

74054-5

04/22/2011

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

April 22, 2011

Ms. Anne Stout  
Irvita Plant Protection, N.V.  
c/o MANA, Inc.  
4515 Falls of Neuse Rd., Suite 300  
Raleigh, NC 27609

Subject: Label Notification(s) of Alternate Brand Name per PRN 98-10  
Additional Alternate Brand Name

Dear Ms. Stout:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 98-10 dated March 29, 2011 for the following product(s):

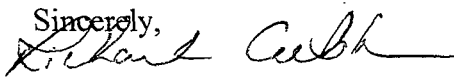
**MCW 437 Technical**      **EPA Reg. No. 74054-5**  
**Alternate Brand Name:**      **Fipronil Technical**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 98-10 and finds that the label change(s) requested falls within the scope of PRN-98-10.

When submitting a notification to add an alternate brand name, please include alternate brand name(s) on the 8570-1 (Application for Pesticide) or include the alternate brand name(s) on the Master Label.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Regina Foushee'-Smith at 703-605-0780.

Sincerely,  
  
Richard J. Gebken  
Product Manager  
Insecticide Branch  
Registration Division (7505P)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 74054-5	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) MCW 437 Technical	PM# <u>0</u> Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Irivta Plant Protection, N.V., c/o MANA, Inc. 4515 Falls of Neuse Rd., Suite 300 Raleigh, NC 27609 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

### Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of alternate brand name: Fipronil Technical  
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula for this product. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Sections 12 and 14 of FIFRA.

### Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Anne Stout	Title Registration Specialist	Telephone No. (Include Area Code) 901-861-4400
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received  <b>(Stamped)</b>
2. Signature <i>Anne Stout</i>	3. Title Registration Specialist	
4. Typed Name Anne Stout	5. Date 3-29-11	



March 29, 2011

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504C)  
USEPA  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Re: MCW 437 Technical, EPA Reg. No. 74054-5  
Notification of Alternate Brand Name

To Whom It May Concern:

Irvita Plant Protection, N.V., c/o Makhteshim Agan of North America, Inc. notifies the Agency of its intention to market the referenced product under the alternate brand name *Fipronil Technical*.

In support of this request, the following documents are attached:

- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula for this product. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Sections 12 and 14 of FIFRA.

Should you have questions about this submission, please contact me at 901-361-4400.

Sincerely,

Anne Stout  
Registration Specialist

Enclosures

# FIPRONIL TECHNICAL

For Manufacturing Use Only

**ACTIVE INGREDIENT:**

Fipronil: 5-amino-1-[2,6-dichloro-4-(trifluoromethyl)phenyl]-4-4-[(1R,S)-(trifluoromethyl)sulfinyl]-1H-pyrazole-3-carbonitrile..... 96.5%

**OTHER INGREDIENTS:**..... 3.5%

**TOTAL** ..... 100.0%

EPA Reg. No 74054-5

EPA Est. No: 11678-ISR-001

## KEEP OUT OF REACH OF CHILDREN

## WARNING/AVISO

<b>FIRST AID</b>	
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-250-9291 for emergency medical treatment information.	
<b>NOTE TO PHYSICIAN</b>	
There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred. In severe cases of overexposure by oral ingestion, lethargy, muscle tremors, and in extreme cases, possible convulsions, may occur.	

Manufactured for:  
 Irvita Plant Protection, N.V.  
 c/o Makhteshim Agan of North America, Inc.  
 4515 Falls of Neuse Road, Suite 300  
 Raleigh, NC 27609

Net Weight: \_\_\_\_\_ lbs.

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**WARNING.** May be fatal if swallowed or inhaled. Harmful if absorbed through skin. Causes skin irritation and moderate eye irritation. Avoid contact with skin, eyes or clothing. Do not breathe dust. Wear goggles, face shield or safety glasses. Wear protective clothing and rubber gloves. Wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any N, R, P or HE filter. Wash thoroughly with soap and water after handling and before eating, drinking chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

### ENVIRONMENTAL HAZARDS

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

### DIRECTIONS FOR USE

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

For manufacturing use only into insecticide products for the following uses\*:

- Residential indoor: (companion animals, crack and crevice baits and bait stations)
- Indoor non-food: (commercial, industrial, and institutional facilities, modes of transportation), crack and crevice baits, and bait stations
- Indoor non-food (termiticides): sub-slab termiticides only

This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with U. S. EPA data submission requirements regarding the support of such use(s). Each formulator is responsible for obtaining EPA registration for their end-use product(s).

\*This product is not for formulation into end-use product for use in or on food/feed areas, including food handling establishments (except for crack and crevice and bait station products) or in/or food/feed.

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Store in original container. Store in a cool, dry place.

**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:** Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into processing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Offer the drum for recycling, if available.

**LIMITATION OF WARRANTY AND LIABILITY**

Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following **CONDITIONS, DISCLAIMER OF WARRANTIES, and LIMITATIONS OF LIABILITY.**

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Irvita Plant Protection, N.V. However, it is impossible to eliminate all risks associated with the use of this product. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, Irvita Plant Protection, N.V. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Irvita Plant Protection, N.V. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Irvita Plant Protection, N.V. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

**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 Irvita Plant Protection, N.V.'s election, the replacement of product.

