

66330-39

01/30/2008

1/6



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

**OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES**

Doina Bujor
Regulatory Manager
Arysta LifeScience North America Corporation
15401 Weston Parkway, Suite 150
Cary, NC 27513

JAN 30 2008

Dear Ms. Bujor:

Subject: Additional Use: Residential Outdoor Ornamental
Acequinocyl Technical
EPA Reg. No. 66330-39
Revised Label Submitted January 24, 2008

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 provided that you:

1. Submit one copy of your final printed label incorporating the following corrections before you release the product for shipment.

a. Clarify the use statement on the front panel to read as cited below.

For production of end-use pesticide products for use on almonds, pistachios, pome fruits, citrus and strawberries; in commercial greenhouse and shadehouse on ornamental, floral, foliage and ornamental nursery crops; on ornamentals in landscapes around the outside of residences, businesses, schools and public property; and on ornamentals in non-residential interiorscapes.

b. Clarify the use statement on the top of page 3 to read as cited below.

This product is for manufacturing use only for the production of end-use pesticide products for pest control on almonds, pistachios, pome fruits, citrus and strawberries; in commercial greenhouses, and shadehouses on ornamental, floral, foliage and ornamental nursery crops; on ornamentals in landscapes around the outside of residences, businesses, public property and schools; and on ornamentals in non-residential interiorscapes.

Not for formulation into end-use products intended for indoor residential use.

c. The last paragraph in the storage and disposal section (page 3) regarding the cleaning of the container contains text that is not appropriate for a manufacturing use product (Empty the contents into application equipment or mix tank. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal.).

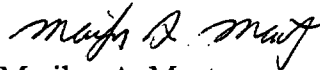
Wording such as the following would be more appropriate: Empty the contents into manufacturing equipment. Collect rinsate for disposal.

2. The subject registration is subject to the same conditions as specified in our Conditional Registration letter dated July 22, 2005 with the exception of items 3a through 3d which have been satisfied.

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 this condition.

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

Sincerely,



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

3/6

ACEQUINOCYL TECHNICAL

FOR MANUFACTURING USE ONLY

FOR PRODUCTION of end use pesticide for use ON ALMONDS, PISTACHIOS,
POME FRUITS, CITRUS, STRAWBERRIES, COMMERCIAL GREENHOUSE,
SHADEHOUSE, ORNAMENTAL, FLORAL, FOLIAGE AND ORNAMENTAL NURSERY
CROPS AND ON ORNAMENTALS IN LANDSCAPES AROUND RESIDENCES,
BUSINESSES, PUBLIC PROPERTY, SCHOOLS AND ON INTERIORSCAPES

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.

For Product Use Information Call 1-866-761-9397

Produced for:
Arysta LifeScience North America Corporation
15401 Weston Parkway, Suite 150
Cary, NC 27513

NET WEIGHT: _____

EPA Reg. No. 66330-39

EPA EST. No.

ACCEPTED
with COMMENTS
in EPA Letter Dated:
JAN 30 2006
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
As amended, for the pesticide
Registered under EPA Reg. No.
66330-39

4/6

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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
<p style="text-align: center;">FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE: Call PROSAR at 1-866-303-6952 or 1-651-632-8946 if calling from outside of the U.S.</p>	

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.

5/6

This product is for manufacturing use only for the production of end-use pesticide products for pest control in almonds, pistachios, pome fruits, citrus, strawberries, commercial greenhouses and shadehouses on ornamental, floral, foliage and nursery crops and on ornamentals in landscaped areas around residences, businesses, public property, schools and on interiorscapes.

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

STORAGE AND DISPOSAL

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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).

Triple Rinse or Pressure rinse container (or equivalent) promptly after emptying. Pressure rinse as follows: Empty the contents into application equipment or mix tank. 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.

6/6

Warranty and Disclaimer Statement

The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Such risks may arise from weather conditions, soil factors, off-target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America Corporation ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. All such risks shall be assumed by the user or buyer.

Arysta warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions.

This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA, MANUFACTURER, AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE, OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES, AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. NO AGENT, REPRESENTATIVE OR EMPLOYEE OF ARYSTA IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE TOTAL LIABILITY OF ARYSTA, MANUFACTURER, AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID, OR AT ARYSTA'S ELECTION, THE REPLACEMENT OF THE PRODUCT.