



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUL 11 2008

Ms. Carrie Tackema
Cheminova Inc.
1700 Route 23, Suite 300
Wayne, NJ 07470

Subject: Label Notifications for Pesticide Registration Notice 2007-4

Dear Ms. Tackema,

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated May 2, 2008 (and corrected labels sent June 11, 2008) for the following products:

- | | |
|------------------------------|---|
| Fyfanon® Technical | (EPA Registration Number 4787-5) |
| Fyfanon® ULV Mosquito | (EPA Registration Number 67760-34) |
| Fyfanon® ULV AG | (EPA Registration Number 67760-35) |

The Registration Division (RD) has conducted its review of these requests for their applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. The labels submitted with the applications have been stamped "Notification" and will be placed in our records, along with this letter.

With regard to the product label for Fyfanon® ULV AG (EPA Registration Number 67760-35), please note that there is a typographical error at the top of page 3 on your draft label. The last sentence of the "Refillable Containers" instructions in the "Container Disposal" section should read "Repeat this rinsing procedure two more times." Please make this correction before printing and distributing the final label.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,



Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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

EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 67760-34	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fyfanon ULV Mosquito	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Cheminova Inc. 1700 Route 23, Suite 300 Wayne, NJ 07470		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. _____ NOTIFICATION Product Name _____ <div style="text-align: right; font-size: 1.2em;">JUL 11 2008</div>

Check if this is a new address

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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 2007-4

~~This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formulation for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146 and 156.156, 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.~~

***Contact: Carrie M. Tackema: carrie.tackema@cheminova.com or fax: 973-305-1382**

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No <i>*Certification must be submitted</i>	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container	4. Size(s) Retail Container 1 gallon to bulk	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input checked="" 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 Carrie M. Tackema	Title Regulatory Affairs Manager, North America	Telephone No. (Include Area Code) 973-305-6500, X 229
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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.

2. Signature 	3. Title Regulatory Affairs Manager, North America
4. Typed Name Carrie M. Tackema	5. Date May 2, 2008

6. Date Application Received

(Stamped)

4/9

NOTIFICATION

JUL 11 2008

Fyfanon® ULV Mosquito ULTRA LOW VOLUME CONCENTRATE INSECTICIDE

FOR USE ONLY BY FEDERAL, STATE, TRIBAL, OR LOCAL GOVERNMENT OFFICIALS RESPONSIBLE FOR PUBLIC HEALTH OR VECTOR CONTROL, OR BY PERSONS CERTIFIED IN THE APPROPRIATE CATEGORY OR OTHERWISE AUTHORIZED BY THE STATE OR TRIBAL LEAD PESTICIDE REGULATORY AGENCY TO PERFORM ADULT MOSQUITO CONTROL APPLICATIONS, OR BY PERSONS UNDER THEIR DIRECT SUPERVISION.

ACTIVE INGREDIENT:

*Malathion 96.5 %

INERT INGREDIENTS: 3.5 %

TOTAL: 100.0%

* O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate. Contains 9.9 lbs. malathion per gallon

KEEP OUT OF REACH OF CHILDREN CAUTION

SEE BOOKLET FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND USE DIRECTIONS

EPA Reg. No. 67760-34

EPA Est. No. 4787-DN-1
NET CONTENTS:

Cheminova, Inc.
1700 Route 23
Wayne, NJ 07470
Product of Denmark
© Fyfanon is a registered trademark of Cheminova

IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL FREE, DAY OR NIGHT, 1-866-303-6950

FIRST AID

This product is an organophosphate and is a cholinesterase inhibitor.

- IF SWALLOWED:** 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:** 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:** 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:** 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-866-303-6950 for emergency medical treatment information.

NOTE TO PHYSICIAN- This product is a cholinesterase inhibitor. Treat symptomatically. Atropine is antidotal.

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

Harmful by swallowing, inhalation or skin contact. Avoid contact with skin. Avoid breathing spray mist. Do not contaminate food or feed products.

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category F 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, or Viton
- Shoes plus socks

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

ENGINEERING CONTROLS STATEMENTS

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets with 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

User should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, and aquatic life stages of amphibians. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to aquatic organisms.

Before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

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, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body. Do not contaminate bodies of water when disposing of equipment rinsate or washwaters.

PHYSICAL OR CHEMICAL HAZARDS

Before using, read the directions contained in this labeling for the proper methods and procedures which must be followed to achieve effective insect control and avoid permanent damage to automobile and other paint finishes.

STORAGE AND DISPOSAL

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

STORAGE: Fyfanon ULV Mosquito should be stored at temperatures not exceeding 25° C (77° F). It should never be heated above 55° C (131° F), and also local heating above this temperature should be avoided.

PESTICIDE DISPOSAL: Pesticide, spray mixture, or rinse water that cannot be used according to label instructions may be disposed of on-site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

Refillable containers: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

Nonrefillable containers equal to or less than 5 gallons: Do not reuse or refill this container. Offer for recycling if available. Triple rinse container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Nonrefillable containers greater than 5 gallons: Do not reuse or refill this container. Offer for recycling if available. Triple rinse as follows: Empty the remaining contents into application equipment or mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank and store rinsate for later use or disposal. Repeat this procedure two more times.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For any requirements specific to your State or tribe, consult the agency responsible for pesticide regulation.

GENERAL

Do not apply more than 0.23 lb active ingredient/A/day.

MOSQUITO CONTROL

MOSQUITO CONTROL IN POPULATED AND RURAL AREAS

Do not re-treat a site more than 3 times in any one week when mosquitoes are swarming or biting. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

AERIAL APPLICATION

Adult mosquito control over cities, towns, and other areas where automobiles, trailers, trucks, and pleasure boats are present: Apply 2.6 to 3.0 fluid ounces of Fyfanon ULV Mosquito per acre. Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control.

Spray equipment must be adjusted so that the volume or mass median diameter produced is less than 50

microns (Dv 0.5 < 50 um) and that 90% of the spray is contained in droplets smaller than 100 microns (Dv 0.9 < 100 um). The effects of flight speed and, for non-rotary nozzles, nozzle angle on the droplet size spectrum must be considered. Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a wind tunnel and laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

IMPORTANT: IN AREAS WHERE AUTOMOBILES, TRAILERS, TRUCKS AND PLEASURE BOATS ARE PRESENT, undiluted spray droplets of Fyfanon ULV Mosquito will permanently damage vehicle paint finishes unless the aircraft used for the ultra low volume application meets all of the specifications listed under **AERIAL APPLICATION**.

GROUND APPLICATION

Spray equipment must be adjusted so that the volume or mass median diameter is less than 17 microns (Dv 0.5 < 17 um) and that 90% of the spray is contained in droplets smaller than 32 microns (Dv 0.9 < 32 um). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Thermal Aerosols or Fogs

For control of adult mosquitoes with thermal aerosols or fogs, apply Fyfanon ULV Mosquito at the rate of 6 - 8 oz. actual / gallon (3.9 - 5.2 gallons Fyfanon ULV Mosquito in 100 gallons finished solution*) by ground equipment delivering 40 gallons per hour at a vehicle speed of 5 miles per hour to treat a swath width of 300 - 400 feet.

*There is a great variation in the chemical composition of fuel oils which may be used as thermal fog solvents. These differences may cause sludge and/or affect the solubility of the Fyfanon ULV Mosquito.

Nonthermal Aerosols

Adult Mosquito Control - Control of adult mosquitoes over a 300-foot swath can be obtained with nonthermal aerosols of Fyfanon ULV Mosquito using the following rates at the indicated vehicle speeds:

Vehicle Speed – Miles per Hour	Flow Rate of Fyfanon - Fl. oz./Min.	Maximum Flow - Rate per Hour
5	1.0 to 2.1	1 gallon
10	2.0 to 4.3	2 gallons
15	3.0 to 6.3	3 gallons
20	4.0 to 8.6	4 gallons

Adult Mosquitoes on Rangeland, Pasture, and Other Uncultivated Non-Agricultural Areas (Wastelands, Roadsides)

Apply Fyfanon ULV Mosquito at the rate of 2 to 4 fluid ounces per acre for control of adult mosquitoes. Application may be made via ground or aerial equipment. No more than 3 applications should be made to a site in any one week when mosquitoes are swarming or biting. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

For enhanced knock-down effects against mosquitoes, Fyfanon ULV Mosquito can be mixed with a

synergized pyrethrin emulsifiable concentrate (6% pyrethrin + 60% PBO) in accordance with the most restrictive of label limitations and precautions indicated on both this and the tank-mixed product. Label rates must not be exceeded. This product may not be mixed with any product bearing a label which specifically prohibits such mixing. Prior to tank mixing large quantities mix a small amount in a glass jar to verify that the products are physically compatible.

A tank mix of these may be prepared as follows:

Component	Rapid knock-down	Improved knock-down
Fyfanon ULV Mosquito	107 fl. oz.	117 fl. oz.
Synergized pyrethrin (6%/ 60%)	21 fl. oz.	11 fl. oz.

Depending upon your operational needs for knock-down, the amount of synergized pyrethrin can be reduced or adjusted. Application rates of Fyfanon ULV Mosquito and droplet distribution requirements remain the same as for Fyfanon ULV Mosquito used alone.

OPERATING EQUIPMENT

Each nonthermal aerosol generator used for dispersal of Fyfanon ULV Mosquito to control adult mosquitoes must have minimum capability of producing the droplet spectrum described under **GROUND APPLICATION**. The initial determination of droplet size is made after the unit is installed in a vehicle and prior to its use in mosquito control operations. The unit should be rechecked as frequently as necessary to insure that proper droplet size is maintained for each operation. Determination of droplet size every two months is usually sufficient if the unit has been maintained in good operating condition. Equipment manufacturer's instructions setting forth cleaning and maintenance of the unit must be followed. The unit must be inspected before each operation to correct any leaks or obstructions in the spray system; to detect whether the nozzle, hoses, or other parts are worn and need replacement; to insure that the flow meter is properly calibrated and to determine that the pressure recommended by the manufacturer is being maintained.

- Flow Rate**
 - Must be regulated by accurate flow meter
 - Not greater than 1 gallon per hour at 5 mph; 2 gallons per hour at 10 mph; 3 gallons per hour at 15 mph, or 4 gallons per hour at 20 mph
- Nozzle Direction**
 - Rear of the vehicle
 - Upward at an angle of 45° or more
- Vehicle Speed**
 - Not greater than 20 mph
 - Shut off spray equipment when vehicle is stopped

IMPORTANT: Spray droplets of undiluted Fyfanon ULV Mosquito will permanently damage automobile paint unless all the conditions described and recommended in this label are met. If accidental exposure does occur, the vehicle should be washed at once.

WARRANTY 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, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CHEMINOVA MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes),

presence of other materials, the manner of application, or other factors, all of which are beyond the control of Cheminova or the Seller. All such risks shall be assumed by Buyer and User. Buyer and User agree to hold Cheminova and the Seller harmless for any claims related to such factors.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to one of the following, at Cheminova's election:

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

To the extent consistent with applicable law, Cheminova shall not be liable for consequential, incidental, or special damages or losses in any matter.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Cheminova or the Seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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