

79676-6

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Michael Kellogg, Agent
Etigra c/o
Pyxis Regulatory Consulting, Inc.
4110 136 St. NW
Gig Harbor, WA 98332

JAN 31 2007

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Primary Brand Name "Chlorpyrifos E-Pro 1% Mole Cricket Bait"
EPA Reg. No. 79676-6
Application Dated December 21, 2006

Dear: Mr. Kellogg,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/21/2006 for the above product. The Registration Division (RD) has conducted a preliminary screen of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The Confidential Statement of Formula (CSF) and/or label submitted with the application has (have) been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 79676-6	2. EPA Product Manager J. Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Etigra / Chlorpyrifos G-Pro 1% Mole Cricket Bait	PM# 4	
5. Name and Address of Applicant (Include ZIP Code) Etigra c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332 <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 checked="" 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 a change in primary brand name and minor label revisions per PRN 98-10. The new primary brand name is "Chlorpyrifos E-Pro 1% Mole Cricket Bait". 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 of this product. I understand that it is a violation of 18 U.S.C. 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 <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
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"/> On Label <input type="checkbox"/> On Labeling accompanying product	
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 Michael Kellogg		Title Agent	
		Telephone No. (Include Area Code) 253-853-7369	
Certification 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 (Stamped) SIG
2. Signature 		3. Title Agent	
4. Typed Name Michael Kellogg		5. Date 12/21/06	

Phone: 253-853-7369
Fax: 253-853-5516
Email: www.PyxisRC.com

COURIER DELIVERY

RE: Etigra – Chlorpyrifos G-Pro 1% Mole Cricket Bait (EPA Reg. No. 79676-6)
Notification of a Change in Primary Brand Name and Minor Label Revisions per PRN 98-10

On behalf of Etigra please find the enclosed change in primary brand name notification per PR Notice 98-10 for Etigra's Chlorpyrifos G-Pro 1% Mole Cricket Bait (EPA Reg. No. 79676-6). The new primary brand name is, "Chlorpyrifos E-Pro 1% Mole Cricket Bait".

In support of this notification, we enclose the following:

1. Completed Application for Registration (EPA Form 8570-1)
2. One (1) copy of the Chlorpyrifos E-Pro 1% Mole Cricket Bait labeling with changes tracked
3. One (1) copy of the Chlorpyrifos E-Pro 1% Mole Cricket Bait labeling with changes incorporated
4. Copy of Agency letter confirming change in EPA Company Name and Address dated May 17, 2006
5. Letter of Authorization

Sincerely,

Michael O'Leary

Michael Kellogg

Enclosures

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For Control of Mole Crickets which may Feed upon this Insecticidal Bait

Chlorpyrifos (O,O-diethyl O-(3,5,6-trichloro-2-pyridinyl) phosphorothioate).....	1.00%
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TOTAL: 100.00%

TOTAL: 100.00%

CAUTION

Chlorpyrifos is a cholinesterase inhibitor. Treat symptomatically. If exposed, plasma and red blood cell cholinesterase tests may indicate degree of exposure (baseline data are useful). Atropine, only by injection, is the preferable antidote. Oximes, such as 2-PAM/protopam, may be therapeutic if used early; however, use only in conjunction with atropine. In case of severe acute poisoning, use antidotes immediately after establishing an open airway and respiration.

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EPA Est. No. _____

Chlorpyrifos E-Pro 1% Mole Cricket Bait contains chlorpyrifos, the active ingredient used in Dursban®.

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

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

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are natural rubber \geq 14 mils. For more information, follow instructions in Supplement Three of PR Notice 93-7. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders, applicators and all other handlers must wear:

- coveralls over long-sleeved shirt and long pants;
- chemical-resistant gloves;
- chemical-resistant footwear plus socks;
- a NIOSH-approved dust mist filtering respirator with MSHA/NIOSH approval number prefix TC-21-C or a NIOSH-approved respirator with any N, R, P, or HE filter.

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.

ENGINEERING CONTROLS

When applicators use closed cab equipment in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(4-6)), the handler PPE requirements may be reduced or modified as specified in the WPS.

User Safety Recommendations

Users should:

Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, aquatic invertebrates, small mammals and birds. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters or rinsate.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

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 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 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 over short sleeved shirt and short pants;
- Chemical-resistant gloves made out of any waterproof material;
- Chemical-resistant footwear plus socks;
- Chemical-resistant headgear for overhead exposures

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

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, nurseries, or greenhouses.

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

For golf course turf applications, the maximum application rate per application is 1 lb. a.i./A.

For Control of Mole Crickets in Golf Course Turf and Sod Farm Turf Only - Apply Chlorpyrifos E-Pro 1% Mole Cricket Bait at the rate of 100 pounds per acre or 2 ¼ pounds per 1,000 sq. ft. Spread evenly over the area using a mechanical spreader. Make applications in late afternoon on moist soil in areas known to be infested with these insects. Repeat application in about one week for best control.

The best time to control the Southern Mole Cricket:

March through August – egg laying time

February through September – adult mole crickets

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.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, 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: 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.

CONDITION 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 should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Etiga or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Etiga and Seller harmless for any claims relating to such factors.

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Etigra 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 Etigra, and Buyer and User assume the risk of any such use. ETIGRA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall Etigra or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA 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 ETIGRA OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Etigra and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra.

Chlorpyrifos E-Pro 1% Mole Cricket Bait is not manufactured or distributed by Dow AgroSciences, seller of Dursban®.

Dursban® is a registered trademark of Dow AgroSciences LLC.

Etigra™ is a trademark of Etigra.