

71711-23

02/14/2013

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

OFFICE OF
CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Kenneth Chisholm
Nichino America, Inc,
4550 New Linden Hill Road, Suite 501
Wilmington, DE 19808

FEB 14 2013

Subject: Label Amendment
AC 801, 757 3EC Miticide-Insecticide
EPA Registration Number: 71711-23
Application Dated: September 20, 2012
Decision: 473901

Dear Mr. Chisholm:

The label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. A stamped copy is enclosed for your records.

If you have any questions, please contact Melody Banks on 703 305-5413 or via E-mail @ banks.melody@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Suarez", with a large, stylized flourish extending to the right.

Mark Suarez
Insecticide Branch
Product Manager
Registration Division (7504P)

Enclosure: Stamped Accepted Copy of Product Label

NICHINO AMERICA

GROUP 21A INSECTICIDE

AC 801,757 3EC miticide/insecticide

For Use on Ornamental Crops Grown in Commercial Greenhouses

ACTIVE INGREDIENT:

Tebufenpyrad:

Pyrazole, 5-carboxamide, N-(p-tert-butylbenzyl)-4-chloro-3-ethyl-1-methyl..... 34.6%

OTHER INGREDIENTS*..... 65.4%

TOTAL..... 100.0%

1 Gallon contains 3.0 lbs. of active ingredient.

*contains petroleum distillates

EPA Reg No. 71711-23

EPA Est. No. _____

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. 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. 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 mouth-to-mouth, if possible. Call a poison control center or doctor for further 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-348-5832 for emergency medical treatment information. In case of fire or spills, information may be obtained by calling 1-800-424-9300.	
NOTE TO PHYSICIAN	
Contains petroleum distillates -- vomiting may cause aspiration pneumonia. Probable mucosal damage may contraindicate the use of gastric lavage.	

Net Contents: _____

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

FEB 14 2013

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

71711-23

Formulated and packaged in USA for:
NICHINO AMERICA, INC.
4550 New Linden Hill Rd., Suite 501
Wilmington, DE 19808
888-740-7700

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals
WARNING - AVISO

May be fatal if swallowed. Causes moderate eye irritation and skin irritation. Harmful if absorbed through skin or inhaled. Avoid contact with skin, eyes, and clothing. Avoid breathing spray mist.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow instructions for category G 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 or Viton (≥ 14 mils)
- Shoes plus socks

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

User Safety Recommendations:

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE 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 product is toxic to fish and aquatic invertebrates. Do not contaminate water when disposing of equipment washwaters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This label must be in possession of the user at the time of pesticide application.

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. For any requirements specific to your State or Tribe, consult the State or Tribal 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 this product that are covered by the Worker Protection Standard.

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 or Viton (≥ 14 mils)
- Shoes plus socks

NONAGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses. Keep people without protective clothing out of treated areas until sprays have dried.

USE INFORMATION

AC 801,757 3EC miticide/insecticide is an emulsifiable concentrate containing 3.0 lbs. of active ingredient per gallon of product. This product is a contact insecticide used for the control of various insects and mites. AC 801,757 3EC miticide/insecticide should be used in a program with other products to provide season long protection.

USE LIMITATIONS

- Do not apply this product as a smoke or aerosol.
- Do not apply this product to plants used for food or animal feed.
- Do not apply through any type of irrigation system.

RESISTANCE MANAGEMENT

Repeated use of the same chemistry has been shown to result in the buildup of resistant strains of mites and other insects. Insecticides and miticides must be rotated with alternative products for resistance management.

Do not make more than 2 consecutive applications of AC 801,757 3EC miticide/insecticide during a growing cycle (start to finish in one greenhouse crop) without rotation to another mode of action.

Consult your local crop advisor for the most appropriate alternative products. Resistance management strategies recommend that you DO NOT apply rates lower than listed on the label. Contact your local extension specialist or certified crop advisor for additional resistance management or IPM recommendations. Also, for more information about Insect Resistant Management (IRM), visit the Insecticide Resistance Action Committee (IRAC) on the web at <http://www.irac-online.org>.

TANK MIXTURES

Tank-mix applications must be made in accordance with the more restrictive of label limitations and precautions. No label application rates may be exceeded. Prior to tank-mixing, a compatibility test should be conducted as described in the MIXING DIRECTIONS section.

MIXING DIRECTIONS

Shake AC 801,757 3EC miticide/insecticide well before using. Begin with clean equipment. Fill spray tank with 3/4 of the amount of water needed for the intended application and then turn on agitation. If using a buffering agent, add after filling the tank with 3/4 amount of water. When using alone, add product to clean water in partially filled spray tank while agitating. Dilute the desired amount of AC 801,757 3EC miticide/insecticide in sufficient water to give thorough spray coverage of ornamental crop. Fill the tank with the remainder of the water and continue agitation. Keep agitation running during filling and spraying operations. If spraying must be stopped before emptying the sprayer, resume agitation before spraying the remainder of the load.

This product can be mixed with other registered pesticides. Read and follow all label directions for each tank mix product prior to any tank mixing with AC 801,757 3EC miticide/insecticide. The most restrictive use directions and precautions must be followed. Add the recommended amount of tankmix products in the following order while maintaining agitation:

- 1) products in water soluble packets
- 2) wettable powders
- 3) water dispersible granulars and/or soluble powders
- 4) flowable liquids
- 5) emulsifiable concentrate (including AC 801,757 3EC miticide/insecticide)
- 6) adjuvants and/or oils
- 7) remaining amount of water to achieve the desired level

AC 801,757 3EC miticide/insecticide is physically and biologically compatible with many registered pesticides, fertilizers or micronutrients. Contact your supplier for advice when considering mixing AC 801,757 3EC miticide/insecticide with other pesticides, fertilizers or micronutrients. If you have no experience with the combination you are considering, you should conduct a test to determine physical compatibility. To determine physical compatibility, add the recommended proportions of each chemical with the same proportion of water, as will be present in the chemical supply tank, into a suitable container, mix thoroughly and allow to stand for five minutes. If the combination remains mixed, or can be readily re-mixed, the mixture is considered physically compatible.

GENERAL INFORMATION

It is recommended that application to a small sample of the plants to be treated be made to ensure that a phytotoxic response will not occur. The use directions of this product are based on the results of product testing programs on a wide variety of ornamental plants. However, this product has not been tested on all species and cultivars. See Special Precautions below. All tank mixes should be evaluated for phytotoxicity prior to application due to additive effects of surfactants and wetting agents contained in the formulated products.

AC 801,757 3EC miticide/insecticide works through contact activity, so thorough spray coverage is necessary. Applications should be made immediately after the spray solution is prepared. Under severe insect pressure, use the maximum rates and the shorter spray interval as specified on this label. Dense foliage or excessive growth will often prevent adequate coverage; adjust spray volumes accordingly. Mix with sufficient water and apply as a foliar spray to obtain uniform coverage. Treat plants when pests are immature or at a susceptible stage and populations are building, before crop damage occurs.

Applications may be made with high or low volume spray equipment that provides thorough coverage of the plant. Apply with properly calibrated spray equipment. A wetting agent or other spray adjuvant, approved for use on the crop, may be added to spray solutions according to the manufacturer's use instructions to achieve optimum control.

SPECIAL PRECAUTIONS

This product has been tested on a wide variety of plants and has demonstrated excellent plant safety; however not all species and varieties of plants have been tested. To minimize risk on untested plants, test the product on a small number of plants, make applications prior to blooming or avoid blooms where possible. Apply in the coolest times of the day.

Local conditions can also influence crop tolerance and may not match those under which testing has been conducted. Unintentional consequences such as crop injury or ineffectiveness may result because of certain environmental or growing conditions, manner of use or application, and insect resistance.

List of Plant Species Tested for Tolerance to AC 801,757 3EC miticide/insecticide

Common Name	
African daisy	Gerbera daisy
African violet	Lily, Asiatic
Ageratum	Lily, Oriental
Alex ivy	Lisanthus
Aster	Marigold
Azalea	Miniature rose
Carnation	Needlepoint ivy
Chrysanthemum	Pansy
Cock's comb	Petunia
Croton	Ranunculus
Dianthus	Snapdragon
Fuschia	Syngonim
Gardenia	Verbena
Gazania	Vinca

NOTE: Phytotoxicity may occur to some varieties of Begonia, Geranium, Impatiens, New Guinea Impatiens, Poinsettia, Rose (hybrid tea), and Salvia.

APPLICATION INSTRUCTIONS

AC 801,757 3EC miticide/insecticide may be used on non-edible ornamental plants grown in greenhouses. Apply specified dosage using sufficient water to obtain uniform and complete coverage of the foliage, including the undersides of the leaves. A spreader-sticker may aid in obtaining good coverage*.

Do not make more than 2 consecutive applications of AC 801,757 3EC miticide/insecticide during a growing cycle (start to finish in one greenhouse crop) without rotation to another mode of action.

Repeat application at a 5 to 7-day interval or as necessary to maintain control. See section on RESISTANCE MANAGEMENT for additional instructions.

Application equipment may include hydraulic, backpack, compressed air, low volume, electrostatic, and other types of sprayers. Equipment compatibility with diluted pesticide mixtures should be tested prior to application.

*See precautions under GENERAL INFORMATION.

**APPLICATION RATES FOR AC 801,757 3EC miticide/insecticide to
Greenhouse Ornamentals (non-food plants)**

Pest	Rate ¹ (lbs. ai/100 gal.)	Rate ¹ (fl. oz/100 gal.)	Remarks
Spider mites, including: Two-spotted spider mite (<i>Tetranychus irticae</i>), European Red Mite (<i>Panonychus ulmi</i>)	0.02 – 0.08	0.8 – 3.4	Use adequate spray volume to insure thorough coverage. Use of Silwet L-77 or similar surfactant will enhance plant coverage and insect contact resulting in increased control. Product is effective on all stages of life cycle.
Melon aphid, Cotton aphid, Hop aphid (<i>Phorodon humuli</i>)	0.08 – 0.16	3.4 – 6.8	
Broad mite (<i>Polyphagotarsonemus latus</i>), Cyclamen mite (<i>Phytonemus pallidus</i>), Green peach aphid Suppression of: Apple rust mite (<i>Aculus schlechtendali</i>), ² Grape mealybug, ^{2,3} Pear psylla (<i>Sylla pyri</i>), ² Serpentine leafminer, ^{2,3} Western flower thrip, ² Whiteflies, ^{2,3} including: Silverleaf whitefly	0.16 – 0.4	6.8 – 17.1	Treat when pests are in early stages of development. Insects concealed in blooms will be difficult to control.

¹ Rates expressed as pounds of active ingredient (ai) per 100 gallons of spray mixture or fluid ounces of product per 100 gallons of spray mixture. Use listed higher rate when pest infestation is heavy. Treat pests when susceptible stages begin to appear and before crop damage occurs.

² Provides suppression for low infestations of these pests. Make applications as soon as pests appear.

³ May require treatments with additional insecticides for control. Refer to section on RESISTANCE MANAGEMENT.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a cool, dry place. Replace lid and keep tightly closed after opening. Do not store in direct sunlight or heat. Keep away from heat, open flame, or sparks. Keep out of reach of children and animals.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. 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. Then offer container for recycling, if available, or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

IMPORTANT: READ BEFORE USE

By using this product, user or buyer accepts the following conditions, warranty, disclaimer of warranties, and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be accurate and must be followed carefully. However, because of extreme weather and soil conditions, use methods and other factors beyond the control of Nichino America, Inc. (NAI), it is impossible for NAI to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. To the extent consistent with applicable law, all such risks are assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, WHICH EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of NAI is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, NAI disclaims any liability whatsoever for incidental or consequential damages, including, but not limited to, liability arising out of breach of contract, express or implied warranty (including warranties of merchantability and fitness for a particular purpose), tort, negligence, strict liability, or otherwise.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT THE ELECTION OF NICHINO AMERICA, THE REPLACEMENT OF PRODUCT.

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