



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

March 3, 2022

Ann M. Tillman
Senior Regulatory Consultant
AgLogic Chemical, LLC
c/o Pyxis Regulatory Consulting Inc.
4110 136th St. Ct. NW
Gig Harbor WA 98332

Subject: Label Amendment – Removal Uses (Grapefruit and Oranges)
Product Name: MEYMIK TECHNICAL
EPA Registration Number: 87895-2
Application Date: February 7, 2022
Decision Number: 582309

Dear Ms. Tillman:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is attachment for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance

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with FIFRA section 6. If you have any questions, please contact Debra Rate by phone at (202) 566-2867 or via email at rate.debra@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Debra Rate".

For:
Marion J. Johnson, Jr.,
Acting Product Manager 10
Invertebrate & Vertebrate Branch 2
Registration Division (7505P)

Attachments:

1. Aldicarb – Final Cancellation Order of Orange and Grapefruit Uses in Florida
2. Stamped Label



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January 11, 2022

Aldicarb – Final Cancellation Order of Orange and Grapefruit Uses in Florida

Summary

This notice announces the Agency’s issuance of a final cancellation order of the uses of pesticide products containing the active ingredient, aldicarb (EPA Reg. Nos. 87895-2) on grapefruit and oranges in the state of Florida and the pesticide product EPA Reg. No. 87895-7 pursuant to Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. sections 136-136y. These uses were never registered in Florida. The registrant has confirmed that there are no existing stocks of aldicarb products with these uses that have been released for shipment. Thus, no existing stocks provisions are necessary.

Background

In 2019, EPA received applications from AgLogic, LLC, to register the use on oranges and grapefruit for their two currently registered products (one technical and one end-use for which the use on citrus has already expired) containing the active ingredient aldicarb under section 3 of FIFRA, 7 U.S.C. 136a. During the registration review process, EPA requested the registrant also register a new end-use product specific for the use on oranges and grapefruit in Florida. EPA issued a decision to register aldicarb on January 12, 2021 with several conditions of registration including submission of additional pollinator data; a sales and distribution cap; and registration expirations that would allow EPA to review the data and revisit the usage and determine the continued acceptability of the registrations.

On March 3, 2021, the Farmworker Association of Florida, Environmental Working Group and Center for Biological Diversity, petitioned the United States Court of Appeals for the District of Columbia Circuit to review EPA’s order registering the use of the pesticide aldicarb on oranges and grapefruit in Florida, as set forth in its “Registration Decision for the Uses on Oranges and Grapefruit in Florida, Aldicarb” (Jan. 12, 2021). On April 2, 2021, the same petitioners filed a motion for summary vacatur in the same court. On June 7, 2021, the court

issued its opinion in *Farmworker Association of Florida, et al. v. EPA* (No. 21-1079), vacating the January 12, 2021 Registration Decision, which had registered amendments to the aldicarb product labels for MEYMIK TECHNICAL (EPA Reg. No. 87895-2) and AGLOGIC 15GG (EPA Reg. No. 87895-4), and registration of a new product, AGLOGIC 15GG-OG (EPA Reg. No. 87895-7).

The court found that EPA acknowledged that it did not make an Endangered Species Act (ESA) effects determination, thus violating section 7(a)(2) of the ESA and admitted that it will not provide timely reconsideration. Further, vacatur would not result in material disruption at present since the Florida Department of Agriculture and Consumer Services has denied the registrant's application for state registration for the use of aldicarb on oranges and grapefruit. The vacatur of the use of aldicarb on oranges and grapefruit in Florida became effective June 7, 2021, such that the registrations were no longer effective under FIFRA.

In the past, EPA has typically provided for existing stocks in cancellation orders similar to this one. FIFRA contains a provision that allows EPA to issue enforceable orders governing the sale, distribution, and use of existing stocks of cancelled pesticides. Specifically, section 6(a)(1) of FIFRA (7U.S.C. §136d(a)(1)) provides that: "The Administrator may permit the continued sale and use of existing stocks of a pesticide whose registration is suspended or canceled...to such extent, under such conditions, and for such uses as the Administrator determines that such sale or use is not inconsistent with the purposes of [FIFRA]." Section 12(a)(2)(K) of FIFRA (7 U.S.C. §136j(a)(2)(K)) makes the failure to comply with a cancellation order enforceable under FIFRA. Normally when EPA cancels a registration, it issues such a cancellation order establishing enforceable provisions concerning the disposition of existing stocks. Such orders can authorize sale or distribution that would otherwise be unlawful, and they can prohibit use that would otherwise be lawful. They can also contain limitations or conditions on the sale, distribution, or use that the Administrator determines to be appropriate.

In the case of aldicarb, the registration decision has been vacated by court order, rather than cancelled by EPA itself. Nonetheless, the Agency believes that the Court's action is best viewed under FIFRA as the termination of the use on oranges and grapefruit in Florida. Thus, EPA believes that it has the authority under FIFRA to issue a cancellation order establishing provisions for the disposition of existing stocks of aldicarb. However, the registrant has

confirmed to EPA that there are no existing stocks. Thus, EPA is issuing this order to notify the public that there is no authorization for the sale, distribution or use of existing stocks.

Final Cancellation Order

1. Pursuant to section 6 of FIFRA, EPA hereby issues a final cancellation order for the uses of aldicarb on oranges and grapefruit in Florida, as well as the registration, for the products listed below. Any distribution, sale or use of these products in a manner inconsistent with this order will be considered a violation of section 12(a)(2)(K) and/or 12(a)(1)(A) of FIFRA. This order will remain in effect unless and until it is amended.
2. List of Products with Cancelled Uses
MEYMIK TECHNICAL (EPA Reg. No. 87895-2)
3. List of Cancelled Products
AGLOGIC 15GG-OG (EPA Reg. No. 87895-7)

**MARIETTA
ECHEVERRIA**

 Digitally signed by MARIETTA
ECHEVERRIA
Date: 2022.01.11 07:57:36 -05'00'

Marietta Echeverria
Acting Director, Registration Division
Office of Pesticide Programs

MEYMIK TECHNICAL

FOR FORMULATION USE ONLY

ACTIVE INGREDIENT:

Aldicarb [2-methyl-2-(methylthio) propionaldehyde O-(methylcarbamoyl)oxime] 96.0%

INERT INGREDIENTS: 4.0%

TOTAL: 100.0%

EPA Reg. No. 87895-2

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN



PELIGRO

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.)

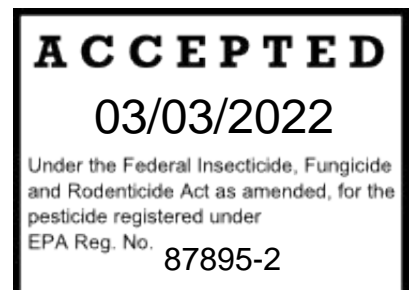
FIRST AID	
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
IF INHALED:	<ul style="list-style-type: none"> • Move person to fresh 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:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Have person sip a glass of water if able to swallow. • Do not give anything by mouth to an unconscious person.
IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with warm water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact CHEMTREC at 1-800-424-9300 for emergency medical treatment information.	

Aldicarb is an N-methyl carbamate that inhibits cholinesterase.

Manufactured for:

AgLogic Chemical, LLC
121 S. Estes Drive, Suite 101
Chapel Hill, NC 27514

NET WEIGHT: ____ POUNDS
LOT NO.: _____



PRECAUTIONARY STATEMENTS
HAZARDOUS TO HUMANS AND DOMESTIC ANIMALS

DANGER

Fatal if swallowed, absorbed through the skin or inhaled. Do not get in eyes, on skin, or on clothing. Do not breathe dust. Rapidly absorbed through skin or eyes. Causes cholinesterase inhibition. Wash thoroughly with soap and water after handling, before eating, drinking, chewing gum, using tobacco, or using the toilet. Wear coveralls worn over long-sleeved shirt and long pants, socks, chemical-resistant footwear, and gloves. Keep away from domestic animals.

IMPORTANT NOTICE TO HANDLERS

DO NOT GET IN EYES, ON SKIN OR ON CLOTHING. BEFORE OPENING DRUM PUT ON CHEMICAL PROTECTIVE CLOTHING, CHEMICAL RESISTANT GLOVES, SOCKS AND CHEMICAL RESISTANT FOOTWEAR, GOGGLES OR FACE SHIELD, AND A RESPIRATOR JOINTLY APPROVED BY THE MINE SAFETY AND HEALTH ADMINISTRATION AND BY THE NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH. WEAR CLEAN CLOTHING DAILY. WASH HANDS THOROUGHLY AFTER HANDLING AND BEFORE EATING, DRINKING, CHEWING GUM, USING TOBACCO OR USING THE TOILET. REMOVE OR WASH CONTAMINATED CLOTHING BEFORE REUSE.

ENVIRONMENTAL HAZARDS

This product is toxic to fish, other aquatic invertebrates, birds and other wildlife. Keep out of any body of water. 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 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 or Regional Office of the Environmental Protection Agency.

PHYSICAL AND CHEMICAL HAZARDS

Keep container closed. Use with adequate ventilation. Do not allow contact with oxidizing agents. Hazardous chemical reaction may occur.

MEDICAL INFORMATION

Contact a physician immediately in all cases of suspected poisoning. Illness may be produced rapidly following overexposure to MEYMIK Technical. If breathing stops, establish an airway and start artificial respiration, and provide oxygen. Make certain to remove all sources of continuing contamination. Remove clothing and wash skin and hair immediately with large amounts of water. Transport the patient to a physician or hospital immediately and SHOW A COPY OF THIS LABEL TO THE PHYSICIAN. If poisoning is suspected in animals, contact a veterinarian.

NOTE TO PHYSICIAN

SIGNS AND SYMPTOMS OF OVEREXPOSURE:

Salivation, Muscle tremor, Nausea, Watery eyes, Difficult breathing, Vomiting, Pinpoint eye pupils, Excessive sweating, Diarrhea, Blurred vision, Abdominal cramps, Weakness, Headache.

In severe cases, convulsions, unconsciousness, and respiratory failure may occur.

ANTIDOTE STATEMENT

ATROPINE SULFATE IS HIGHLY EFFECTIVE AS AN ANTIDOTE.

MEYMIK Technical is an N-methyl carbamate insecticide which is a cholinesterase inhibitor. Overexposure to this substance may cause toxic signs and symptoms due to the cholinergic nervous system. These effects of overexposure are spontaneously and rapidly reversible.

Gastric lavage may be used if this product has been swallowed. MEYMIK Technical poisoning may occur rapidly after ingestion and prompt removal of stomach contents is indicated.

Specific treatment consists of the administration of parenteral atropine sulfate. Caution should be exercised to prevent overatropinization. Mild cases may be given 1 to 2 mg intramuscularly every 10 minutes until full atropinization has been achieved and repeated thereafter whenever symptoms reappear. Severe cases should be given 2 to 4 mg intravenously every 10 minutes until the patient is fully atropinized, then intramuscularly every 30 to 60 minutes as needed to maintain the effect for at least 12 hours. Dosages for children should be appropriately reduced. Complete recovery from overexposure is to be expected within 24 hours.

Narcotics and other sedatives should not be used. Further, drugs such as (pyridine-2-aldoxime methiodide) are NOT recommended unless organophosphate intoxication is also suggested.

To aid in confirmation of a diagnosis, urine samples must be obtained within 24 hours of exposure and immediately frozen. Analyses will be arranged by AgLogic Chemical LLC.

Consultation on therapy can be obtained at all hours by calling the AgLogic Chemical LLC emergency number: 1-919-932-5800.

DIRECTIONS FOR USE

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

Read entire label before using this product.

Formulators using this product are responsible for obtaining EPA registration of their formulated product. Only for formulation into end use insecticide products registered for the following uses: cotton, dry beans, peanuts, soybeans, sugar beets, sweet potato.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store product in original container only, in a secure, well ventilated clean dry area out of reach of children and animals. Do not store in areas where temperature averages 115°F (46°C) or greater. Do not store in or around the home or home garden.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide 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: Non-refillable 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 formulation equipment. Then offer inner liner for recycling if available or dispose of empty bag in a sanitary landfill or by incineration. Offer outer drum for recycling if available or dispose of empty drum in a sanitary landfill or by incineration. Do not burn unless allowed by state and local ordinances. If container is burned, stay away from and do not breathe or contact smoke.

IN CASE OF TRANSPORTATION OR WAREHOUSE EMERGENCY INVOLVING A SPILL, FIRE, OR EXPOSURE, CALL CHEMTREC 1-800-424-9300 TWENTY-FOUR HOURS A DAY IN THE USA.

LIMIT OF WARRANTY AND LIABILITY

AgLogic Chemical, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes set forth in the Complete Directions for use label booklet (“Directions”) when used in accordance with those Directions under the conditions described therein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, NO OTHER EXPRESS WARRANTY OR IMPLIED WARRANTY OF FITNESS FOR PARTICULAR PURPOSE OR MERCHANTABILITY IS MADE. This warranty is also subject to the conditions and limitations stated herein.

To the extent consistent with applicable law, buyer and all users shall promptly notify AgLogic Chemical, LLC of any claims whether based in contract, negligence, strict liability, other tort or otherwise. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE LIMIT OF THE LIABILITY OF AGLOGIC CHEMICAL, LLC OR ANY OTHER SELLER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT (INCLUDING CLAIMS BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY, OTHER TORT OR OTHERWISE) SHALL BE THE PURCHASE PRICE PAID BY THE USER OR BUYER FOR THE QUANTITY OF THIS PRODUCT INVOLVED, OR, AT THE ELECTION OF AGLOGIC CHEMICAL, LLC OR ANY OTHER SELLER, THE REPLACEMENT OF SUCH QUANTITY, OR IF NOT ACQUIRED BY PURCHASE, REPLACEMENT OF SUCH QUANTITY, TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL AGLOGIC CHEMICAL, LLC OR ANY OTHER SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES.

Upon opening and using this product, buyer and all users are deemed to have accepted the terms of this LIMIT OF WARRANTY AND LIABILITY which may not be varied by any verbal or written agreement. If terms are not acceptable, return at once unopened.

[EPA approved]