

66330-39

9-26-2003

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number:

66330-39

Date of Issuance:

SEP 26 2003

Term of Issuance:

Conditional

Name of Pesticide Product:

Acequinocyl Technical

NOTICE OF PESTICIDE:

- Registration
- Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Arvesta Corporation
100 First Street, Suite 1700
San Francisco, CA 94105

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)(C) provided that you:

1. Make the following label change before you release the product for shipment:

Add the designation, "EPA Reg. No. 66330-39".

2. Submit the data listed below conducted in accordance with the specified OPPTS Harmonized Test Guideline Number (given in parenthesis), in conformance with the Good Laboratory Practice rule (40 CFR Part 160) and in the format specified in PR Notice 86-5 no later than the time frames specified below. The harmonized test guidelines along with the corresponding OPP numbers are available on the Agency's website at <http://www.epa.gov/cgi-bin/epaprintonly.cgi>.

a. Within one (1) year from the date of this notice;

1. freshwater invertebrate (Daphnia) study (850.1010) (the submitted study was not acceptable and must be repeated)

2. an acute sediment toxicity test for freshwater invertebrates for the major metabolite, deacetylated acequinocyl (850.1735); Pending results on freshwater invertebrates, the test for sediment dwelling estuarine/marine invertebrates may be required. If required, it is to be submitted within one (1) year of the date of the Agency's notification to you.

Signature of Approving Official:

Date:

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3. acute toxicity study for the deacetylated acequinocyl using fish (rainbow trout; or bluegill sunfish; (850.1075)

4. acute toxicity study for the deacetylated acequinocyl using an aquatic invertebrate using daphnids (850.1010) or mysids (850.1035) as the test species.

b. Within two (2) years from the date of this notice;

1. One year storage stability (830.6317)
2. Corrosion Characteristics (830.6320)

3. It is understood that as stated in your e-mail message of September 5, 2003, the outstanding Independent Laboratory Validations (ILVs) for the analytical methods used in the submitted environmental fate studies are expected to be submitted to the Agency by the end of September. You were previously informed of the various deficiencies including the need for the ILVs which were identified during a preliminary review of these studies. Your responses to the other deficiencies are currently under evaluation.

Additional environmental fate data may be needed pending completion of our evaluation of your responses.

4. Submit production information (pounds or gallons produced) for this product for the fiscal year in which the product is conditionally registered, in accordance with FIFRA Section 29. The fiscal year begins October 1 and ends September 30. The production information will be submitted to the Agency no later than November 15, following the end of the preceding year.

This information should be submitted to the attention of the Registration Support Branch, Section 29 report at the address cited below.

Document Processing Desk
Office of Pesticide Programs (7504C)
U. S. Environmental Protection Agency
Aerial Rios Building
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460-0001

5. Contact the Analytical Chemistry Branch at the address below regarding the need/scheduling for submittal of the analytical method used to assay the active ingredient in the product.

Charles Stafford, Acting Branch Chief
EPA Analytical Laboratory,
701 Maples Road, Ft. Mead, MD 20755.
Phone: 410 305-2905

Since the enforcement analytical method is a non-confidential document, it is advised that the submitted document for the method

(MRID #45531901) be re-formatted by removing names, structures, and all analytical data corresponding to the impurities described in the document and placing them in a confidential attachment as described in the data format PR Notice 86-5. Though you have made a claim of no confidentiality under FIFRA, these items are considered as Confidential Business Information (CBI) under FIFRA.

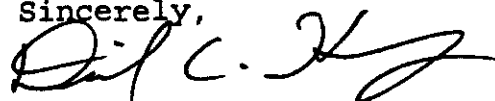
6. Submit two copies of the revised final printed label before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

Please refer the evaluations conducted by our Environmental Fate and Effects Division for further details regarding the additional data requirements. These evaluations will be (if not already) transmitted to you electronically.

Sincerely,



Daniel C. Kenny
Product Manager Team 4A
Insecticide-Rodenticide Branch
Registration Division (7504C)

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ACEQUINOCYL TECHNICAL

FOR MANUFACTURING USE ONLY

For manufacturing use only for the production of end use pesticides for use in commercial greenhouses and shadehouses on ornamental, floral, foliage and nursery container crops.

INGREDIENTS	By wt.
Active Ingredient	
*Acequinocyl.....	96.8%
Inert Ingredients.....	3.2%
Total.....	100.0%

*3-dodecyl-1, 4-dihydro-1, 4-dioxo-2-naphthyl-acetate.

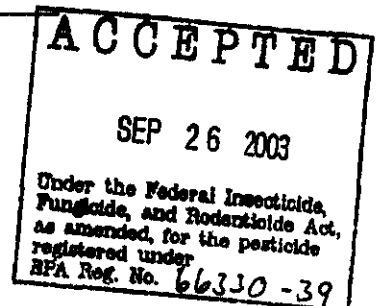
CAUTION

See back panel for additional precautionary statements.

FIRST AID	
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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
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 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment.</p> <p style="text-align: center;">FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE: CALL 1-800-228-5635 Ext. 174</p> <p style="text-align: center;">FOR 24-HOUR CHEMICAL EMERGENCY (Spill, Leak, Fire or Accident) ASSISTANCE: CALL CHEMTREC 1-800-424-9300</p>	

ARVESTA CORPORATION
100 First Street, Suite 1700
San Francisco, CA 94105

EPA Registration No. 66330-____
EPA Est. No. _____



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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

When handling this product, wear long-sleeved shirt and long pants, socks, shoes and waterproof gloves.

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to aquatic invertebrates such as Eastern oysters and mysid shrimp. 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 Pollution Discharge Elimination System (NDPES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer system without previously notifying the local sewage treatment plant authority. For guidance, contact your local 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 is for manufacturing use only for the production of end-use pesticide products for pest control in commercial greenhouses and shadehouses on ornamental, floral, foliage and nursery container crops.

Not for formulation into end-use products intended for use on residential sites or on food crops.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a dry place away from excessive heat. Do not store near food or feed. Store in original container only.

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: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill (or incinerate if allowed by State and local authorities). If drum is contaminated and cannot be reused, dispose of in the same manner.

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CONDITIONS OF SALE

1. Arvesta Corporation 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 accordance with the Directions for Use under normal conditions of use.
2. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal use conditions, or under conditions not reasonably foreseeable to Arvesta. **ARVESTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF FITNESS OR MERCHANTABILITY. SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, AND SELLER'S SOLE LIABILITY AND BUYER'S AND USER'S EXCLUSIVE REMEDY SHALL BE LIMITED TO THE REFUND OF THE PURCHASE PRICE. ARVESTA DOES NOT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTY, GUARANTEE OR REPRESENTATION CONCERNING THIS PRODUCT.**
3. Critical and unforeseeable factors beyond Arvesta's control prevent Arvesta from eliminating all risks in connection with the use of this product. Such risks include, but are not limited to, damage to plants and crops to which the product is applied, lack of complete control, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit for the use stated on the label and even though label directions are followed. Except as stated in 1 above, Buyer and User acknowledge and assume all risks and liabilities resulting from handling, storage, and use of this product.