

87663-8

6/10/2014

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

JUN 10 2014

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Sam Ghantous  
Global Head, Product Safety & Regulations  
Emery Oleochemicals LLC  
4900 Este Avenue  
Cincinnati, OH 45232

Subject: Label Amendment to Revise Hazards to Human and Domestic Animals and  
Directions for Use  
Product Name: Emery Agro8100 C8910 FA in Mineral Oil and the alternate formulation  
Emerion 8400 C8910 FA in Silicone Oil  
EPA Reg. No: 87663-8  
Your Submission Dated November 7, 2013


Dear Mr. Ghantous:

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(5), is acceptable provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.
2. Submit five (5) copies of your final printed labeling before you release the product for shipment. Final printed labeling means the label or labeling of the product when distributed or sold. Clearly legible reproductions or photo reductions will be accepted for unusual labels, such as those silk-screened directly onto glass or metal containers or large bags or drum labels.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions. Should you have any questions regarding this action, you may contact Stephen Howie at (703) 347-0478 or via email at [howie.stephen@epa.gov](mailto:howie.stephen@epa.gov). A stamped copy of the label is enclosed for your records.

Sincerely,

  
Linda A. Hollis, Chief  
Biochemical Pesticides Branch  
Biopesticides and Pollution  
Prevention Division (7511P)

		CONCURRENCES					
SYMBOL	▶ 7511P	7511P					
SURNAME	▶ Howie	COLE					
DATE	▶ 5/7/14	6/7/14					

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**EMERY AGRO 8100 C8910 FA in Mineral Oil**  
**[ALTERNATE BRAND NAME: EMERION 8400 C8910 FA in Silicone Oil]**

**MASTER LABEL**

**SUBLABEL A: FOR AGRICULTURAL AND COMMERCIAL USE**

FOR USE ON LIVESTOCK: BEEF AND DAIRY CATTLE AND HORSES  
TO REPEL STABLE FLIES, HORN FLIES HOUSE FLIES, TICKS AND CATTLE LICE

**SUBLABEL B: FOR RESIDENTIAL USE**

FOR USE ON LIVESTOCK: BEEF AND DAIRY CATTLE AND HORSES  
TO REPEL STABLE FLIES, HORN FLIES HOUSE FLIES, TICKS AND CATTLE LICE

Active Ingredients:

Octanoic Acid.....	5.0%
Nonanoic Acid.....	5.0%
Decanoic Acid.....	5.0%
Other ingredients.....	85.0%
Total.....	100.0%

**ACCEPTED**

**JUN 10 2014**

**Under the Federal Insecticide, Fungicide,  
and Rodenticide Act, as amended, for  
the pesticide registered under  
EPA Reg. No.**

**87663-8**

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**SUBLABEL A: FOR AGRICULTURAL AND COMMERCIAL USE**

FOR USE ON LIVESTOCK: BEEF AND DAIRY CATTLE AND HORSES  
TO REPEL STABLE FLIES, HORN FLIES HOUSE FLIES, TICKS AND CATTLE LICE

**EMERY AGRO 8100 C8910 FA in Mineral Oil  
[EMERION 8400 C8910 FA in Silicone Oil]**

Active Ingredients:

Octanoic Acid.....	5.0%
Nonanoic Acid.....	5.0%
Decanoic Acid.....	5.0%
Other ingredients.....	85.0%
Total.....	100.0%

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

<b>FIRST AID</b>	
<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 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 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>EMERGENCY NUMBER</b>	
<b>FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE, CALL THE NATIONAL POISON CONTROL CENTER 1-800-222-1222.</b>	
Have the product container or label with you when calling a poison control center or doctor.	

U.S. Patent Nos. 6306415, 6444216, 6953814  
 European Patent No. 1018873, Australian Patent No. 746766, Canadian Patent Pending  
 EPA Reg. No. 87663-8  
 EPA Establishment No. 6574-KY-001, 064784-OK-001, 72038-DE-001  
 Lot No. xxxxxxxx  
 Net Contents: 55, 270 & 6000 gals

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## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION:** Causes moderate eye irritation. Breathing of mist may cause respiratory irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash before reuse.

When applying to animals stand upwind from the subject being treated and avoid contact with delicate areas such as eyes and ears.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Use care when applying in areas adjacent to any body of water. Do not apply directly to water, 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 wash water or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

### Containers greater than 5 gallon

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 Elimination 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.

## DIRECTIONS FOR USE

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

Do not dilute Emery Agro 8100 prior to use or combine or co-apply with any other skin treatments, including soaps and detergents. Apply to individual animals while standing up wind from the subject being treated. Apply to hair coat using any commercially available small sprayer suitable for oil application or using a soft cloth. Apply with care around delicate areas (eyes and ears). If animals have been washed, allow treatment areas to dry before application.

**BEEF AND DAIRY CATTLE:** For repelling flies and ticks, apply as needed to front and rear legs and lower body or other areas as necessary. For repelling lice, spray affected areas and rub into coat.

**HORSES:** For repelling flies and ticks, apply to front and rear legs and lower body. Apply with care around eyes and ears. Do not apply when horses are sweating profusely.

### STORAGE AND HANDLING

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

**Pesticide Storage:** Store container in cool place until used. Store at temperatures above 32° F.

**Pesticide Disposal:** Wastes resulting from use of this product must be disposed of on-site or at an approved waste disposal facility.

**Container Handling:**

**Non-refillable Containers:** Do not reuse or refill this container. Offer for recycling if available.

**Clean container promptly after emptying (liquid formulations).**

**Non-refillable container equal to or less than 50 lbs or 5 gals:** 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. Repeat this procedure two more times.

**Non-refillable container greater than 50 lbs or 5- 55 gals:** Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

**Refillable container 5 gals to bulk:** Refill this container with this pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

**Terms and Conditions of Use:**

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

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**Warranty and Disclaimer Notice:**

To the extent consistent with applicable law, Emery Oleochemicals LLC makes no warranty or guarantee of any kind, expressed or implied concerning the effects of use of this product, other than those specified on this label. Buyers or users accept all responsibility for results due to misuse or improper handling of this product.

**Inherent Risks of Use:**

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to the label instructions (including adverse conditions noted on the label, such as unfavorable temperatures, wind, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Emery Oleochemicals LLC or the seller. To the extent consistent with applicable law, all such risks shall be assumed by the buyer.

**Limitation of Remedies:**

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from the use of this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Emery Oleochemicals LLC's election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought,

Or

2. Replacement of amount of product used.

To the extent allowable by state law, Emery Oleochemicals LLC shall not be liable for losses or damages resulting from handling or use of this product unless Emery Oleochemicals LLC is promptly notified of such loss or damage in writing. In no case shall Emery Oleochemicals LLC be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Emery Oleochemicals LLC or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

**Produced for:**

**Emery Oleochemicals LLC**

**4900 Este Avenue**

**Cincinnati, OH 45232**

**513-762-2500**

**[www.Emeryoleo.com](http://www.Emeryoleo.com)**

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**SUBLABEL B: FOR RESIDENTIAL USE**

FOR USE ON LIVESTOCK: BEEF AND DAIRY CATTLE AND HORSES  
TO REPEL STABLE FLIES, HORN FLIES HOUSE FLIES, TICKS AND CATTLE LICE

**EMERY AGRO 8100 C8910 FA in Mineral Oil  
[EMERION 8400 C8910 FA in Silicone Oil]**

Active Ingredients:

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Nonanoic Acid.....	5.0%
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Total.....	100.0%

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<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>
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U.S. Patent Nos. 6306415, 6444216, 6953814

European Patent No. 1018873, Australian Patent No. 746766, Canadian Patent Pending

EPA Reg. No. 87663-8

EPA Establishment No. 6574-KY-001, 064784-OK-001, 72038-DE-001

Lot No. xxxxxxxx

Net Contents: 3,4,16 & 32 fl oz, 1, 2.5 & 5 gals

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## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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When applying to animals stand upwind from the subject being treated and avoid contact with delicate areas such as eyes and ears.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, or gutters or surface waters. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

## DIRECTIONS FOR USE

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

Do not dilute EMERY AGRO 8100 C8910 FA in Mineral Oil [EMERION 8400 C8910 FA in Silicone Oil] prior to use or combine or co-apply with any other skin treatments, including soaps and detergents. Apply to individual animals while standing up wind from the subject being treated. Apply to hair coat using any commercially available small sprayer suitable for oil application or using a soft cloth. . Apply with care around delicate areas (eyes and ears). If animals have been washed, allow treatment areas to dry before application.

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**STORAGE AND HANDLING**

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

**Pesticide Storage:** Store container in cool place until used. Store at temperatures above 32° F.

**Pesticide Disposal:** Wastes resulting from use of this product must be disposed of on-site or at an approved waste disposal facility.

**Container Disposal:**

**If empty: Non-refillable** - Do not reuse or refill this container. Offer for recycling if available.

**If partly filled:** Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

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- or
- 2. Replacement of amount of product used.

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