2006



A Suspension Concentrate (SC) Formulation for Mite Control on Apples, Pears, Apricots, Cherries, Grapes (except New York), Peaches, Nectarines, Persimmons, Almonds, Walnuts, Christmas Trees (except California), and Christmas Tree Plantations (except California)

ACTIVE INGREDIENT:	% BY WT
Clofentezine: 3,6-bis (2-chlorophenyl)-1,2,4,5-tetrazine*	42.0%
OTHER INGREDIENTS:	58.0%
TOTAL	100.0%

*Contains 1 pound of active ingredient per quart.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.
IF IN EYES:	<ul style="list-style-type: none"> 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 eye. Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	<ul style="list-style-type: none"> 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 do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.
IF INHALED:	<ul style="list-style-type: none"> 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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact PROSAR at 1-877-250-9291 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes mild eye irritation. Avoid contact with eyes, skin or clothing. Harmful if swallowed or absorbed through skin.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, poly-vinyl chloride (PVC), or Viton®
- Shoes plus socks

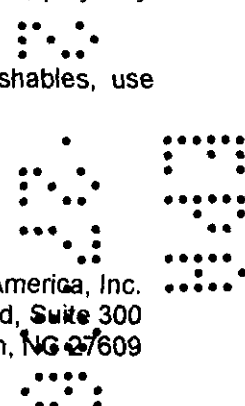
Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

NET CONTENTS: 16 OUNCES

EPA Reg. No. 66222-47
EPA Est. No. 39578-TX-001

MAKHTESHIM
A C A N
NORTH AMERICA

Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609



ENGINEERING CONTROLS STATEMENT

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not apply within 100 feet of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, estuaries, and commercial fish farm ponds. Do not apply when weather conditions favor drift from treated area. Do not allow spray to drift off of crop, especially when spraying outer rows. Always direct spray into the orchard. Do not contaminate water when disposing of equipment washwaters or rinsate.

IMPORTANT—Read the entire Directions for Use and Disclaimer of Warranties before using this product.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval.

The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Chemical-resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, poly-vinyl chloride (PVC), or Viton
- Shoes plus socks

USE PRECAUTIONS

IMPORTANT: DO NOT MAKE MORE THAN 1 APPLICATION OF APOLLO SC PER SEASON.

Do not graze livestock in treated areas or harvest cover crop for livestock feed.

Do not apply this product through any type of irrigation system.

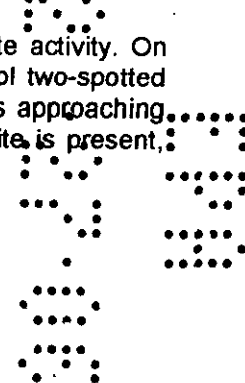
Do not apply by air.

GENERAL INFORMATION

APOLLO® SC is a specific miticide, which acts as an ovicide. APOLLO SC is not disruptive to beneficial insects and mites. It has good residual activity on European red mites, McDaniel mites, Pacific spider mites, two-spotted spider mites, Eriophyes and Yellow spider mites when applied according to label directions.

For Use on Apples, Pears, Apricots, Cherries, Grapes (except New York), Peaches, Nectarines, Persimmons, Almonds, Walnuts, Christmas Trees (except California), and Christmas Tree Plantations (except California)

Because APOLLO SC acts primarily against the egg, apply APOLLO SC at the first sign of mite activity. On apples, delayed dormant or early season applications of APOLLO SC may not effectively control two-spotted spider mites or McDaniel mites which invade trees later in the summer. If the mite population is approaching damaging levels on the target crops, including European red mites on apples, or if pear rust mite is present, combine Apollo SC Ovicide/Miticide with an appropriate adulticide.



RECOMMENDATIONS FOR USE

TARGET SPECIES

COMMON NAME

European red mite
McDaniel spider mite

SCIENTIFIC NAME

Panonychus ulmi
Tetranychus mcDanieli

COMMON NAME

Two-spotted spider mite
Yellow spider mite

SCIENTIFIC NAME

Tetranychus urticae
Eotetranychus carpini borealis

Pacific spider mite

Tetranychus pacificus

RATE & TIMING OF APPLICATION

Crop	Rate/Acre	Timing	PHI*
Apples	4-8 oz.	Delayed dormant through first sign of mites	45 days
Pears, Grapes	4-8 oz.	First sign of mites	21 days
Apricots, Cherries	2-8 oz.**	First sign of mites	21 days
Peaches, Nectarines	2-8 oz.**	First sign of mites	21 days 10 days (California only)
Persimmons	2-8 oz.**	First sign of mites	140 days
Almonds	2-8 oz.**	First sign of mites	30 days 14 days (California only)
Walnuts	2-8 oz.**	First sign of mites	30 days

*PHI = Pre-Harvest Interval, the **latest** timing for an application prior to harvest.

Applications with rates below 4 ounces of APOLLO SC per acre are recommended **only in association with established IPM programs and **only** when adequate beneficial insects/mites are prevalent.

Factors which warrant higher rates (4 to 8 ounces) of APOLLO SC per acre include:

1. For control of Pacific spider mites.
2. For control of McDaniel spider mites
3. Earliest seasonal timings for blocks with high overwintering European red mite egg populations.
4. When mite predator populations are low.
5. To ensure adequate coverage of full size standard trees and/or trees with heavy leaf densities.

APPLICATION METHOD

APOLLO SC Ovicide/Miticide may be applied by ground using either dilute or concentrate spray equipment. **Do not apply by air.**

Apples and Pears

50 to 400 gallons per acre: Apply 4 to 8 ounces of APOLLO SC per acre. Use sufficient volume of water to obtain complete coverage, but not less than 50 gallons per acre.

For applications above 400 gallons per acre, use 1 to 2 ounces of APOLLO SC per 100 gallons of spray. Do not apply less than 4 ounces of APOLLO SC per acre.

Grapes (except New York)

At least 50 gallons per acre: Apply 4 to 8 ounces of Apollo SC per acre.

Apricots, Cherries, Persimmons, Peaches, and Nectarines

50 to 400 gallons per acre: Apply 2 to 8 ounces of APOLLO SC per acre.

Almonds and Walnuts

50 to 400 gallons per acre: Apply 2 to 8 ounces of APOLLO SC per acre. Use at least 4 ounces of APOLLO SC south of California Highway No. 152.

A tank mix of APOLLO SC with an adulticide may be warranted when adult mites are present. Do not use the tank mix under conditions where the adulticide alone is not recommended. Before use, read the adulticide label for additional information and precautions.

Christmas Trees, Christmas Tree Plantations (except California)

50 to 400 gallons per acre: Apply 4 to 8 ounces of APOLLO SC per acre for control of Pacific spider mite, Spruce spider mite, and Two-spotted spider mite. Time applications for periods of peak egg laying or immature mite activity. Do not make more than one application per year.

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MANAGING MITE RESISTANCE

Repeated use of miticides with a similar mode of action may lead to buildup of resistant strains of mites. For good resistance management practices, Makhteshim-Agan recommends that the ovicide APOLLO SC Ovicide/Miticide be applied only once per season. If additional miticide applications are needed, use a miticide with a different mode of action.

STORAGE AND DISPOSAL

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

STORAGE: Store in original container, tightly closed, in a safe place.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Triple rinse (or equivalent); then offer for recycling or reconditioning; or puncture and dispose of in a sanitary landfill, or by incineration; or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

DO NOT REUSE EMPTY CONTAINER

WARRANTY STATEMENT

MAKHTESHIM AGAN OF NORTH AMERICA, INC. warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of MAKHTESHIM AGAN OF NORTH AMERICA, INC.. To the extent allowed by law, MAKHTESHIM AGAN OF NORTH AMERICA, INC. shall not be liable for consequential, special, or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. In addition to the foregoing, no purchaser of this product (other than an end user) shall be entitled to any reimbursement for any loss suffered as a result of any suspension or cancellation of the registration for this product by the U.S. Environmental Protection Agency. Except as expressly provided herein, MAKHTESHIM AGAN OF NORTH AMERICA, INC. makes no warranties, guarantees, or representations of any kind, either expressed or implied, or by usage of trade, statutory or otherwise, with regard to the product sold, including, but not limited to merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort, negligence, strict liability, or otherwise, shall be damages not exceeding the purchase price paid for this product or, at MAKHTESHIM AGAN OF NORTH AMERICA, INC.'s election, the replacement of this product.

Apollo® is a registered trademark.

Viton® is a registered trademark of DuPont Company

Apollo SC (66222-47)(EPA app 3-9-05)(CA app 10-24-05)