81880-7

11-27-200

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

> OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

> > NOV 27 2009

Ms. Kyla Smith Product Registration Canyon Group c/o Gowan Company P.O. Box 5569 Yuma AZ 85366

> Subject: Label Notification for Pesticide Registration Notice 2007-4 (Storage & Disposal Changes)

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 15, 2009 for:

EPA Reg. 81880-7 "GWN-1973"

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN 2007-4. The label has been date-stamped "Notification" and will be placed in our records.

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 <u>nonrefillable</u> containers. The code may appear either on the label (and can be added by nonnotification/PR Notice 98-10) or durably marked on the container itself.

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

Sincerely,

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

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1. Company/Product Number 81880-7			2. EPA Product Manager 3. Richard Gebkin			3. Pro	Proposed Classification	
4. Company/Product (Name) GWN-1973			₽М# 10	X None Restricte				
5. Name and Address of Applicant <i>(Include ZIP Code)</i>			6. Expedited R	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)				
Canyon Group C/O P.O. Box 5569 Yuma			to:				nposition and labeling	
Check if	f this is a new address		Product Name					
		Se	ection - II					
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P.O. Box 5569 & Yuma, AZ 85366-5569 & Phone (928) 783-8844 & FAX (928) 343-9255

October 15, 2009

U.S. EPA, Office of Pesticide Programs (7505P) Document Processing Desk (NOTIF) Attention: Richard Gebken, PM Team 10 (703) 308-8291 Room S-4900, One Potomac Yard (S. Bldg) 2777 S. Crystal Drive Arlington, Virginia 22202-4501

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RE: GWN-1973, EPA Reg. No. 81880-7 - Notification to update Storage and Disposal

Dear Mr. Gebken:

Canyon Group submits the enclosed revised label. The above mentioned product has been updated in order to comply with the Storage and Disposal mandates per EPA PR Notice 2007-4. Enclosed are the following:

EPA form 8570-1, Application for Pesticide GWN-1973 Label (2 copies)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for the 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

If you have any questions or concerns, please contact me via email at kssmithl@gowanco.com or via phone (928) 819-1531.

Sincerely,

Kyla Smith, Agent for Canyon

Enclosures



GWN-1973

Aqueous Suspension Miticide/Insecticide/Fungicide (MIF)

NOTIFICATION

Canyon Group C/O Gowan Company 370 South Main Street

Yuina; AZ 85365

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For Use on Nectarines, Peaches, Plums, Prunes, Pistachios, Almonds and other Tree Nuts and Stone Fruit NOV 2 7 2009

Contains 5.54 lbs sulfur per gallon Contains .45 lbs pyridaben per gallon

KEEP OUT OF REACH OF CHILDREN CAUTION

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 inhaled	 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.
If swallowed	 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 to an unconscious person.
If on skin or clothing	 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	 Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
	HOT LINE NUMBER
	tainer or label with you when calling a poison control center or doctor or going for treatment. FOR CIES INVOLVING THIS PRODUCT CALL 1-888-478-0798.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes moderate eye irritation. Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes or clothing. Harmful if inhaled. Avoid breathing spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

Users should:

USER SAFETY RECOMMENDATIONS

- Wash hands before eating, drinking, chewing gum, using tobacco, using the toilet.
- Remove clothing 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.

NET CONTENTS ____ GALLONS



EPA Reg. No. 81880-7 EPA Est. No.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical-resistant gloves made of any waterproof material
- Goggles or face shield

Follow the 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.

Engineering Controls Statement: When handlers use closed systems, enclosed cabs, or aircraft 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.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and 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 contaminate water when disposing of equipment washwaters or rinsate. Do not apply when weather conditions favor drift from target area. Drift and runoff from treated areas may be hazardous to fish in adjacent sites. This product is highly toxic to bees. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area. Application early in the morning or at dusk is suggested.

ENDANGERED SPECIES CONCERNS

The use of any pesticide in a manner that may kill or otherwise harm an endangered species or adversely modify their habitat is a violation of federal law.

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. All applicable directions, restrictions, precautions and Notice of Conditions of Sale and Warranty and Liability Limitations are to be followed. This labeling must be in the user's possession during application.

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 **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
- Shoes plus socks
- Goggles or face shield

GENERAL INFORMATION

This package contains **GWN-1973**, an aqueous suspension, miticide/insecticide/fungicide. **GWN-1973** is a selective contact miticide/insecticide/fungicide that controls pests in groves when used at recommended rates. (Refer to Table 1. **GWN-1973** Application Rate Table.) **GWN-1973** provides knockdown and residual control. A good performance evaluation can be made 10 days after treatment. For optimum results, **GWN-1973** should be applied as pest populations build and prior to reaching economic thresholds.

Mite Resistance Management

GWN-1973 use should be alternated with other miticides as part of a mite management program to minimize resistance. Repeated use of the same miticide has been documented to result in the buildup of resistant strains of mites. To reduce the potential of obtaining a population of acaricide-resistant mites, the grower should alternate products of differing modes of action. Consult with your local or state extension personnel for advice on miticide use and selection.

Cleaning Spray Equipment: Clean application equipment thoroughly by using a strong detergent or complexity er cleaner according to the manufacturer's directions and by triple rinsing the equipment before and after applying this product.

APPLICATION INSTRUCTIONS

GWN-1973 may be applied by ground equipment using either diluted or concentrated sprays. Apply recommended rates of **GWN-1973** as instructed by Crop-Specific Information Section. Spray the last 3 rows windward of surface water using nozzles on only one side with the spray directed away from surface water. Avoid spraying over the tops of trees by adjusting or turning off the top nozzles. Shut the nozzles off on the side away from the grove off when spraying the outside row. Shut the nozzles off when turning at the ends of the rows and when passing tree gaps in rows.

Coverage: Apply **GWN-1973** in sufficient water to ensure thorough coverage of foliage and fruit. Thorough coverage is required for optimum control. To achieve adequate coverage, use proper spray pressure, nozzle type, nozzle spacing, volume per acre, and tractor speed. Consult spray nozzle and accessory guide for information pertaining to proper equipment calibration.

Ground Application

Water Volume: Use 50-400 gallons of spray solution per broadcast acre for optimal performance.

ADDITIVES

Silicone additives such as Sylgard[®] 309 are recommended for improved performance of **GWN-1973**. Additives should be considered for certain conditions such as obtaining better spray coverage, adhesion or penetration of product onto leaf or plant surfaces. Consult a local agricultural authority for more information concerning additives.

GENERAL TANK MIXING INFORMATION

The phytotoxic potential of **GWN-1973** aqueous suspension miticide/insecticide/fungicide has been assessed on a wide variety of trees with no phytotoxicity observed. However, all varieties and cultivars have not been tested with possible tank mix combinations. Local conditions can also influence crop tolerance and may not match the conditions in existence at the time of original product testing. Therefore, before using **GWN-1973** test the product on a sample of the crop to be treated to ensure that a phytotoxic response will not occur as a result of applications.

Compatibility Test for Mix Components: Before mixing components, always perform a compatibility jar test. For 20 gallons per acre spray volume, use 3.3 cups (800 ml) of water. For other spray volumes, adjust rates accordingly. Only use water from the intended source at the source temperature.

Add components in the sequence indicated in the **Mixing Order** section using 1 teaspoon for each pint of recommended label rate per acre.

Always cap the jar and invert 10 cycles between component additions.

When the components have all been added to the jar, let the solution stand for 15 minutes. Evaluate the solution for uniformity and stability. The spray solution should not have free oil on the surface, nor fine particles that precipitate to the bottom, nor thick (clabbered) texture. If the spray solution is not compatible, repeat the compatibility test with the addition of a suitable compatibility agent. If the solution is then compatible, use the compatibility agent as directed on its label. If the solution is still incompatible, do not mix the ingredients in the same tank.

Mixing Order

- 1. Water: Begin by agitating a thoroughly clean sprayer tank three-quarters (3/4) full of clean water.
- 2. Agitation: Maintain constant agitation throughout mixing and application.
- 3. Water-dispersible products (such as GWN-1973): Pour required material into water. Wait until the product is evenly mixed in the spray tank before continuing.
- 4. Water-soluble products
- 5. Emulsifiable concentrates (except crop oil concentrates).
- 6. Water-soluble additives (such as nutrients).
- 7. Remaining quantity of water: Maintain constant agitation during application.

RESTRCITIONS AND LIMITATIONS

- Maximum Seasonal Use Rate: Do not apply more than a total of 2.2 gallons of GWN-1973 (1.0 pound Pyridaben a.i.) per acre, per season.
- Do not make more than 2 applications of GWN-1973 per year.
- Allow a minimum of 30 or 90 days between sequential applications of GWN-1973 as specified in the Crop Specific Information section.
- Preharvest Interval (PHI): Do not apply within 7 days of harvest.
- Do not make applications of GWN-1973 within 30 days before or after a spray oil application.
- Do not tank mix GWN-1973 with a crop oil concentrate.
- Restricted Entry Interval (REI): 24 hours.
- Do not apply GWN-1973 by air.
- Do not apply through any type of irrigation equipment.
- Do not use less than 50 gallons of water per acre.
- DRIFT: Do not apply GWN-1973 when weather conditions favor drift to surface water. Do not apply within 110 (set upwind of surface water or when wind speed is above 8 mph. Do not apply during temperature inversion.

• • • • • • • • • • • • • • Applications of GWN-1973 during periods when shade temperatures exceed or are likely to exceed 90°F may cause injury to foliage and fruit.

TABLE 1. GWN-1973 APPLICATION RATE TABLE

Pests Controlled	Rate Per Acre Per Application
Black Margined Aphid	
Broad Mite	
European Red Mite	
Grape Leafhopper (nymphs)	
McDaniel Spider Mite	
Pacific Spider Mite	1 to 1.1 Gallon
Peach Silver Mite	T to T.T Gallon
Southern Red Mite	
Two Spotted Spider Mite	,
Variegated Leafhopper	
Willamette Spider Mite	
Yellow Pecan Aphid	
Pests Suppressed	Rate Per Acre
Powdery Mildew	
Rust	1 to 1.1 Gallon
Scab	
Silverleaf Whitefly	

CROP-SPECIFIC INFORMATION

Tree Nut Group and Pistachios

Apply **GWN-1973** in 50-400 gallons of water per acre. Use higher water volumes to ensure adequate concentration in full size trees with dense foliage.

Specifically for Almonds – Applications may be made after petal fall through summer. For best control, pest populations must be building with primarily immature stages present at the time of application. Allow a minimum of 30 days between applications.

See Table 1 for application rates for specific pests.

TABLE 2. CROP-SPECIFIC RESTRICTIONS AND LIMITATIONS

Per Maximum Rate tion Per Acre Per Season	Aircraft Application
2.2 Gals.	No
2.2 Gals.	No
2.2 Gals.	No
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STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal.

Pesticide Storage: Store in original container only and keep sealed. Store in closed storage areas. Use caution when moving, opening, closing or pouring. Store in cool 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. Offer for recycling, if available. Clean 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. After cleaning, if recycling is not available, 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.

FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK OR FIRE), CALL CHEMTREC[®] (800) 424-9300. For other product information, contact Gowan Company or see Material Safety Data Sheet.

NOTICE OF CONDITIONS OF SALE AND WARRANTY AND LIABILITY LIMITATIONS

Important: Read the entire Directions for Use and Notice of Conditions of Sale and Warranty and Liability Limitations before using this product. If terms are not acceptable return the unopened container for a full refund.

Our directions for use of this product are based on tests believed to be reliable. However, it is impossible to eliminate all risk associated with the use of this product. Crop injury, inadequate performance, or other unintended consequences may result due to soil or weather conditions, off target movement, presence of other materials, method of use or application, and other factors, all of which are beyond the control of Canyon Group LLC. To the extent consistent with applicable law, all such risks are assumed by the Buyer and User.

Canyon Group LLC warrants that this product conforms to the specifications on the label when used in strict conformance with Direction for Use, subject to the above stated risk limitations. CANYON GROUP LLC MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY

TO THE FULLEST EXTENT PERMITTED BY LAW, CANYON GROUP LLC'S EXCLUSIVE LIABILITY FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, OR ANY OTHER LEGAL THEORY IS STRICTLY LIMITED TO THE PURCHASE PRICE PAID OR REPLACEMENT OF PRODUCT, AT CANYON GROUP LLC'S SOLE DISCRETION.

Chemtrec[®] is a registered trademark of American Chemistry Council, Inc. Sylgard[®] is a registered trademard of Dow Corning Corporation, U.S.A. U.S. Patent # 5,145,977

EPA TEXT PENDING: GWN-1973 (10-15-09 to EPA via Notification)

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