

72159-13

9/15/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

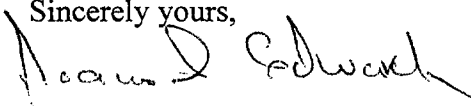
SEP 15 2009

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

Subject: Agrisel Carbait 5
EPA Reg. No. 72159-13
Your Application Dated May 18, 2009
Response to Agency March 25, 2009 Letter
Amended Carbaryl Master Label Table and Revised Appendix A

Dear Ms. Hutcheson;

The label referred to above, submitted in connection with the registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable. A stamped copy is enclosed for your records. Please submit one copy of the final printed label before releasing the product for shipment.

Sincerely yours,

Joanne S. Edwards
Insecticide-Rodenticide Branch
Registration Division (7504P)

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CARBAIT 5

**Contains Carbaryl Insecticide
N-METHYL CARBAMATE**

INSECTICIDAL BAIT FOR THE CONTROL OF LISTED PESTS

ACTIVE INGREDIENT:	% by. Wt.
Carbaryl (1-naphthyl N-methylcarbamate)	5.0%
OTHER INGREDIENTS:	<u>95.0%</u>
TOTAL:	100.0%

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
Have product label with you when calling a poison control center or doctor, or going for treatment.	
IF SWALLOWED:	<ul style="list-style-type: none"> • 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 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 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.
NOTE TO PHYSICIAN:	
Carbaryl is an N-methyl carbamate insecticide which is a cholinesterase inhibitor. Specific antidote consists of atropine. Narcotics and other sedatives should not be used. Drugs like 2-PAM (pyridine-2-aldoxime methiodide) are NOT recommended.	

For more information regarding this product, call 1-(877) AGRISEL (247-4735).

EMERGENCY TELEPHONE NUMBERS: Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact:

- (800) 424-9300 CHEMTREC (transportation and spills)
- (800) 900-4044 Poison Control Center (human health)
- (800) 345-4735 ASPCA (animal health)

Net Contents: _____

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

EPA Reg. No.: 72159-13
EPA Est. No.:
ACCEPTED
SEP 15 2009

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
Registered under
EPA Reg. No. 72159-13**

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PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Wear long sleeved shirt, long pants, shoes, socks, and chemical resistant gloves (such as or made out of any waterproof material, selection category A).

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

Loaders, applicators and other handlers must wear:

- Long sleeved shirt and long pants,
- Chemical-resistant gloves, and
- Shoes plus socks.

In addition, handlers loading bait formulations into airplanes under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and allied state programs must wear a NIOSH-approved dust/mist filtering respirator with NIOSH/MSHA approved number prefix TC-21C or a NIOSH-approved respirator with any N, R, P or HE filter.

Aerial application is prohibited, except for aerial application under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and/or allied state programs.

See engineering controls for additional requirements and exceptions.

USER SAFETY REQUIREMENTS

Follow 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 thoroughly with soap and water before eating, drinking, chewing gum, using tobacco, or using the toilet.
Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
Users should 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.

Pilots applying application under the auspices of the Animal and Plant Health Inspection Service (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program or related state programs must use an enclosed cockpit in a manner that is consistent with the WPS for Agricultural Pesticides [40 CFR 170.240(d)(5)]. In addition, the cockpit air intake must be located above the bait release point and the bait bin must be completely separate from the cockpit.

Flaggers supporting aerial applications permitted above must use an enclosed cab that meets the definition in the Worker Protections Standard for Agricultural Pesticides [40 CFR 170.240(d)(5)] for dermal protection. In addition, flaggers must:

- wear long-sleeve shirt, long pants, shoes, and socks,
- *either* wear a NIOSH-approved dust/mist filtering respirator with NIOSH/MSHA approval number prefix TC-21C or a NIOSH-approved respirator with an N, R, P, or HE filter **OR** use an enclosed cab that is declared in writing by the manufacturer or by a government agency to provide at least as much respiratory protection as this type of respirator.

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- be provided and have immediately available for use in an emergency when they must exit the cab in treated area; chemical-resistant gloves and chemical-resistant head gear and, if using an enclosed cab that provides respiratory protection, a respirator of the type specified above.
- take off any PPE that was worn in the treated area before reentering the cab, and
- store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

When applicators use enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d)(5)] the handler PPE requirements may be reduced or modified as specified in the WPS.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to aquatic invertebrates. 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 apply when weather conditions favor drift from area treated. Drift and run-off may kill aquatic invertebrates in water adjacent to treated areas. Do not contaminate water by cleaning equipment or disposal of wastes. 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. 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), notification to workers 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). The REI for carbaryl is 12 hours unless otherwise specified in the directions for use associated with each crop.

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, are:

- Coveralls over short-sleeve shirt and short-pants,
- Chemical-resistant footwear plus socks,
- Chemical-resistant gloves made of any waterproof material,
- Chemical-resistant headgear if overhead exposure.

When the Restricted-Entry Interval for a crop is 7 days or longer, you must notify workers of the application by warning them orally and by posting warning signs at entrances to treated area.

NON-AGRICULTURAL USE REQUIREMENTS

Do not enter or allow others to enter the treated area until dusts have settled. In addition, if directions for use require watering-in, do not enter or allow others to enter the treated area (except those involved in the watering-in) until the watering-in is completed and the area has dried.

CHEMIGATION PROHIBITION

Do not apply this product through any type of irrigation system.

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STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE STORAGE: Store in original container only. Keep in locked cabinet out of reach of children and animals. Store in a cool, dry place. (In case of spill, remove spillage with an industrial type vacuum cleaner and wash area with household bleach).

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: Do not reuse empty bag. Completely empty bag into application equipment. Then 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.

APPLICATION DIRECTIONS AND RESTRICTIONS

Aerial application is prohibited, except under the auspices of the Animal and Plant health Inspection Services (APHIS) Rangeland Grasshopper and Mormon Cricket Suppression Program, and/or allied state programs. Car bait 5 will control Cutworms, Armyworms, Crickets, Darkling Ground Beetles, Grasshoppers, Mole Crickets and Sowbugs.

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.

CROP	APPLICATION RATE, LB A/A'	MINIMUM RETREATMENT INTERVAL, DAYS	MAXIMUM NUMBER OF APPLICATIONS PER YEAR	ANNUAL APPLICATION LB A/A	PRE-HARVEST INTERVAL (PHI)	USE DIRECTIONS AND LIMITATIONS
Asparagus (preharvest)	1.0	3	3 (preharvest)	3.0	1	Aerial application prohibited. No more than a total of 5 applications (both pre-and post-harvest) may be made per year for a total annual maximum application rate of 5 lbs ai/A.
Asparagus (postharvest)	2.0	3	5 (pre- and post-harvest combined)	5.0 (pre- and post-harvest combined)	Not applicable	
Broccoli, Brussels sprouts, Cauliflower, Cabbage, Kohlrabi	2.0	7	3	6.0	3	Aerial application prohibited. Use is restricted to application only within 30 days of crop emergence or transplanting.
Chinese Cabbage, Collards, Kale, mustard greens	2.0	7	3	6.0	14	Aerial application prohibited. Use is restricted to application only within 30 days of crop emergence or transplanting.
Garden beet roots, Carrots, Horseradish, Parsnips, Radishes, Rutabaga roots, Turnip roots, Potato, Salsify	2.0	7	3	6.0	7	Aerial application prohibited.
Corn (Sweet)	2.0	3	8	16.0	2 (ears) 14 (forage) 48 (fodder)	Aerial application prohibited. Hand harvesting prohibited. REI is 21 days for workers detassling corn.
Corn (Field, Pop)	2.0	14	4	8.0	14 (forage and silage) 48 (grain and fodder)	Aerial application prohibited. REI is 21 days for workers detassling corn.
Eggplants, Peppers, Tomatoes, Tomatillo	2.0	7	7	8.0	3	Aerial application prohibited.

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CROP	APPLICATION RATE, LB AI/A ¹	MINIMUM RETREATMENT INTERVAL, DAYS	MAXIMUM NUMBER OF APPLICATIONS PER YEAR	ANNUAL APPLICATION LB AI/A	PRE-HARVEST INTERVAL (PHI)	USE DIRECTIONS AND LIMITATIONS
Melons (Cantaloupe, Casaba, Crenshaw, Honeydew, Muskmelon, Watermelon), Cucumber, Squash	1.0	7	6	6.0	3	Aerial application prohibited. Do not apply to pumpkins.
Pastures and Grasses (grown for hay or seed)	1.5	14	2	3.0	14	Aerial application prohibited.
Rangeland	1.0	NA	1	1.0	0	Aerial application prohibited.
Sugar Beets	1.5	14	2	3.0	28 (roots and forage)	Aerial application and chemigation prohibited.

¹ 1 lb ai/A is equivalent to 20 lbs. of product/A.

Use on Specific Pests

RANGELAND	APPLICATION RATE, LB AI/A	MINIMUM RETREATMENT INTERVAL, DAYS	NUMBER OF APPLICATIONS PER YEAR	ANNUAL APPLICATION RATE, LB AI/A	PRE-HARVEST INTERVAL (PHI)	USE DIRECTIONS AND LIMITATIONS
Grasshoppers and Mormon Crickets	0.5	14	2	1	14 (forage)	Aerial application is allowed only through USDA APHIS and affiliated state grasshopper and Mormon Cricket programs. Use of flaky bait is prohibited.

* The maximum pounds of a.i. per acre per application must include all products containing carbaryl applied to the crop.

WARRANTY DISCLAIMER AND NOTICE

THE DIRECTIONS FOR USE OF THIS PRODUCT ARE BELIEVED TO BE ADEQUATE AND SHOULD BE FOLLOWED CAREFULLY. IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS PRODUCT. CROP INJURY, INEFFECTIVENESS, OR OTHER UNINTENDED CONSEQUENCES MAY RESULT DUE TO SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OR ABSENCE OF OTHER MATERIALS, OR THE MANNER OF USE OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF AGRISEL USA INC., THE MANUFACTURER OR SELLER. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE PRODUCTS SOLD TO YOU ARE FURNISHED "AS IS" BY AGRISEL USA INC., THE MANUFACTURER OR SELLER, AND ARE SUBJECT ONLY TO THE MANUFACTURER'S WARRANTIES, IF ANY, WHICH APPEAR ON THE LABELS TO THE PRODUCTS SOLD TO YOU. EXCEPT AS EXPRESSLY PROVIDED HEREIN AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, AGRISEL USA INC., THE MANUFACTURER OR SELLER MAKES NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD OR USE OF THE PRODUCT, INCLUDING, BUT NOT LIMITED TO, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. EXCEPT AS EXPRESSLY STATED HEREIN, AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW AGRISEL USA INC., THE MANUFACTURER OR SELLER MAKES NO WARRANTY OF RESULTS TO BE OBTAINED BY USE OF THE PRODUCT. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND AGRISEL USA INC.'S, THE MANUFACTURER'S OR SELLER'S TOTAL LIABILITY, SHALL BE LIMITED TO DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT. NO AGENT OR EMPLOYEE OF AGRISEL USA INC. OR SELLER IS AUTHORIZED TO AMEND THE TERMS OF THIS WARRANTY DISCLAIMER OR THE PRODUCT'S LABEL OR TO MAKE A REPRESENTATION OR RECOMMENDATION DIFFERENT FROM OR INCONSISTENT WITH THE LABEL OF THIS PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL AGRISEL USA INC., THE MANUFACTURER OR SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES AND THE BUYER AND USER WAIVE ANY RIGHT THEY MAY HAVE TO SUCH DAMAGES.