

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

JUL 22 2004

Ms. Audrey Sehn  
Project Manager  
Arvesta Corporation  
100 First Street, Suite 1700  
San Francisco, CA 94105

**Subject:** Conditional Registration of Additional Uses on Pome Fruits, Citrus Fruits,  
Almonds, Pistachios, Strawberries and Field Grown Ornamentals  
Acequinocyl Technical  
EPA Reg. No. 66330-39  
Supporting Pesticide Petitions 3F6595 and 2F6440  
Your Application of March 27, 2002 and  
Revised Labels Submitted July 1, 2004

Dear Ms. Sehn:

The labeling amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, As Amended (FIFRA), is acceptable as a conditional registration under FIFRA Section 3 (c)(7)(B) provided that you:

1. Submit two copies of your final printed label incorporating the following correction before you release the product for shipment:

- Clarify the use on nursery crops and nursery plants so that it is clear that they are ornamental and not food producing nursery crops and plants by revising the use to read as follows: "ornamental nursery crops" and "ornamental nursery plants".

2. Submit an analytical reference standard for acequinocyl-OH to the EPA National Pesticide Standards Repository.

2/6

3. Submit the data listed below conducted in accordance with the specified OPPTS or OPP 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 OPPTS 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 1 year of the date of this letter, confirmatory residue analytical enforcement methods and specificity testing of these methods for plants and livestock (860.1340).
- b. Within 1 year from the date of this letter, avian acute dietary study in bobwhite quail (71-2).
- c. Within 1 year from the date of this letter, avian acute oral study in mallard duck (71-1a).
- d. Within 2 years from the date of this letter, a new livestock storage stability study depicting the stability of acequinocyl and acequinocyl- OH residues in milk and tissue samples frozen for up to 250 days (860.1380).
- e. Within 2 years from the date of this letter, chronic mysid toxicity test (72-4b).
- f. Within 3 years from the date of this letter, confined rotational crop study (860.1850).

4. Within three years from the date of this conditional registration letter, provide information on the proximity of Federally listed aquatic invertebrates to the proposed use sites. This requirement may be satisfied in one of three ways:

- a) having membership in the FIFRA Endangered Species Task Force (Pesticide Registration [PR] Notice 2000-2);
- b) citing FIFRA Endangered Species Task Force data; or
- c) independently producing these data, provided the information is of sufficient quality to meet FIFRA requirements. The information will be used by the OPP Endangered Species Protection Program to develop recommendations to avoid adverse effects to listed species.

5. Submit production information (pounds or gallons produced) for this product for the fiscal year in which the subject new use label amendment 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

6. Submit the data requested in the September 26, 2003 Notice of Registration for the product within the time frames specified in the Notice.

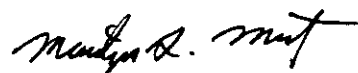
Included among these requested data were the Independent Laboratory Validations (ILVs) for the analytical methods utilized in the various environmental fate studies submitted in support of the subject product registration. These data, which were submitted in response to the deficiencies identified in the Agency's review of these environmental fate studies have been received and are under evaluation by the Agency. You were previously provided with a copy of the Agency's review which described the deficiencies and the additional information needed to upgrade the studies.

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

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 bearing the amended label constitutes acceptance of these conditions.

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

Sincerely,



Marilyn A. Mautz  
Biologist  
Insecticide-Rodenticide Branch  
Registration Division (7504C)

ACCEPTED  
with COMMENTS  
in EPA Letter Dated:

ACEQUINOCYL TECHNICAL - MB070104  
Page 1 of 3

4/6

JUL 22 2004  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
66330-39

## ACEQUINOCYL TECHNICAL

### FOR MANUFACTURING USE ONLY

**FOR THE PRODUCTION OF END USE PESTICIDES FOR USE ON  
COMMERCIAL GREENHOUSE, SHADEHOUSE, ORNAMENTAL, FLORAL,  
FOLIAGE AND NURSERY CROPS; ALSO FOR USE ON POMEFRUIT,  
CITRUS, ALMONDS, PISTACHIOS AND STRAWBERRIES.**

#### INGREDIENTS

Active Ingredient

By wt.

*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"><li>• Move person to fresh air.</li><li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li><li>• Call a poison control center or doctor for further treatment advice.</li></ul>
If on skin or clothing	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
If in eyes	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
If swallowed	<ul style="list-style-type: none"><li>• Call poison control center or doctor immediately for treatment advice.</li><li>• Have person sip a glass of water if able to swallow.</li><li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

**FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE:**

**CALL 1-800-228-5635 Ext. 174**

**FOR 24-HOUR CHEMICAL EMERGENCY (Spill, Leak, Fire or Accident) ASSISTANCE:**

**CALL CHEMTREC 1-800-424-9300**

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

EPA Registration No. 66330-39  
EPA Est. No. \_\_\_\_\_

## 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 you 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 crops, pomefruit, citrus, almonds, pistachios and strawberries.

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

### 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.

6/6

**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.