



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.

2/11

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

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
------------	--	--	-----------------------

Application for Pesticide - Section I

1. Company/Product Number 67760-35	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fyfanon ULV AG	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 NOTIFICATION EPA Reg. No. _____ Product Name _____ JUL 11 2008	

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

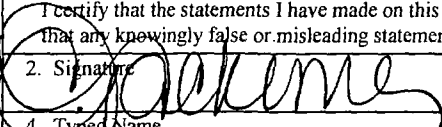
~~This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formulation for this product. I understand that 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:				2. Type of Container	
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		<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) 973-305-6600, X 229
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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Affairs Manager, North America	
4. Typed Name Carrie M. Tackema	5. Date May 2, 2008	

4/11
NOTIFICATION

JUL 11 2008

Fyfanon® ULV AG
ULTRA LOW VOLUME CONCENTRATE INSECTICIDE

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. 67760-35

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.

5/11

**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. For terrestrial uses, 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 the application site. Do not contaminate water when disposing of equipment washwaters.

For aquatic uses, do not apply directly to water except as specified on this label.

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.

Protective information can be obtained from your Cooperative Agricultural Extension Service.

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 AG 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.

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.

6/11

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.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of the product that are covered by the Worker Protection Standard.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Chemical resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, or Viton
- Shoes plus socks.

AGRICULTURAL USES

Do not use this product for any uses other than those specified on this label.

Fyfanon ULV AG is used undiluted in any specially designed aircraft or ground equipment that has been adapted and calibrated for ultra low volume spraying. Spray machines must be equipped with accepted low-volume devices that will produce droplets within the range of 30 to 100 microns in size. Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control.

Mist blowers and boom sprayers utilizing a controlled air flow to facilitate particle size and spray deposition may be used at a vehicle speed of 4 to 10 mph.

Mist blowers with a pump capable of producing 40 psi and blower speeds of 2600 rpm are satisfactory. Use flat fan nozzles, 8001 to 8002, placed 30° into air blast, or rotary atomizers placed into the air blast

7/11

that produce an efficient spray particle with a mass median diameter of 30 to 100 microns. Other similar application equipment which has demonstrated the capability to deliver even distribution of the labeled rate over the desired area may be used. Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control.

Boom sprayers with a filtered rotary air compressor, either PTO or gas engine driven or an air pump capable of producing at least 12 psi are satisfactory. Use air pressure on chemical tanks and an accurate metering valve to assure a calibrated flow of the pesticide. Air should be regulated with a relief valve and gauge for proper air and liquid mixture. Pneumatic-type spray nozzles, as suggested by equipment manufacturer, should be used for spray particles with mass median diameter of 30 - 100 microns. Apply only when weather conditions are favorable. Wind and rising air currents may cause undesirable spray drift and reduce insect control.

Repeat applications should be made as necessary, unless otherwise specified.

IMPORTANT: Undiluted spray droplets of Fyfanon ULV AG will permanently damage automobile paint. Cars should not be sprayed. If accidental exposure does occur, the car should be washed immediately. Consult your State Experiment Station or State Extension Service for proper timing of sprays.

CROP	PESTS CONTROLLED	FL. OZ. /ACRE	PRE-HARVEST INTERVAL/ COMMENTS
Alfalfa	Alfalfa caterpillars	8	0 days. Apply when larvae are small.
	Western yellow striped armyworms	12	5 days. Apply when larvae are large or when foliage is dense.
	Alfalfa weevil larvae	16	5 days. Apply when day temperature is expected to be above 65° F and when 50-70% of leaves show damage.
	Beet armyworms	8	0 days. Apply when larvae are small.
		16	5 days. Apply when larvae are large or when foliage is dense.
	Grasshoppers	8	0 days.
<i>Do not apply to alfalfa in bloom. Do not apply to seed alfalfa.</i>			
Clover; pasture & range grass; grass; grass hay; uncultivated non-agricultural areas (wastelands, roadsides)	Grasshoppers	8-12	0 days. Do not apply to clover in bloom.
Beans (lima, green, snap, navy, red kidney, wax, dry, black-eyed)	Mexican bean beetles, aphids, thrips, spider mites, asparagus beetles, pea weevils, leafhoppers, green cloverworms, Japanese beetles, lygus bugs	8	1 day. Do not graze or feed foliage, vines/ forage, straw/ hay.

8/11

Blueberry	Blueberry maggots	10	1 day
Cereal crops (barley, corn, oats, wheat) and grasses	Cereal leaf beetles	4-8	Barley, oats, wheat: 7 days. Corn: 5 days. Grasses: 0 days.
Grain crops (barley, corn, oats, rye, rice, grain sorghum (milo), and wheat)	Grasshoppers	8	7 days except corn. 5 days for corn. Do not graze or feed grain sorghum forage, fodder/stover, or hay.
Corn	Adult corn rootworms	4	5 days
Grain sorghum (milo)	Sorghum midges	8-12	7 days. Apply during the bloom stage. Do not graze or feed grain sorghum forage, fodder/stover, or hay.
Cherries	Cherry fruit flies	12-16	1 day. Apply by aircraft only. Use higher rate when foliage is heavy or infestation is severe. Make first application as soon as flies appear.
Cotton	Early season insects, thrips, fleahoppers, Leafhoppers	4 - 8	0 days
	Boll weevils	8 - 16 16	0 days. Early to midseason. Late season.
	Grasshoppers	8	0 days
	Lygus bugs	8 - 12 16	0 days 0 days. Very heavy migrating population.
For use on cotton: Fyfanon ULV AG can be used alone as a concentrate spray or diluted in once-refined cottonseed or vegetable oil sufficient to make at least one quart of finished spray per acre.			
Rice - grain Louisiana, Texas	Rice stink bugs	8	7 days. Apply by aircraft only. Apply during early milk and dough stage of growing rice.
NOTE FOR AQUATIC USES (rice): Broadcast use only over intermittently flooded areas. Application may not be made around bodies of water where fish or shellfish are grown and/or harvested commercially.			
Non-agricultural lands	Beet leafhoppers on wild host plants	8	0 days

OTHER AGRICULTURAL USES

Alfalfa, clover, pasture and range grass, grass and grass hay, grain crops (barley, corn, oats, rye, rice, sorghum/milo, wheat), beans, and non-agricultural lands (wasteland):
 Adult flies - Apply Fyfanon ULV AG at the rate of 6 to 8 fluid ounces per acre for control of adult flies. Repeat applications as necessary. On alfalfa, clover, pasture and range grass, grass and grass hay, may be applied on day of harvest or grazing. Do not apply to alfalfa or clover in bloom. Do not use on seed alfalfa. On grain crops, make no application within 7 days of harvest or forage use; on corn within 5 days of harvest or forage; on rice within 7 days of harvest; on beans within 1 day of harvest. Do not graze or feed grain sorghum forage, fodder/stover, or hay.

Adult Stable Flies, Outdoors

Control of adult stable flies around the outside of stables over a 300-foot swath can be obtained, with nonthermal aerosols of Fyfanon ULV AG using the ultra low volume method. Use the following flow rates at the indicated vehicle speeds:

Vehicle Speed - Miles per Hour	Flow Rate of Fyfanon – Fl. oz./Min.	Maximum Flow - Rate per Hour
5	2.1	1 gallon
10	4.3	2 gallons

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

Apply Fyfanon ULV AG at the rate of 2 to 4 fluid ounces per acre for control of adult flies. Application may be made via ground or aerial equipment and may be repeated as necessary.

For enhanced knock-down effects against flies, Fyfanon ULV AG 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 AG	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 AG and droplet distribution requirements remain the same as for Fyfanon ULV AG used alone.

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.

O/K8/7



Cheminova, Inc.
Oak Hill Park
1700 Route 23, Suite 300
Wayne, New Jersey 07470

Phone: 973-305-6600
Fax: 973-305-1382
Customer service:
1-800-548-6113

Via Courier Delivery

May 2, 2008

Ms. Venus Eagle
Office of Pesticide Programs
Document Processing Desk (AMEND)(7504P)
U.S. Environmental Protection Agency
One Potomac Yard
Room S4900
2777 S. Crystal Drive
Arlington, VA 22202

RE: **Notification(s) per PR Notice 2007-4:**
✓ **Fyfanon Technical, EPA Reg. No. 4787-5;**
✓ **Fyfanon ULV Mosquito, EPA Reg. No. 67760-34; and**
✓ **Fyfanon ULV AG, EPA Reg. No. 67760-35**

Dear ms. Eagle:

Cheminova, Inc. hereby submits Notifications per PR Notice 2007-4, labeling revisions required by the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment."

Enclosed in support of this Notification are the following:

1. Application for Pesticide for each above-referenced product; and
2. Two (2) copies of proposed, final labeling for each above-referenced product.

If you should have any questions, please contact me directly at (973) 305-6600 Ext. 229 or by email at carrie.tackema@cheminova.com.

Sincerely,

Carrie M. Tackema
Regulatory Affairs Manager, North America

Enclosure(s)

