

70506-71

09/21/2005

S 784 220

1/7

U.S. ENVIRONMENTAL PROTECTION
AGENCYOffice of Pesticide Programs
Registration Division (7505C)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

70506-71

Date of Issuance:

SEP 21 2005

NOTICE OF PESTICIDE:

☒ Registration☐ Reregistration

(under FIFRA, as amended)

Term of Issuance: conditional

Name of Pesticide Product:

Acephate 90SP Manufacturing
Use Product

Name and Address of Registrant (include ZIP Code):

United Phosphorus, Inc,
423 Riverview Plaza
Trenton, NJ 08611

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product when the Agency requires all registrants of similar products to submit such data.

Since the Interim Reregistration Eligibility Decision (IRED) and the accompanying Data Call In(DCI) have been issued for acephate and you have referenced a registered acephate product in support of your product, the registration issued for your product is conditioned on acceptable data being submitted for the supporting product in response to the DCI or new data being submitted to replace any unacceptable data. If the data are unacceptable and will not be replaced, the supporting product registration will be subject to being suspended and you will become subject to providing these data for the subject product or being suspended. You are advised that the acute dermal and the skin sensitization studies submitted in response to the IRED DCI for the supporting product were found to be unacceptable.

2. You make the following label changes before you release the product for shipment:

a. Add the designation, "EPA Reg. No. 70506-71

Signature of Approving Official:

Date:

SEP 21 2005

- b. Add the protective equipment statements cited below.

When handling this product, wear chemical resistant gloves, long -sleeved shirt and long pants, shoes and socks. Remove and launder contaminated clothing before use.

- c. Add the words "repackaged or" between the words "Products" and "formulated" on the third page in the last sentence of the third paragraph.

- d. Remove the words "or spray mist" from the end of the fourth sentence in the human precautionary statements on the second page as they are inappropriate for a powder formulation.

- d. Add the statement cited below as the first sentence in the Environmental Hazards section.

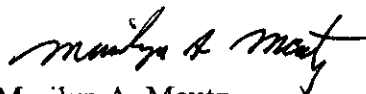
This product is toxic to birds.

3. Submit your revised data matrix for the cited acute toxicity data reflecting the status as "pay" rather than "own". These data were submitted by a registrant other than United Phosphorus, Inc.

Submit two copies of the revised final printed label before the product is released for shipment.

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 constitutes acceptance of these conditions.

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



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

3/7

ACEPHATE 90SP MANUFACTURING USE PRODUCT

For Formulation or Repackaging Use Only

ACTIVE INGREDIENT	By Wt.
Acephate (O,S-Dimethyl acetylphosphoramidothioate).....	90.0%
INERT INGREDIENTS	10.0%
TOTAL	100%

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
Contains an organophosphate that inhibits cholinesterase.	
If swallowed	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • 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.
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 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 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.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Pesticide Information Center at 1-800-858-7378 for emergency medical treatment information.</p>	
<p>NOTE TO PHYSICIAN Acephate is a cholinesterase inhibitor. If signs of cholinesterase inhibition appear, atropine is antidotal. 2-PAM may also be used in conjunction with atropine but should not be used alone.</p>	

**FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident, call
CHEMTREC 1-800-424-9300**

EPA Reg. No. 70506-

EPA Est. No. 41876-IND-001

Manufactured for:
United Phosphorus, Inc.
423 Riverview Plaza
Trenton, NJ 08611
1-800-247-1557
www.upi-usa.com

ACCEPTED
with COMMENTS
in EPA Letter Dated:

SEP 21 2005

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
70506-21

Net Contents: 50 lb., 2,000 lbs.

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if swallowed. Causes eye irritation. Avoid contact with eyes, skin and clothing. Avoid breathing dust or spray mist. Wash hands thoroughly after handling.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other bodies of waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or the Regional Office of the Environmental Protection Agency.

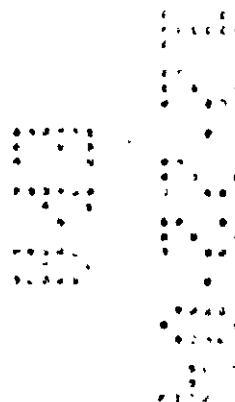
STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited.

PESTICIDE STORAGE: Keep pesticide in original container. Store in cool, dry place. Protect from excessive heat. Do not contaminate food or foodstuffs. Do not store or transport near feed or food.

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 inner bag by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into equipment. Then dispose of empty bag in a sanitary landfill or by incineration if allowed by State and local authorities. If outer container is contaminated and cannot be reused, dispose of in the same manner.



6/7

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

This product is intended only for use in repackaging or in the formulation of other acephate insecticide products. This product may NOT be formulated into products intended for indoor residential uses. Products formulated using Acephate 90SP MUP will require registration with the Environmental Protection Agency.

Only for repackaging or formulation into insecticide products intended for:

Pests - Indoors In: Industrial, Institutional and Commercial Buildings including Restaurants, Food Handling Establishments, Warehouses, Stores, Motels, Manufacturing Plants and Ships.

Terrestrial, Food Uses On: Beans and Lima Beans, Brussels Sprouts, Cauliflower, Celery, Cranberries, Cotton, Cottonseed, Head Lettuce, Macadamia Nuts, Peanuts, Peppermint, Peppers, Sweet Peppers, and Spearmint.

Terrestrial, Non-Food Uses On: Wasteland, Fire Ant Mounds, Shrubs, Trees, Douglas Fir (Christmas Trees), Flowering Crabapples, Dichondra, Turfgrass (limited to Golf Courses and Sod Farms except when applying by mound or spot treatment for Fire Ants), Daisies, Dahlias, Easter Lily, Gladioli, Gyposophila, Pachysandra, Peony, Roses, Sedum, Statice, Strawflower, Yarrow, Zinnia, Container Grown Nursery Stock (Arborvitae, Azalea, Camelia, Rhododendron, Roses, Viburnum, Yew) and Tobacco.

Greenhouse, Floral and Foliage Plants, Non-Food Use On: Orchids, Anthuriums, Cacti, Poinsettia, Roses, Carnations and Chrysanthemums.

Outdoor Uses On: Wasp Nests, Perimeter Treatments, Buildings, Window Frames, Shutters, Entryways, Screens, Eaves, Patios, Garages, Carports and Garbage Areas.

**IMPORTANT INFORMATION
READ BEFORE USING PRODUCT**

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. The Directions for Use of this product reflect the opinion of experts based on field use and tests. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of United Phosphorus, Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of United Phosphorus, Inc. and Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold United Phosphorus, Inc. and Seller harmless for any claims relating to such factors.

United Phosphorus, Inc. 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 referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or United Phosphorus, Inc., and Buyer and User assume the risk of any such use. **UNITED PHOSPHORUS, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.**

To the extent allowed by law, United Phosphorus, Inc. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF UNITED PHOSPHORUS, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE, AT THE ELECTION OF UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT, OR COMPENSATION LIMITED TO DAMAGES NOT EXCEEDING THE FAIR MARKET PURCHASE PRICE, AND SHALL NOT INCLUDE INCIDENTAL OR CONSEQUENTIAL DAMAGES.**

United Phosphorus, Inc. and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by the duly authorized representative of United Phosphorus, Inc..

cc: J. Pritchard
Acephate 90SP MUP Reg. File (new)
AMT 04-146

7/7