70506-141

11-20-7008



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

NOV 2 0 2008

Timothy M. Formella Senior Registration Manager United Phosphorous, Inc. 630 Freedom Business Center Suite 402 King of Prussia, PA 19406

 SUBJECT: Applications for Pesticide Notification – Add Use Restriction in New York State ImiGold 0.5 G Turf, Ornamental, and Termiticide/Insecticide EPA Reg. No. 70506-142
 ImiBloc 4 F Termiticide/Insecticide EPA Reg. No. 70506-168
 Applications Dated September 29, 2008

Dear Mr. Formella:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above products. The Registration Division (RD) has conducted a review of these requests for their applicability under PRN 98-10 and finds that the label changes requested fall within the scope of PRN 98-10. The labels have been date-stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

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

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Please read instructions on reverse bei	fore completing form.		Form Approve	`. d. OMB No. 2070	-0060, Approval expires 05-31-98	
	United St	tates	🗌 Registr		OPP Identifier Number	
	vironmental Pro	tection Agency	_ •			
	Washington, [• •		ment		
			Contraction of the contract of	<u> </u>	·	
	Арр	lication for Pe	sticide - Sectior	n I		
1. Company/Product Number		2. EPA Kable Bo	Product Manager		3. Proposed Classification	
70506-142 4. Company/Product (Name)		PM# 0				
IMIGOLD 0.5 G Turf, Ornamenta Termiticide/Insecticide			ι	·	None Restricted	
5. Name and Address of Applicant (Include ZIP Code)				vith FIFRA Section 3(c)(3)	
United Phosphorus, Inc. 630 Freedom Business Center	r. Suite 402	(b)(l), r to:	ny product is simila	ar or identical	NOTIFICATION	
King of Prussia, PA 19406	,		g. No			
					NOV 2 0 2008	
Check if this is a new a	ddress	Product	Name			
		Sectio	on - II			
Amendment – Explain below.				-	o Agency letter dated	
Resubmission in response to A	Agency letter dated		Me Too" Applica			
Notification - Explain below. Explanation: Use additiona		san (For Socti	Other - Explain		<u> </u>	
Notification of use restriction in No	ew York State. This	s notification is co	nsistent with the prov	isions of PR No	otice 98-10 and EPA	
regulations at 40 CFR 152.46, and	d no other changes	s have been made	to the labeling or the	confidential sta	atement of formula of this	
product. I understand that it is a v						
this notification is not consistent w may be subject to enforcement ac				s product may b	e in violation of FIFRA and I	
may be cabject to emercement at	non and pondition					
·	<u></u>					
		Sectio	on - III		·	
1. Material This Product Will Be Pa Child-Resistant Packaging	ackaged In: Unit Packaging		Water Soluble Pack		2. Type of Container	
Yes*	Yes		Yes	aging	Metal	
□ No						
	If "Yes"	No. per	If "Yes"	No. per	Glass	
*Certification must	Unit Packaging v	wgt. container	Package wgt.	container	Paper	
be submitted					Other (laminated bag)	
3. Location of Net Contents Inform	Indu	Size(s) Retail Contain	to 2.0 oz gel per tube		f Label Directions	
Label Cor	ntainer inclu	daing but not innited	to 2.0 oz ger per tube	On Labe		
6. Manner in Which Label is Affixed		Lithograph	Other		ing accompanying product	
		Paper glued				
······		Stenciled			······································	
		Sectio	on - IV			
1. Contact Point (Complete items d	irectly below for ident		to be contacted, if nec			
Name Timothy M. Formello		Title Senior Roc	nistration Managor		Teleohone No. (Include Area	
Timothy M. Formella		Senior Reg	gistration Manager	, c .	610-491-2813	
		ification			6. Date Application	
I certify that the statements I have n acknowledge that any knowingly fal under applicable law.				nment or both	Carl Received (Stamped)	
2. \$ignature						
			nior Registration Ma	anager		
4. Typed Name		5. Date 0	Lange		((((
Timothy M. Form	iella	Jer-	J. 24,000	5		
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United Phosphorus, Inc.

630 Freedom Business Center, Suite 402 King of Prussia, PA 19406 (610) 491-2813 (phone) (610) 491-2810 (fax)

September 29, 2008

VIA: DHL

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Document Processing Desk (NOTIF) Sherada Hobgood Office of Pesticide Programs (7504P) U.S. Environmental Protection Agency Room S-4900, One Potomac Yard 2777 South Crystal Drive Arlington, VA 22202-4501

RE: Notification of addition of Not Registered for Use in New York State ImiGold 0.5 G Turf, Ornamental, and Termiticide/Insecticide (EPA Reg. No. 70506-142) ImiBloc 4 F Termiticide/Insecticide (EPA Reg. No. 70506-168)

Dear Ms. Hobgood:

United Phosphorus, Inc. hereby notifies the Agency of our intent to revise the labels of the following end-use products containing the active ingredient imidacloprid:

- ImiGold 0.5 G Turf, Ornamental, and Termiticide/Insecticide (EPA Reg. No. 70506-142) ٠
- ImiBloc 4 F Termiticide/Insecticide (EPA Reg. No. 70506-168)

With this notification we intend to revise or add the phrase "This product is Not Registered for Use in New York State" to the 70506-142 and 70506-168 product labels. We are revising or adding this State restriction as these imidacloprid products are not registered in New York. Previously this restriction was submitted only for termiticide uses whereas this current restriction is for all uses on these labels.

These changes are consistent with the notification provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46. Enclosed please find the following materials to support these registration notifications:

- 1. Completed Application for Pesticide Registration (EPA Form 8570-1) for each product
- 2. A "red-lined" copy of the amended labels showing the revisions/additions being made
- 3. Two clean copy versions of the revised labels
- 4. CD with the labels in electronic format (file names: 070506-00142.20080929.pdf and 070506-ר כ כי כ י י נ כיכיכי 00168.20080929.pdf) э
- 5. Completed Certification with Respect to Label Integrity form

-If-you-have-any questions on this submission-please call me at-610-491-2813-

Sincerely, mothy M. Jormell

Timothy M. Formella Senior Registration Manager

Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic files identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL			
EPA Registration #	Date Submitted to EPA	Electronic file name	
70506-142 70506-168	9/29/2008 9/29/2008	070506-00142.20080929.pdf 070506-00168.20080929.pdf	

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

M. Jomella

Signature

Date

Timothy M. Formella		
Name (typed)		و و ر
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Senior Registration Manager	د د د د د و و	נ נ כנ כ נככנ
Title—————————————————————	······	
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IMIGOLD 0.5 G Turf, Ornamental, and Termiticide/Insecticide

For systemic insect control in turfgrass and landscape ornamentals

ALSO

For pest management professionals use, to kill worker termites and reproductive forms of termites (*Coptotermes, Heterotermes, Reticulitermes, Zootermopsis*) present at the time of application only. Does not provide structural protection or substitute for mechanical alteration, soil or foundation treatment with termiticide. Do not use as sole protection against termites, as this product will not prevent future infestations. A professional inspection is recommended.

This Product is Not Registered for Use in New York State

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ACTIVE INGREDIENT		
Imidacloprid – 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-		
imidazolidinimine		0.5%
Other Ingredients		<u>99.5%</u>
•	Total	

NOTIFICATION

NOV 2 0 2008

KEEP OUT OF REACH OF CHILDREN CAUTION

	FIRS	ST AID			
If Swallowed	advice. • Have person • Do not induc center or doc	a control center or doctor immediately for sip a glass of water if able to swallow. we vomiting unless told to do so by the point otor. anything by mouth to an unconscious pers	son control		
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					
treatment. Contact the Rock treatment information.	y Mountain Poison Cen	ter at 1-866-767-5089 for emergency med			
NOTE TO PHYSICIAN: N	lo specific antidote is a	vailable. Treat symptomatically.	ب را ب		
FOR CHEMICAL EMI		, fire, exposure, or accident, call CHEM 424-9300	ນມາຍອອດ ເຊິ່ານັ້ນ ກໍ້ [TR]EC; at ກ ກາງການ ກາງ		
United Phosphorus, Inc. 630 Freedom Business Ce King of Prussia, PA 1940 1-800-438-6071 • www.	6	Contents:	د د د د و د د د د د د د د د د د د د د د		

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PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution. Harmful if swallowed or absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not apply directly to water, areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

This chemical demonstrates the properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Do not formulate this product into other end-use products.

NOTE: Not registered for use in New York State.

TURF & ORNAMENTAL APPLICATIONS INFORMATION

Use Precautions

- Do not apply more than 80 lbs ImiGold 0.5 G Insecticide (0.4 lb ai) per acre per year
- Apply so as to avoid runoff or puddling of irrigation water.
- Do not apply to areas which are waterlogged or saturated, which will not allow penetration into the root zone.
- Before application, ensure that application equipment is properly calibrated.
- Do not use this product on commercial sod farms.
- Do not use this product in commercial greenhouses, nurseries, on sod farms, or on grass grown for seed.
- Treated areas may be replanted with any crop specified on an Imidacloprid label, or with any crop for which a tolerance exists for the active ingredient. For crops not listed on an Imidacloprid label, or for crops for which no tolerances for the active ingredient have been established, a 12-month plant-back interval should be observed.

Turfgrass Applications

Apply ImiGold 0.5 G to turf and ornamentals in sites such as: Airports Home lawns

Anpons	
Athletic fields	Multi-family residential complexes
Business and office complexes	Parks
Cemeteries	Playgrounds
Golf courses	Shopping complexes

Due to the residual activity of the active ingredient, applications of ImiGold 0.5 G Insecticide may be made before target pests lay their eggs. For best control, apply before the eggs hatch, basing the need for application on historical monitoring, current season trapping, or other active methods. All applications should be followed by rainfall or irrigation to move the active ingredient through the thatch.

When infested turfgrass areas are waterlogged, or soil beneath turf is saturated with water, avoid making applications because it is difficult to obtain thorough and consistent distribution of the product. For best results, ensure that rainfall or irrigation after application will vertically

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PESTS	RATE	INSTRUCTIONS
	IMIGOLD 0.5 G	
Larvae of:		For best control of grubs, billbugs, European
Annual bluegrass weevil	50 to 80 lb per acre	crane fly and annual bluegrass weevil, apply
Asiatic garden beetle		before egg hatch.
Billbugs	or	Chinchbugs (suppression): apply before first
Black turfgrass ataenius		instar nymphs hatch.
Cutworms (suppression)	1.2 to 1.8 lb per	Mole crickets: apply before or during the peak
European chafer	1000 sq. ft.	egg hatch period. When adults or large
European Crane Fly		nymphs are present and actively tunneling,
Green June beetle		ImiGold 0.5 G Insecticide application should
Japanese beetle		be accompanied by a curative insecticide.
Northern masked chafer		
Oriental beetle		Consult your local State Agricultural
Phyllophaga spp.		Experiment Station or State Extension Turf
Southern masked chafer		
Chinch bug (suppression)	80 lb per acre	Specialists for assistance regarding timing of
Mole crickets		application.
	or	NOTE: For best control, irrigation or rainfall
		should occur within 24 hours after application
	1.8 lb per 1000 sq.	to move the active ingredient through the
	ft.	thatch. On golf courses, irrigate treated areas
		following application.
		Avoid mowing turf or lawn area until
		sufficient irrigation or rainfall has occurred.
		Do not apply more than 80 lb ImiCold 0.5 C
		Do not apply more than 80 lb. ImiGold 0.5 G Insecticide (0.4 lb. of active ingredient) per
		acre per year.

penetrate the soil, allowing the active ingredient to be carried into the zone where the pests are found.

Ornamental Applications

Apply ImiGold 0.5 G Insecticide to plants used for aesthetic purposes or climatic modification that are being grown in interior plantscapes, ornamental gardens or parks, or on golf courses or lawns and grounds.

ImiGold 0.5 G Insecticide can be used as a broadcast application on ornamentals in commercial and residential landscapes. Because ImiGold 0.5 G Insecticide is a systemic product that is translocated upward within the plant system, best control will be achieved when applications are followed by sufficient mechanical incorporation, irrigation or rainfall to move the active ingredient into the soil. Apply before anticipated pest infestation for best control.

Application

Apply ImiGold 0.5 G Insecticide uniformly over the area being treated with drop-type of rotarytype spreaders. Avoid the use of spreaders which apply material in narrow, concentrated bands. Calibrate application equipment prior to use according to the manufacturer's directions, and check frequently to be sure equipment is working properly and distributing granules uniformly and accurately.

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ORNAMENTAL APPLICATIONS Landscape plantings including trees, shrubs, evergreens, flowers, foliage plants, ground				
	covers	· · · · · · · · · · · · · · · · · · ·		
PESTS	RATE	INSTRUCTIONS		
White grub larvae (such as Japanese beetle larvae, Chafers, <i>Phyllophaga</i> spp., Asiatic garden beetle, Oriental beetle)	1.4 to 1.8 lb. Per 1000 sq. ft.	Apply as a broadcast treatment. Before applying, remove black plastic or other weed barrier material that will not permit water to reach soil surface. NOTE: For best control, mechanical incorporation, irrigation or rainfall should occur within 24 hours after application to move the active ingredient into the soil. Refer to label sections below for application equipment and spreader		

settings.

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Spreader Settings for ImiGold 0.5 G Insecticide					
The following chart can be used as a guide in establishing an accurate rate of ImiGold 0.5 G					
Insecticide. Application rates will vary depending upon speed, equipment wear and condition of					
spreader. Carefully calibrate ap	olication equipment	prior to commercial use	e of this product.		
SPREADER	SETTINGS				
	SPEED (mph)	60 lb/A	80 lb/A		
Cyclone Model CB4000	3	3.25	3.50		
Earthway Drop	3	9	10		
Earthway 10' Rotary	3	11	12		
Gandy Turf Tender 24"	3	16	19		
Gandy Turf Tender 42"	3	21	23		
Lely	4.5	3.50	-		
Lesco Model 6000	3	B 1/2	С		
PSB Prizelawn CBR-11	3	3.25	3 1/2		
Scott's Proturf R-8A	3	Н	Ι		
Scott's Proturf SR-1	3	Н	I		
Scott's PF-1, PF-2, PF-3, PF-4	3	4	4.50		
Drop					
Scott's SS-1 Drop	3	4	4.50		
Spyker Model 34	3	3.1	3.2		

TERMITICIDE APPLICATIONS INFORMATION

4.5

Vicon Model PS-203

This ready-to-use formulation of imidacloprid will kill subterranean termite species of Coptotermes, Heterotermes, Reticulitermes, and Zootermopsis. Formulated as a granule, this product may be used for perimeter band application and/or soil incorporated. When it has been applied to soil, moisture and/or precipitation will cause the active ingredient to release from the granule. The residue established in the top few inches of soil will kill termites present at the time of application. This product may be applied as a spot treatment in advance of structural treatment or treatment with a conventional soil-applied termiticide or foundation treatment.

USE SITES

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Apply ImiGold 0.5 G Insecticide to bare soils, landscaped areas, and turfgrass immediately surrounding sites such as residential structures, and other wooden structures which may be subject to termite infestations.

When infested areas are waterlogged, or soil beneath turf is saturated with water, avoid making applications because it is difficult to obtain thorough and consistent distribution of the product.

APPLICATION

Perimeter use (band application 3 to 10 feet wide around and next to the structure's foundation): To kill subterranean termites near commercial and residential structures, apply 1.8 lb ImiGold 0.5 G (29 oz) per 1,000 square feet. For best results, irrigate the treated area (though not to the point of runoff) to move the active ingredient into the soil where termites forage. Use standard granular application equipment (hand-held spreaders, shaker cans, wheel-mounted spreaders) to apply ImiGold 0.5 G Insecticide uniformly. Calibrate the application equipment before use, and check frequently to ensure equipment is working properly to distribute the granules uniformly.

Soil incorporation: make spot treatments to kill termites in the soil. Incorporate the product into localized areas of soil along the foundation of structures, or in soil next to threatened wooden constructions. First dig a narrow trench (about 6 inches wide by 6 inches deep), then incorporate 1/6 lb (3.0 oz) ImiGold 0.5 G Insecticide per linear foot of trench. Mix the product completely with the soil used to refill the trench. Or incorporate 1/3 lb (5.0 oz) ImiGold 0.5 G Insecticide per square foot of surface at critical spots such as around plumbing, bath traps, utility services or wells/cisterns, and around poles or posts, fencing and decking materials, landscape timbers and similar non-structural places where wood comes into contact with soil.

One level cup of ImiGold 0.5 G Insecticide equals approximately 8.5 oz.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

To Confine Spills: Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile and dispose of as directed for pesticides below. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away.

Pesticide Disposal: Pesticides wastes are toxic. Improper disposal of excess pesticide, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA regional Office for guidance.

Container Disposal: Do not use container in connection with food, feed, or drinking water. Completely empty container into the processing equipment. Then dispose of empty container in a sanitary landfill or by incineration, or if allowed by State and local authorities, by buinning. If burned, stay out of smoke.

IMPORTANT INFORMATION READ BEFORE USING PRODUCT

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

<u>....</u>

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 reflect the opinion of experts based on field use and tests, and must be followed carefully. It is impossible to eliminate all risks 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.

To the extent consistent with applicable law, 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. To the extent consistent with applicable law, 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 consistent with applicable 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 and 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 THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.

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.

Rev. 9/29/2008

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