

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

December 7, 2022

Oliver Pelz Telone Regulatory leader Salt Lake Holding LLC 2211 H. H. Dow Way Midland, MI 48674

Subject: Registration Review Label Amendments Incorporating Mitigation from the

National Marine Fisheries Services (NMFS) Biological Opinions on the Effects of

1,3-dichloropropene (Telone) on Pacific Salmonids:

Product Name: TELONE TECHNICAL EPA Registration Number: 95290-4 Application Date: August 25, 2021

Decision Number: 578088

#### Dear Oliver Pelz:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the NMFS' Biological Opinion on the effects of 1,3-dichloropropene (Telone) on Pacific salmonids. The Agency has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

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.

A stamped copy of your labeling is enclosed 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 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently

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approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

If you have any questions about this letter, please contact DeMariah Koger by phone at (202)-566-2288, or via email at koger.demariah@epa.gov.

Sincerely,

Linda Arrington, Branch Chief

Risk Management and Implementation Branch 4

Pesticide Re-Evaluation Division

Office of Pesticide Programs

Enclosure

## TELONE™ Technical

## Soil Fumigant

## For Manufacturing Use Only

## **Not for Resale**

Active Ingredient:	(by weight)
1,3-dichloropropene	97.5%
Other Ingredients	2.5%
Total	100.0%

1 gallon of TELONE™ Technical weighs 10.1 lb at 70°F.

## ACCEPTED

Dec 07, 2022

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 95290-4

#### WARNING **AVISO**

## **Precautionary Statements**

## **Hazards to Humans and Domestic Animals**

#### **Hazardous Liquid and Vapor**

- Do not swallow any of this product. May be fatal if swallowed. Wash thoroughly with soap and water after handling.
- Do not get on skin or clothing. May be fatal if absorbed through the skin. Causes skin irritation and, if confined, skin burns. May cause allergic skin reaction.
- Do not get in eyes. Causes substantial but temporary eye injury.
- · Avoid breathing vapor. Harmful if inhaled. May cause lung, liver, and kidney damage and respiratory system irritation upon prolonged contact.
- The use of this product may be hazardous to your health. This product contains 1,3dichloropropene, which has been determined to cause tumors in laboratory animals. Risks can be reduced by exactly following the directions for use and by wearing the personal protective equipment specified by this label.

## Personal Protective Equipment (PPE)

Respiratory Protection: Atmospheric levels should be maintained below the exposure guidelines. When respiratory protection is required for certain operations, use a NIOSH approved positive-pressure supplied-air respirator. For emergency and other conditions where the exposure guideline may be greatly exceeded, use a NIOSH approved positive-pressure self-contained breathing apparatus or positivepressure airline with auxiliary self-contained air supply. In confined or poorly ventilated areas, use a NIOSH approved positive-pressure supplied-air respirator.

Skin Protection: A safety shower should be located in immediate work area. Use protective clothing impervious to this material. Selection of specific items such as gloves, boots, apron, or full-body suit will depend on the operation being performed. Materials constructed of saranex, neoprene, and chlorinated polyethylene provide short-term contact or splash protection against liquid in this product. Longer-term protection is provided by PPE constructed of viton, Teflon, and EVAL barrier laminates (for example. responder suits manufactured by Life-quard or Silvershield gloves manufactured by North). Where chemical-resistant materials are required, leather, canvas, or cotton materials offer no protection from this product and must not be worn when contact with this product is possible. Coveralls must be loose-fitting and constructed of woven fabrics (e.g., tight knit cotton or cotton/polyester), non-woven fabrics (e.g., tyvek or sontara), or fabrics containing microporous Teflon. Remove contaminated clothing immediately,

wash skin area with soap and water, and launder clothing before reuse. Items that cannot be decontaminated, such as shoes, belts, and watchbands, should be removed, destroyed, and disposed of.

**Eye/Face Protection:** Use chemical goggles. If vapor exposure causes eye discomfort, use a NIOSH full-face respirator.

#### First Aid

**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 by mouth 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 the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

**If inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

**Note to physician:** Because rapid absorption may occur through lungs if product is aspirated and cause systemic effects, the decision to induce vomiting or not should be made by a physician. If lavage is performed, endotracheal and/or esophageal control is suggested. Danger from lung aspiration must be weighed against toxicity when considering emptying the stomach.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.

#### **Environmental Hazards**

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.

## **Physical or Chemical Hazards**

Combustible. Do not use or store near heat or open flame.

## **Directions for Use**

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

This product may only be formulated into end-use products that contain the following language on their labeling when they are released for shipment:

"ENDANGERED SPECIES PROTECTION REQUIREMENTS (to be placed at the beginning of the Directions for Use section of all end-use product labels):

It is a Federal offense to use any pesticide in a manner that results in an unauthorized "take" (e.g., kill or otherwise harm) of an endangered species, and certain threatened species, under the Endangered Species Act section 9. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the area in which you are applying the product. You must obtain a Bulletin no earlier than six months before using this product. To obtain Bulletins, consult http://www.epa.gov/espp/, call 1-844-447-3813, or email ESPP@epa.gov. You must use the Bulletin valid for the month in which you will apply the product."

This product may only be formulated into end-use products that contain the following language on their labeling when they are released for shipment:

"Reporting Ecological Incidents (to be placed in the Environmental Hazards section of all end-use product labels): To report ecological incidents, including mortality, injury, or harm to plants and animals, call 1-989-636-4400."

This product may only be formulated into a liquid soil fumigant for the following uses: vegetable crops, field crops, fruit and nut crops, nursery crops and turf. This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group or grower has complied with U.S. EPA submission requirements regarding the support of such use(s). Consult a company representative for instructions for formulation and other information.

## (Storage and Disposal for refillable rigid containers greater than 5 gal)

## **Storage and Disposal**

Do not ship or store with food, feeds, drugs, or clothing.

**Pesticide Storage:** Store in tightly closed original container in a cool place away from dwellings. Do not allow contamination of seeds, plants, fertilizers, or other pesticide chemicals. Do not contaminate food, feedstuffs, drugs, or domestic water supplies.

**Pesticide Disposal:** Pesticide wastes are toxic. Improper disposal of excess pesticide and rinsates 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.

Because TELONE<sup>TM</sup> Technical Soil Fumigant is corrosive under certain conditions, flush all equipment with fuel oil, kerosene or a similar type of petroleum solvent immediately after use. Fill pumps and meters with new motor oil or a 50% motor oil/fuel oil mixture before storing. **Do not use water.** Dispose of rinsate by applicable Federal, state and local regulations. Never introduce rinsate or unused TELONE<sup>TM</sup> Technical into surface or underground water supplies.

**Container Handling:** Refillable container. Refill this container with 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% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

#### (Storage and Disposal for nonrefillable rigid containers greater than 5 gal)

## **Storage and Disposal**

Do not ship or store with food, feeds, drugs, or clothing.

**Pesticide Storage:** Store in tightly closed original container in a cool place away from dwellings. Do not allow contamination of seeds, plants, fertilizers, or other pesticide chemicals. Do not contaminate food, feedstuffs, drugs, or domestic water supplies.

**Pesticide Disposal:** Pesticide wastes are toxic. Improper disposal of excess pesticide and rinsates 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.

Because TELONE<sup>TM</sup> Technical is corrosive under certain conditions, flush all equipment with fuel oil, kerosene or a similar type of petroleum solvent immediately after use. Fill pumps and meters with new motor oil or a 50% motor oil/fuel oil mixture before storing. **Do not use water.** Dispose of rinsate by applicable Federal, state and local regulations. Never introduce rinsate or unused TELONE<sup>TM</sup> Technical into surface or underground water supplies.

**Container Handling:** Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse** as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

## **Warranty Limitations and Disclaimer**

Salt Lake Holding LLC warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that Salt Lake Holding LLC will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

This is the only warranty made on this product. Salt Lake Holding LLC EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. Buyer acknowledges the use of its own independent skill and expertise in the selection and use of the product and does not rely on any oral or written statements or representations.

In case of emergency endangering health or the environment involving this product, call 1-800-424-9300.

Manufacturing Chemical: Do not ship or store with food, feeds, drugs, or clothing.

<sup>™</sup>Trademark of The Dow Chemical Company ("Dow") or an affiliated company of Dow

Produced for Salt Lake Holding LLC 2211 H. H. Dow Way Midland, MI 48674

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