

Please read instructions on reverse before completing form. Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

EPA	United States	<input type="checkbox"/> Registration	OPP Identifier Number 230537
	Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other - NOTIFICATION	

Application for Pesticide - Section I

1. Company/Product Number 67760-26	2. EPA Product Manager Dr. Tina Levine	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fyfanon 6% Dust	PM# 84 Insecticide-Rodenticide Branch	
5. Name and Address of Applicant (Include ZIP Code) Cheminova, Inc. 1700 Route 23, Suite 210 Wayne, NJ 07470 <u>Please Direct All Correspondence to the Contact Point Listed Below</u> <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(I), 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 MAY 21 1999
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application	
<input checked="" 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 per PR Notice 98-10 to Include Warranty Statement

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 *Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt.	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
			No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify)	
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"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product			<input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Kari E. Mavian, Lewis & Harrison 122 C Street, NW #740, WDC 20001	Title Agent	Telephone No. (Include Area Code) 202-393-3902
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 Agent	
Typed Name Kari E. Mavian	5. Date 5/13/99	

Notification Certification Statement

Company Name Cheminova, Inc.
Product Name Fyfanon 6% Dust
EPA Reg. No. 67760-26

Certification Statement:

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 of this product. I understand that it is a violation of 18 U.S.C. 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.

Kari E. Mavian
Signature

5/13/99
Date

Name: Kari E. Mavian
Title: Agent for Cheminova, Inc.

NOTIFICATION

MAY 21 1999

LEWIS & HARRISON

Consultants in Government Affairs

122 C Street, N.W., Suite 740
Washington, D.C. 20001
telephone 202.393.3903
fax 202.393.3906

May 13, 1999

By Federal Express

Office of Pesticide Programs
Document Processing Desk (NOTIFY)
U.S. Environmental Protection Agency
Room 258, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, Virginia 22202

ATTENTION: Dr. Tina Levine
Insecticide-Rodenticide Branch

SUBJECT: Notification per PR Notice 98-10
Fyfanon 6% Dust (EPA Reg. No. 67760-26)


Dear Dr. Levine:

On behalf of Cheminova, Inc., we are submitting this notification per PR Notice 98-10 to include a warranty statement on this product label. No other changes have been made to the label.

Please find enclosed the following in support of this notification:

- Application for Notification (OPP Id. No. 230537) with the Certification Statement attached
- Two copies of the draft labeling (one copy with the change highlighted)

We would appreciate it if you could place this notification in the product's file. If there are any questions concerning this notification please contact me at 202-393-3903. Thank you for your assistance.

Sincerely,

Kari E. Mavian
Agent for Cheminova, Inc.

Enclosure

cc: Rick Stevens, Cheminova, Inc.



FYFANON 6% DUST

**FOR GRAIN PROTECTION
For Use on Stored Grains
Wheat - Corn - Oats - Rye - Barley**

**NOTIFICATION
MAY 21 1999**

Active Ingredients:

Malathion	
(O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate)	6.0%
Inert ingredient **	94.0%
Total	100.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION

EPA Reg. No. 67760-26

EPA Est. No.

NET CONTENTS _____ GAL. (_____ L)

IN CASE OF A MEDICAL EMERGENCY, CALL TOLL FREE, DAY OR NIGHT: 800-228-5635, EXT. 153.

FIRST AID

- If Swallowed-** Call a Physician or Poison Control Center immediately. Induce vomiting by giving victim 1 or 2 glasses of water and touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person.
- If In Eyes-** Flush eyes with plenty of water. Get medical attention.
- If On Skin-** Remove contaminated clothing and wash affected area with soap and water. Get medical attention if irritation persists.
- If Inhaled-** Remove victim to fresh air. Apply artificial respiration if indicated. Get medical attention.
- Note to Physician-** Malathion, upon repeated, prolonged and careless exposure, may cause cholinesterase inhibition. Atropine is antidotal.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION

May be harmful if swallowed. Do not take internally. Avoid contact with eyes, skin and clothing. Avoid breathing dust. Wash thoroughly after handling. Wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in areas near application site. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. NOTE: Use only with adequate ventilation. After using this product indoors, ventilate thoroughly before occupying enclosed spaces.

STORAGE AND DISPOSAL

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

STORAGE: Store product in original labeled container, in cool, dry, locked place out of the reach of children. In case of spills, remove spillage with an industrial type vacuum cleaner and wash area with household bleach.

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 bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

IMPORTANT: This product may be used on selected food grain. Use of this product as directed will be within the tolerance of 8 parts per million for Malathion. Treated grain is not subject to down-grading and can be milled into flour or feed using appropriate industry methods.

CLEAN ALL EMPTY BINS: Empty bins should be treated with a suitable residual insecticide before they are filled with new grain. Refuse, trash and old grain should be swept up and the entire area cleaned and made ready for new storage.

GRAIN PROTECTION: For use on stored grains (Wheat, Corn, Oats, Rye and Barley) for protection against the following insects: Granary weevil, rice weevil, maize weevil, flat grain beetle, saw-toothed grain beetle, confused flour beetle, red flour beetle, rusty grain beetle, foreign grain beetle, khapra beetle, lesser grain borer, larger grain borer, Indian meal moth larvae, Mediterranean flour moth larvae; and suppresses cadelles, grain mites and Angoumous grain moth larvae.

WHEN AND HOW TO APPLY

TREATMENTS AT THE ELEVATOR: Use suitable powder application equipment to meter the product onto the grain as it enters the final storage at a rate of 10 lbs. per 1,000 bushels. Mount the device near the auger outlet to treat the flow of grain going onto the final storage bin. Wear a dust mask.

FOR TREATMENT OF GRAIN IN SHIPS HOLDS OR OTHER TRANSPORTATION FACILITIES: For intercontinental shipments of grain by boat or barge, apply this product in the same manner as for treatment of grain going into an elevator bin at the rate of 10 lbs. Per 1,000 bushels of grain. Use appropriate application equipment.

GRAIN SURFACE TREATMENT AGAINST INDIAN MEAL MOTH LARVAE AND OTHER INSECTS: To protect stored grain from attack by Indian meal moth larvae and other stored grain insects in the top 8 to 10 inches of grain, apply this product to the surface as a preventative or curative treatment at the rate of 5 lbs. per 1,000 square feet of grain surface. Apply evenly over the surface of grain after it has been loaded into final storage. Begin application at the far end of the bin. Apply at the recommended rate and rake into the grain surface as you backup towards the exit. Do not walk through treated grain. Check grain in 3 to 4 weeks to determine presence of insects. Repeat treatment as needed. Wear a dust mask during application.

WARRANTY LIMITATIONS AND DISCLAIMER

CHEMINOVA 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 therein under normal conditions of use. THIS IS THE ONLY WARRANTY MADE ON THIS PRODUCT. NO OTHER EXPRESS AND NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IS MADE OUTSIDE OF THIS LABEL. Therefore, neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends

to the use of this product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), under abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes, etc.) Or under conditions not reasonably foreseeable to or beyond the control of seller.

When buyer or user suffers losses or damages resulting from the use or handling of this product (including claims based on contract, negligence, strict liability, or other legal theories), buyer or user must promptly notify in writing Cheminova of any claims to be eligible to receive either remedy given below. The EXCLUSIVE REMEDY OF THE BUYER OR USER and the LIMIT OF LIABILITY of Cheminova or any other seller will be one of the following, at the election of Cheminova:

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

The seller **will not be liable for consequential or incidental damages or losses.**

The terms of this Warranty Limitations And Disclaimer cannot be varied by any written or verbal statements or agreements. Any employee or sales agent of the seller is not authorized to vary or exceed the terms of this Warranty Limitations And Disclaimer in any manner.

Manufactured by:
Cheminova, Inc.
Oak Hill Park
1700 Route 23, Ste. 210
Wayne, NJ 07470

Date: 5/13/1999 - 5/13/1999 Notification for Warranty Statement and 1/16/97 EPA approved label
Label code:
Replaces: