

72159-10

2/26/2009

1/8



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

72159-10

Date of Issuance:

FEB 26 2009

NOTICE OF PESTICIDE:

[x] Registration
[] Reregistration
(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:

Acephate Pro 90 SP Insecticide

Name and Address of Registrant (include ZIP Code):

Agrisel USA, Inc.
P. O. Box 3528
Suwanee, GA 30024

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 registered in accordance with FIFRA sec. 3(c)(5) 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;
2. You make the following label correction and submit one copy of the revised finished printed label incorporating this correction before the product is released for shipment:
a. Replace the designation EPA Reg. No. 72159-RN with the designation EPA Reg. No. 72159-10.
b. Remove "Ants" from the text, "Ants, Imported Fire Ants and Harvester Ants". (page 5). The current wording would imply use against all ants.

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

Signature of Approving Official

Marilyn A. McInt

Date:

FEB 26 2009

Acephate Pro 90 SP Insecticide

Soluble Powder Insecticide

Active Ingredient	% by Wt.
Acephate (O, S-Dimethyl acetylphosphoramidothioate)	90%
Other Ingredients	10%
Total	100%

KEEP OUT OF REACH OF CHILDREN
CAUTION

ACCEPTED
with COMMENTS
in EPA Letter Dated:
FEB 26 2009
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
As amended, for the pesticide
Registered under EPA Reg. No.
72159-10

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. • Have person sip a glass of water if able to swallow. • 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.
FOR EMERGENCY MEDICAL ASSISTANCE, CALL THE NATIONAL PESTICIDE INFORMATION CENTER 1-800-858-7378.	
Have the product container or label with you when calling a poison control or doctor, or going for treatment.	
For information regarding this product, please call 1-877-AGRISEL (247-4735)	
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.	

For CHEMICAL EMERGENCY: Spill, leak, exposure, or accident, call CHEMTREC 1-800-424-9300.

Net Contents: 1 lb.

Agrisel USA, Inc.
P.O. Box 3528
Suwanee, GA 30024

EPA Reg. No.: 72159-RN
EPA Establishment No.: _____

Non-WSP packaging

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

Caution. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes and clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are butyl, nitrile and neoprene. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Mixers, Loaders, Applicators, and Other Handlers must wear:

- long-sleeved shirt and long pants,
- chemical-resistant gloves for all mixers and loaders
- shoes plus socks,

In addition, all mixers and loaders supporting hopper box seed treatments must wear: A NIOSH-approved dust mist filtering respirator with MSHA/NIOSH approval number prefix TC-21C or a NIOSH-approved respirator with any N, R, P, or HE filter.

Follow the manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, 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 pesticide is toxic to birds.

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. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

Exposed treated seed may be hazardous to birds and other wildlife. Dispose of all excess treated seed and seed packaging by burial away from bodies of water.

Cover or soil-incorporate spills.

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Eliminations 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 Regional Office of the EPA.

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 while bees are actively visiting the treatment area.

Non-WSP packaging

4/8

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 FOR USE AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

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 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 until restricted-entry interval (REI) of **24 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 made of any waterproof material, and shoes plus socks

NON-AGRICULTURAL 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, or greenhouses.

Do not enter or allow others to enter until dusts have settled.

DIRECTIONS

ACEPHATE PRO 90 SP INSECTICIDE is an insecticide which controls a wide range of important pests in selected crops and certain non-crop areas. The active ingredient is acephate, a water-soluble insecticide readily absorbed by plant roots and foliage to give systemic control of feeding insects. Insect pests are generally controlled more effectively by ACEPHATE PRO 90 SP INSECTICIDE through ingestion than by contact. Application of ACEPHATE PRO 90 SP INSECTICIDE to maintain control must be repeated only as directed.

FAILURE TO FOLLOW THE DIRECTION FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN POOR INSECT CONTROL, CROP INJURY, AND/OR ILLEGAL RESIDUES.

5/8

PLANTER BOX SEED TREATMENT – PEANUTS

PESTS CONTROLLED	AMOUNT OF ACEPHATE PRO 90 SP INSECTICIDE PER 100 LBS OF PEANUT SEED	APPLICATION INSTRUCTIONS	RESTRICTIONS
Thrips	3.5 oz.	<p>Apply ACEPHATE PRO 90 SP INSECTICIDE at a rate of 3.5 oz. per 100 lbs. of peanut seed in the planter box as a dry powder. For acceptable insect control, even coverage of seed is required.</p> <p>To ensure complete and thorough coverage, follow these directions for mixing:</p> <p>Fill 1/3 of the planter box with seed. Evenly apply 1/3 of the total amount of ACEPHATE PRO 90 SP INSECTICIDE over the top of the seeds.</p> <p>Fill the planter box with the remaining 2/3 of seed. Evenly apply another 1/3 of the total amount of ACEPHATE PRO 90 SP INSECTICIDE over the top of the seeds.</p> <p>Add the remaining seed followed by an even distribution of the ACEPHATE PRO 90 SP INSECTICIDE over the top of the seeds. Do not stir the ACEPHATE PRO 90 SP INSECTICIDE treated seeds. Stirring will cause damage to the seeds.</p>	<p>Do not apply more than 4.4 lbs. ACEPHATE PRO 90 SP INSECTICIDE /A (4.0 lbs. a.i./A) per season. This includes the use of acephate on peanuts as a foliar spray in addition to the peanut planter box seed treatment use. Do not use treated seed for food or feed.</p>

TOBACCO

Tobacco Soil Mound Application

PESTS CONTROLLED	AMOUNT OF ACEPHATE PRO 90 SP INSECTICIDE	APPLICATION INSTRUCTIONS	RESTRICTIONS
Ants, Imported Fire Ant and Harvester Ant	Dry Method: Evenly distribute 1 to 2 teaspoons over the mound.	For best results apply the material in the early morning or late afternoon when the ants are most active. Applications made under prolonged hot and dry conditions may be ineffective due to the location of the ants deep within the nest.	Do not apply more than 4.4 lbs./A (4 lbs. a.i./A) per season. This includes the use of ACEPHATE in transplant water, plant bed, soil, float bed (greenhouse), and foliar applications. Allow at least 3 days to elapse between final application and harvest. Treat a maximum of 13 mounds per acre. Do not treat more than once per season.

NON-CROP AREAS

Field Borders, Fencerows, Roadsides, Ditchbanks, and Borrow Pits

PESTS CONTROLLED	AMOUNT OF ACEPHATE PRO 90 SP INSECTICIDE	APPLICATION INSTRUCTIONS
Imported Fire Ant and Harvester Ant	Mound Treatment— Dry Method: Evenly distribute 1 to 2 teaspoons over the mound.	For best results apply the material in the early morning or late afternoon when the ants are most active. Applications made under prolonged hot and dry conditions may be ineffective due to the location of the ants deep within the nest. Grass in treated area may be injured. Do not treat mound more than once per season.

TURFGRASS (RESIDENTIAL, RECREATIONAL, AND COMMERCIAL TURF)

Mound Treatment of Fire Ants and Harvester Ants

PESTS CONTROLLED	AMOUNT OF ACEPHATE PRO 90 SP INSECTICIDE	APPLICATION INSTRUCTIONS
Imported Fire Ant and Harvester Ant	Mound Treatment— Dry Method: Evenly distribute 1 to 2 teaspoons over the mound.	For best results apply the material in the early morning or late afternoon when the ants are most active. Applications made under prolonged hot and dry conditions may be ineffective due to the location of the ants deep within the nest. Grass in treated area may be injured. Do not allow livestock to graze treated areas. Do not feed treated grass to livestock. Do not treat mound more than once per season.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep pesticide in original container. Do not put pesticide into food or drink containers. 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 bag into application equipment. Do not reuse container. Dispose of empty bag in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**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 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 Agrisel USA, Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of Agrisel USA, Inc. and Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Agrisel USA, Inc. and Seller harmless for any claims relating to such factors.

To the extent consistent with applicable law, Agrisel USA, 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 Agrisel USA, Inc., and Buyer and User assume the risk of any such use. To the extent consistent with applicable law, AGRISEL USA, 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, Agrisel USA, Inc. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product and **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF AGRISEL USA, 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 AGRISEL USA, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Agrisel USA, 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 Agrisel USA, Inc.

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