245969

CODING FORM FOR SPECIAL LOCAL NEED [24(c)] REGISTRATIONS

1. SLN No. WA-890010 2. PM _____ 3. Action Code _____

4. State Issue Date 05/03/89

5. Date received by EPA 05/19/89 6. Date received by PM _____

7. Chemical name _____

8. Chemical code _____

9. Use _____

10. Reviews requested:

	Date Sent	Due Date	Date Returned	Response Code	Response Date
HED					
EFB					
RCB					
EEB					
TB					
RD					
PM					
TSS					
Precaut. Labeling					
Chemistry					
Efficacy					
_____					
_____					

11. Status _____

12. FINAL ACTION: Response code _____

Response date _____

24(c) CHECKLIST

STATE: Washington	SLN No. WA-890010
DATE REGISTERED: 5-3-89	90-DAY DATE: 8-17-89
SPECIFIC SPECIAL LOCAL NEED: _____	SITE: _____
	PEST/PROBLEM: _____

1. Is the State certified to issue this type of registration? _____
2. Was the EPA Application/Notification Form submitted? _____
3. Was all the required information included on the form? _____
4. Was a confidential formula submitted (for new products)? _____
5. Is this registration for a "CHANGED USE PATTERN"? _____
6. Has an FR document been prepared for this "CHANGED USE PATTERN"? _____

   Federal Register publication date: _____
7. Tolerances required? _____ Established? _____ Citation: _____
8. Full labeling being used? _____ Supplemental directions? _____
9. Does label state "FOR DISTRIBUTION AND USE ONLY WITHIN (State)? _____
10. Does full label comply with 40 CFR 162.10, as follows:

    a. Product name, brand or trademark? _____
    b. Name and address of registrant? _____
    c. Net contents? _____
    d. Product registration number? _____
    e. Producing establishment number? _____
    f. Ingredient statement? _____
    g. Precautionary labeling? _____
    h. Directions for use for special local need? _____
    i. Use classification? _____

    Was proper format followed? _____
11. Is supplemental directions for use labeling satisfactory? _____
12. Was supplemental labeling compared with EPA-registered label? _____

COMMENTS: _____

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 1 6 2006

Erik W. Johansen
Special Pesticide Registration Program Coordinator
Washington State Department of Agriculture
P.O. Box 42560
Olympia, WA 98504

Subject: Special Local Need Registration (to comply with Washington State requirements)
Capture 2EC Insecticide/Miticide
EPA Registration No. 279-3069
EPA SLN No. WA900001
Your Submission Dated July 1, 2005

Dear Mr. Johansen:

This will acknowledge receipt of your notification dated July 1, 2005 to this Agency of amended registration, pursuant to section 24(c) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as follows:

Product:	Capture 2EC Insecticide/Miticide
EPA Registration No.:	279-3069
EPA SLN No.:	WA900001
24(c) Registrant:	FMC Corporation 1735 Market Street Philadelphia, PA 19103

If you have any questions, please call BeWanda Alexander of my team at (703) 305-7460.

Sincerely,

BeWanda Alexander for

George T. LaRocca
Product Manager 13
Insecticide Branch
Registration Division (7505C)

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
PO Box 42560 • Olympia, Washington 98504-2560 • http://agr.wa.gov • (360) 902-1800

July 1, 2005

Document Processing Desk (SLN)
Office of Pesticide Programs - H7504C
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue
Washington, DC 20460

RE: EPA SLN Reg. No. WA-890010, WA-900001, WA-930005, WA-930008, WA-930009

Enclosed are revised labels for Washington Special Local Need (SLN) registration numbers WA-890010, WA-900001, WA-930005, WA-930008, WA-930009 issued to FMC Corporation for the use of Capture 2EC (EPA Reg. No. 279-3069) on various crops to control insects and mites. These registrations were issued under authority of Section 24(c) FIFRA.

These SLN labels have been revised to be consistent with WSDA requirements and the federal label for Capture 2EC.

If you have any questions, please contact me at (360) 902-2078 or by e-mail at ***ejohansen@agr.wa.gov***.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Erik W. Johansen
Special Pesticide Registration Program Coordinator

enclosure
cc: Jane Thomas, WSU
Doug Walsh, WSU
Don Johnson, FMC Corporation

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms.

For retail sale to and use only by certified applicators, or persons under their direct supervision and only for the uses covered by the certified applicator's certification.

EPA SLN NO. WA-890010

FOR DISTRIBUTION AND USE ONLY WITHIN THE STATE OF WASHINGTON

Capture® 2EC

Insecticide/Miticide

EPA Reg. No. 279-3069

EMERGENCY CALLS: 800-331-3148

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING

Crop	Pest	Rate of Application
Alfalfa Grown for Seed	Lygus Bugs Weevils Aphids Spider Mites	3.9 to 6.4 ounces per acre

Directions for Use:

Apply Capture 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment or in a minimum of 20 gallons of water by ground equipment. When applying by air, 1-2 quarts of emulsified oil may be substituted for 1-2 quarts of water in the finished spray.

This product may be applied through irrigation systems. Refer to the EPA registered label for chemigation directions.

Restrictions / Precautions:

Do not apply more than 6.4 ounces (0.1 lb. active) per acre per application. Do not make more than 3 applications in a crop year. Maintain a minimum of 21 days between applications. Rotational crops may be planted no sooner than 30 days after last application.

Do not apply by ground equipment within 25 feet, or by air within 150 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

Do not cultivate within 10 feet of aquatic area so as to allow growth of a vegetative filter strip.

This pesticide is extremely toxic to fish and aquatic invertebrates. Capture 2EC should not be used under this SLN label where impact on listed threatened or endangered species is likely. You may refer to the WSDA Endangered Species Program web site at http://agr.wa.gov/PestFert/EnvResources/EndangSpecies.htm, or contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service (NOAA Fisheries) or US Fish & Wildlife Service for information regarding aquatic species listed as threatened or endangered. Consult the federal label for additional restrictions and precautions to protect aquatic organisms.

FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Capture and FMC -FMC Trademarks
©2005 FMC Corporation

All alfalfa seed screenings shall be disposed of in such a way that they cannot be distributed or used for human food or animal feed. The seed conditioner shall keep records of screening disposal for three years from the date of disposal and shall furnish the records to the director immediately upon request. Conditioner disposal records shall consist of documentation of on-farm disposal, disposal at a controlled dumpsite, incinerator, composter or other equivalent disposal site and shall include the lot numbers, amounts of material disposed of, the grower(s), and the date of disposal.

No portion of the alfalfa seed plant, including but not limited to green chop, hay, pellets, meal, whole seed, cracked seed, roots, bulbs, leaves and seed screenings may be used or distributed for food or feed purposes.

Alfalfa seed shall bear a tag or container label which forbids use of the seed for human consumption or animal feed.

Alfalfa seed may not be distributed for human consumption or animal feed.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply the 3.9 to 6.4 oz/acre (0.06 to 0.1 lb ai/acre) rate of this product to blooming alfalfa grown for seed: apply as a pre-bloom or post-bloom spray only. Applications of the 2 oz/acre (0.032 lb ai/acre) rate of this product to blooming alfalfa grown for seed must be timed to coincide with periods of minimum bee activity, between late evening and midnight.

Note: Information is provided on use of the 2 ounce rate during bloom in order to minimize the hazard to pollinators. While use of the 2 ounce rate is legal, FMC does not recommend the 2 ounce rate, since efficacy may not be as good as the full label rate. Users wishing to apply the low rate during bloom must be willing to accept reduced product efficacy, in order to protect pollinators.

WSDA Container Disposal Guidance:

Pesticide containers must be properly cleaned prior to disposal. The best time to clean empty pesticide containers is during mixing and loading, because residue can be difficult to remove after it dries. Triple rinse (or pressure rinse) the pesticide container, empty all pesticide rinse water into the spray tank, and apply to a labeled crop or site. Recycling cleaned containers is the best method of container disposal. Information regarding the recycling of empty and cleaned plastic pesticide containers in Washington is available on the internet from WSU at http://pep.wsu.edu/waste/wd.html or from WSDA at http://agr.wa.gov/PestFert/Pesticides/WastePesticide.htm. Cleaned containers may also be disposed of in a sanitary landfill, if permitted by the county. Burning is not a legal method of container disposal in Washington.

FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS, WORKER PROTECTION STANDARD REQUIREMENTS AND PRECAUTIONS ON THE EPA REGISTERED LABEL.

THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF APPLICATION.

THIS LABEL FOR CAPTURE 2EC EXPIRES AND MUST NOT BE DISTRIBUTED OR USED IN ACCORDANCE WITH THIS SLN REGISTRATION AFTER DECEMBER 31, 2010.

FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Capture and FMC -FMC Trademarks
©2005 FMC Corporation

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

AUG 27 1999

Mr. Joel Kangiser
Registration and Minor Crop Program Coordinator
Washington State Department of Agriculture
P.O. Box 42560
Olympia, WA 98504

Dear Mr. Kangiser:

Subject: Notification of Registration Action Under Section 24(c) for Use of Bifenthrin on:

✓Seed Alfalfa	EPA SLN #WA-890010
Carrot Seed	EPA SLN #WA-900001
Christmas Trees	EPA SLN #WA-930005
Parsley Seed	EPA SLN #WA-930008
Parsnip Seed	EPA SLN #WA-930009

Your Submissions Dated July 6, July 13, and December 15, 1998

This acknowledges receipt of your notification to this Agency of amendments to 5 labels pursuant to Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, as follows:

Product:	Capture 2EC
EPA Reg. No.	279-3069
24(c) Registrant	FMC Corporation 1735 Market Street Philadelphia, PA 19103

Sincerely yours,

George T. LaRocca
Product Manager 13
Insecticide Branch
Registration Division (7505C)

7505C
LEAHY
8/27/99

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Gorge LaRocca
6/10/99

STATE OF WASHING
DEPARTMENT OF AG
P.O. Box 42560 • Olympia, Washington 98

John
Code in as
SLN amendment
and process out. Just
do those for
Capture
Col

CERTIFIED

May 21, 1999

Document Processing Desk (SLN)
Office of Pesticide Programs - H7504C
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

RE: EPA SLN Reg. Numbers WA-770016, 780029, 780033, 870012, 870013, 890010, 900001, 900023, 910006, 910029, 920001, 930005, 930008, 930009 and 960016

Enclosed is revised labeling for Washington Special Local Need (SLN) registration numbers WA-770016, 780029, 780033, 870012, 870013, 890010, 900001, 900023, 910006, 910029, 920001, 930005, 930008, 930009 and 960016 issued to FMC Corporation.

Product / EPA Reg. No.	*SLN No. / Crop*	*Revisions*
Thiodan 3EC, 279-2924	WA-770016, Brassica seed crops	Added aquatic toxicity statement.
Thiodan 50WP, 279-1380	WA-780029, Brassica seed crops	Added aquatic toxicity statement.
Thiodan 50WP, 279-1380	WA-780033, Apple	Added aquatic toxicity statement, revised pollinator protection statement.
Thiodan 50WP, 279-1380	WA-870012, Christmas tree plantation	Added aquatic toxicity statement, revised label format per WSDA requirements.
Thiodan 3EC, 279-2924	WA-870013, Christmas tree plantation	Added aquatic toxicity statement, revised label format per WSDA requirements.
Capture 2EC, 279-3069	WA-890010, Seed alfalfa	Added aquatic toxicity statement, revised pollinator protection statement.
Capture 2EC, 279-3069	WA-900001, Carrot seed crop	Added aquatic toxicity statement, revised pollinator protection statement.
Thiodan 3EC, 279-2924	WA-900023, Potato	Added aquatic toxicity statement.

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Furadan 4F, 279-2876	WA-910006, Potato	Revised label format per WSDA requirements.	
Thiodan 3EC, 279-2924	WA-910029, Evening primrose (export only)	Added aquatic toxicity statement, corrected minor typo.	
Thiodan 3EC, 279-2924	WA-920001, Canola	Added aquatic toxicity statement, revised pollinator protection statement.	
Capture 2EC, 279-3069	WA-930005, Christmas tree plantation	Added aquatic toxicity statement.	587/5567215
Capture 2EC, 279-3069	WA-930008, Parsley seed	Added aquatic toxicity statement, revised pollinator protection statement.	587/5567216
Capture 2EC, 279-3069	WA-930009, Parsnip seed	Added aquatic toxicity statement, revised pollinator protection statement.	587/5567217
Command 4EC, 279-3053	WA-960016, Cucumber	Revised label format per WSDA requirements.	

If you have any questions, please contact this office at (360) 902-2030 or by e-mail at **pestreg@agr.wa.gov**.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Joel Kangiser

Joel Kangiser
Registration & Minor Crop Program Coordinator

enclosures
cc: Dick Palmquist, FMC Corporation
Jane Thomas, WSU
Doug Walsh, WSU

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms

For retail sale to and use only by certified applicators or persons under their direct supervision and only for those uses covered by the certified applicator's certification.

EPA SLN NO. WA-890010

FOR DISTRIBUTION AND USE ONLY IN WASHINGTON

Capture® 2EC
Insecticide-Miticide

For Agricultural or Commercial Use Only

EPA REG. No. 279-3069

EMERGENCY CALLS: 800-331-3148

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

CROP	PEST	RATE OF APPLICATION
Seed Alfalfa	Lygus Bugs Weevils Aphids Spider Mites	3.9 to 6.4 ounces per acre

DIRECTIONS FOR USE:

To control Lygus Bugs, Weevils, Aphids and Spider Mites, apply Capture 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment or in a minimum of 20 gallons of water by ground equipment.

When applying by air, 1 quart of emulsified oil may be substituted for 1 quart of water in the finished spray.

Make aerial or ground applications when the wind velocity favors on target product disposition (approximately 3 to 10 MPH). Do not apply when wind velocity exceeds 15 MPH.

For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wingtip or rotor vortices. Boom length must not exceed 75% of wing span or rotor diameter.

Do not apply by ground equipment within 25 feet, or by air within 75 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

This product is very highly toxic to fish and aquatic invertebrates, and should not be used where impact on listed threatened or endangered species is likely. Contact the Washington Department of Fish & Wildlife, National Marine Fisheries Service or US Fish & Wildlife Service for information on listed threatened or endangered species (e.g. Bull trout, Chinook salmon). Consult the federal label for additional restrictions and precautions to protect aquatic organisms. ok

Do not apply more than 6.4 ounces (0.1 lb. active) per acre per treatment. Do not make more than 3 applications in a crop year. Maintain a minimum of 21 days between Capture 2EC treatments.

(Continued next page)

RESTRICTIONS:

Rotational crops may be planted no sooner than 30 days after last application.

Do not cut current year's treated Alfalfa Seed crop for hay or forage.

Do not graze current year's treated Alfalfa Seed crop. Treated Alfalfa Seed is not to be used for sprouting.

All Alfalfa Seed treated with Capture 2EC is to be tagged at the conditioning plant, "Not for human or animal consumption". It shall be the grower's responsibility to notify the conditioning plant of any Alfalfa Seed crop treated with Capture 2EC.

Screenings and seed from seed conditioning are prohibited from feed channels. All Capture 2EC treated Alfalfa Seed screenings must be removed from the feed market.

This product may be applied through irrigation systems.

Refer to the EPA registered label for Capture 2 EC, EPA Reg. No. 279-3069 for information on chemigation.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply the 3.9 to 6.4 oz/acre (0.06 to 0.1 lb ai/acre) rate of this product to blooming Alfalfa Seed: apply as a pre-bloom or post-bloom spray only. Applications of the 2 oz/acre (0.032 lb ai/acre) rate of this product to blooming alfalfa seed must be timed to coincide with periods of minimum bee activity, between late evening and midnight. ok

Note: Information is provided on use of the 2 ounce rate during bloom in order to minimize the hazard to pollinators. While use of the 2 ounce rate is legal, FMC does not recommend the 2 ounce rate, since efficacy may not be as good as the full label rate. Users wishing to apply the low rate during bloom must be willing to accept reduced product efficacy, in order to protect pollinators.

FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS, WORKER PROTECTION STANDARD REQUIREMENTS AND PRECAUTIONS ON THE EPA REGISTERED LABEL.

THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.

Code 777 1/99

24(c) Registrant:

FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia, PA 19103

FMC®

Capture and FMC - FMC Trademarks

WA-890010

#3

587-JL
6 actions
separate beans

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
P.O. Box 42560 • Olympia, Washington 98504-2560 • (360) 902-1800

CERTIFIED

July 13, 1998

587 / 5547268

Document Processing Desk (SLN)
Office of Pesticide Programs - H7504C
U.S. Environmental Protection Agency
401 "M" Street SW
Washington, D.C. 20460

3 3 3 3 3

RE: EPA SLN Reg. Numbers WA-890010, WA-900023, WA-910029, WA-930008 and WA-930009

Enclosed is revised labeling for Washington Special Local Need (SLN) registration numbers WA-890010, WA-900023, WA-910029, WA-930008 and WA-930009 issued to FMC Corporation.

Product / EPA Reg. No.	*SLN No. / Crop*	*Revisions*
Capture 2EC, 279-3069	WA-890010, Seed alfalfa	Added WPS reference, revised pollinator protection and chemigation statements.
Thiodan 3EC, 279-2924	WA-900023, Potatoes	Added WPS reference, removed PPE statement, added pollinator protection statement, corrected typo (rate).
Thiodan 3EC, 279-2924	WA-910029, Evening primrose (export only)	Added WPS reference, removed PPE statement and expiration date, added pollinator protection statement.
Capture 2EC, 279-3069	WA-930008, Parsley seed	Added WPS reference, removed PPE and closed system statements, revised pollinator protection statement.
Capture 2EC, 279-3069	WA-930009, Parsnip seed	Revised WPS reference, removed PPE and closed system statements, revised pollinator protection statement.

07.21.98
EPA

If you have any questions, please contact this office at (360) 902-2030 or by e-mail at **pestreg@agr.wa.gov**.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Joel Kangiser

Joel Kangiser
Registration & Minor Crop Program Coordinator

enclosures
cc: Dan Hopper, FMC Corporation
Jane Thomas, WSU
Catherine Daniels, WSU
Cliff Weed, WSDA, Compliance

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms

For retail sale to and use only by certified applicators or persons under their direct supervision, and only for those uses covered by the certified applicator's certification.

EPA SLN NO. WA-890010

FOR DISTRIBUTION AND USE ONLY IN WASHINGTON

Capture® 2EC
Insecticide-Miticide

For Agricultural or Commercial Use Only

EPA REG. No. 279-3069

EMERGENCY CALLS: 800-331-3148

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

CROP	PEST	RATE OF APPLICATION
Seed Alfalfa	Lygus Bugs Weevils Aphids Spider Mites	3.9 to 6.4 ounces per acre

DIRECTIONS FOR USE:

To control Lygus Bugs, Weevils, Aphids and Spider Mites, apply Capture 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. active) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment or in a minimum of 20 gallons of water by ground equipment.

When applying by air, 1 quart of emulsified oil may be substituted for 1 quart of water in the finished spray.

Make aerial or ground applications when the wind velocity favors on target product disposition (approximately 3 to 10 MPH). Do not apply when wind velocity exceeds 15 MPH.

For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wingtip or rotor vortices. Boom length must not exceed 75% of wing span or rotor diameter.

Do not apply by ground equipment within 25 feet, or by air within 75 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

Do not apply more than 6.4 ounces (0.1 lb. active) per acre per treatment. Do not make more than 3 applications in a crop year. Maintain a minimum of 21 days between Capture 2EC treatments.

(Continued next page)

RESTRICTIONS:

Rotational crops may be planted no sooner than 30 days after last application.

Do not cut current year's treated Alfalfa Seed crop for hay or forage.

Do not graze current year's treated Alfalfa Seed crop. Treated Alfalfa Seed is not to be used for sprouting.

All Alfalfa Seed treated with Capture 2EC is to be tagged at the conditioning plant, "Not for human or animal consumption". It shall be the grower's responsibility to notify the conditioning plant of any Alfalfa Seed crop treated with Capture 2EC.

Screenings and seed from seed conditioning are prohibited from feed channels. All Capture 2EC treated Alfalfa Seed screenings must be removed from the feed market.

This product may be applied through irrigation systems.

Refer to the EPA registered label for Capture 2 EC, EPA Reg. No. 279-3069 for information on chemigation.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply the 3.9 to 6.4 oz/acre (0.06 to 0.1 lb ai/acre) rate of this product to blooming Alfalfa Seed: apply as a pre-bloom or post-bloom spray only. Applications of the 2 oz/acre (0.032 lb ai/acre) rate of this product to blooming alfalfa seed must be timed to coincide with periods of minimum bee activity, between late evening and midnight.

FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS, WORKER PROTECTION STANDARD REQUIREMENTS AND PRECAUTIONS ON THE EPA REGISTERED LABEL.

THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.

Code 777 7/98

24(c) Registrant:

FMC Corporation
Agricultural Chemical Group
1735 Market Street
Philadelphia, PA 19103

FMC®

Capture and FMC - FMC Trademarks

WA-890010

DATE: 04-28-92

TO: FILE ROOM (Evelyn Alston, ROOM 236) _____

DOCUMENT CENTER _____

PRODUCT MANAGER #13 - GEO. LAROCCA - INSECT/RODENT 2NP FL,

PAM (ROOM 263) _____

FROM: BARBRA - 5780 - 724-B-

TYPE OF REGISTRATION

FAST - TRACK ACTION (with data/without data)

This action has been determined to be a fast-track action by FEPS and must be entered in the PRATS using one of the following codes:

160 - Application for "me-to" registration

170 - Application for registration - old chemical - "Me-too" with additional use.

300 - Amendment - label revision - administrative (no data required).

305 - Amendment - label revision - data required does not need HED/EFED review.

310 - Amendment - added "me-too" Use - no HED/EFED review needed.

345 - Formula change - no HED/EFED review required.

REGULAR REGISTRATION

24C NEW

24C AMENDMENT

RESUBMISSION (response to Agency ltr)

FINAL PRINTED LABELS

OTHER REVISED LABELING

MESSAGE: PLS. REVIEW REVISED LABEL, + FILE COPY. THANKS MUCH...
BARBRA 5780.

C. ALAN PETTIBONE
Director

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
P.O. Box 42560 • Olympia, Washington 98504-2560 • (206) 753-5063

CERTIFIED

April 17, 1992

Environmental Protection Agency
Process Coordination Section
Registration Division (TS-767)
401 M Street SW
Washington, D.C. 20460

RE: Revised EPA SLN No. WA 890010

Enclosed is Washington Special Local Need registration number WA-890010 issued to FMC Corporation for the use of Capture 2EC to control lygus bugs, weevil, aphids and spider mites on seed alfalfa. The label has been revised to address the comments made by Mr. George LaRocca in a letter dated December 11, 1991. The four new statements found at the bottom of the first page of the label are the same wording found on the federal cotton label.

If you have any questions, please contact this office at 206-753-5064.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Ted Maxwell
Chief, Registration and Services

TCM/c

cc: Cliff Weed, WSDA, Program Manager, Enforcement
Michele Leach, WSDA Yakima, Chief, Enforcement
Catherine Daniels, WSU

C. ALAN PETTIBONE
Director

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
P.O. Box 42560 • Olympia, Washington 98504-2560 • (206) 753-5063

CERTIFIED

April 17, 1992

Jeff R. Klundt
FMC Corporation
P.O. Box 1622
Walla Walla, WA 99362

RE: Revised EPA SLN No. WA 890010

Enclosed is Washington Special Local Need registration number WA-890010 issued to FMC Corporation for the use of Capture 2EC to control lygus bugs, weevil, aphids and spider mites on seed alfalfa. The label has been revised to address the comments made by Mr. George LaRocca in a letter dated December 11, 1991. The four new statements found at the bottom of the first page of the label are the same wording found on the federal cotton label.

Federally, this registration will not expire until some time in the future; however, it will be necessary for your company to renew registration annually in the state of Washington in order to continue its use.

A copy of the enclosed labeling must be presented to the purchaser at the time of purchase for this use. A copy should also be present at the site of application.

If you have any questions, please contact this office at 206-753-5064.

Sincerely,

PESTICIDE MANAGEMENT DIVISION

Ted Maxwell
Chief, Registration and Services

TCM/c

cc: Cliff Weed, WSDA, Program Manager, Enforcement
Michele Leach, WSDA Yakima, Chief, Enforcement
Catherine Daniels, WSU

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms

For retail sale to and use only by certified applicators or persons under their direct supervision, and only for those uses covered by the certified applicator's certification.

EPA SLN NO. WA-890010

FOR DISTRIBUTION AND USE ONLY IN WASHINGTON

Capture® 2EC

Insecticide-Miticide

For Agricultural or Commercial Use Only

EPA REG. No. 279-3069

EMERGENCY CALLS: 800-331-3148

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

CROP	PEST	RATE OF APPLICATION
Seed Alfalfa	Lygus Bugs Weevils Aphids Spider Mites	3.9 to 6.4 ounces per acre

DIRECTIONS FOR USE:

To control Lygus Bugs, Weevils, Aphids and Spider Mites, apply Capture 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. a.i.) per acre. Apply in a minimum of 5 gallons of water per acre by air equipment or in a minimum of 20 gallons of water by ground equipment.

When applying by air, 1 quart of emulsified oil may be substituted for 1 quart of water in the finished spray.

Make aerial or ground applications when the wind velocity favors on target product disposition (approximately 3 to 10 MPH). Do not apply when wind velocity exceeds 15 MPH.

For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wingtip or rotor vortices. Boom length must not exceed 75% of wing span or rotor diameter.

Do not apply by ground equipment within 25 feet, or by air within 75 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

Do not apply more than 6.4 ounces (0.1 lb AI) per acre per treatment. Do not make more than 3 applications in a crop year. Maintain a minimum of 21 days between Capture 2EC treatments.

(Over)

RESTRICTIONS:

Rotational crops may be planted no sooner than 30 days after last application.

Do not apply Capture 2EC or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

Capture 2EC should be mixed and loaded using systems that comply with accepted standards that identify a closed mixing system.

Do not cut current year's treated Alfalfa Seed crop for hay or forage.

Do not graze current year's treated Alfalfa Seed crop. Treated alfalfa seed is not to be used for sprouting.

All Alfalfa Seed treated with Capture 2EC is to be tagged at the conditioning plant, "Not for human or animal consumption". It shall be the grower's responsibility to notify the conditioning plant of any Alfalfa Seed crop treated with Capture 2EC.

Screenings and seed from seed conditioning are prohibited from feed channels. All Capture 2EC treated Alfalfa Seed screenings must be removed from the feed market.

ALL APPLICABLE DIRECTIONS, RESTRICTIONS AND PRECAUTIONS ON THE EPA REGISTERED LABEL ARE TO BE FOLLOWED.

REFER TO THE EPA REGISTERED LABEL FOR INFORMATION ON CHEMIGATION.

THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.

24(c) Registrant:
FMC Corporation
Agricultural Chemical Group
1735 Market Street
Philadelphia, PA 19103

Code 777 2/92

FMC®

Capture and FMC - FMC Trademarks
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WA-890010

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DEC 11 1991

585 378998
38 1

Ms. Ann R. Wick
Acting Chief, Registrations
Department of Agriculture
406 General Administration Bldg., AX-41
Olympia, WA 98504-0641

Dear Ms. Wick:

Subject: Registration Action under Section 24 (c)
Use of Capture 2EC Insecticide/Miticide on Alfalfa Grown for Seed
EPA SLN No. WA-890010

This will acknowledge receipt of your notification of May 3, 1989 to this Agency of a registration, pursuant to section 24 (c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, as follows:

Product:	Capture 2EC Insecticide/Miticide
EPA Registration Number:	279-3069
24 (c) Registrant:	FMC Corporation P.O. Box 1622 Walla Walla, WA 99362

We have reviewed the above application and have the following comments:

Bifenthrin is a synthetic pyrethroid insecticide registered for use on cotton and several non-crop sites. Aerial and ground applications of bifenthrin are of great concern to the Agency due to the extremely toxic nature of this compound to aquatic organisms. Exposure of bifenthrin residues to aquatic organisms may occur through runoff or drift from target areas to permanent bodies of water and wetland habitats. The Agency believes the proposed use of bifenthrin may exceed Agency criteria for risk to aquatic species, including endangered species and constitutes a possibility for high risk from relatively small amounts of drift or runoff. This is based in part on the fact that the SLN application made no mention of safety measures to prevent actual spray drift or runoff contamination from the use of bifenthrin (i.e., protective buffer zones for aquatic habitats, prohibition of aerial application or restrictions on wind velocity during aerial application).

CONCURRENCES

SYMBOL								
SURNAME	TML							
DATE	12/11/91							

Buffer zones should especially be considered in areas where runoff may potentially enter endangered species habitat. No mention was made of the number of applications of bifenthrin permitted in one crop season. Any second applications of bifenthrin before alfalfa plants bloom will compound the expected residue levels accordingly and could have considerable affect on environmental concentration levels to which non-target organisms are exposed.

In an effort to minimize potential adverse effects to aquatic organisms from use of bifenthrin on alfalfa grown for seed, we strongly recommend you investigate and incorporate (on the label) safety measures (restrictions) to prevent actual spray drift or runoff contamination such as:

- adding a prohibition against aerial application
- avoiding or minimizing spray drift to non-target areas by not spraying when wind speed is 10 miles per hour or greater
- addition of buffer zones for aquatic habitats
- prohibition of use (or incorporation of more stringent buffer zones) for endangered species habitat
- consultation with the Fish and Wildlife Service to insure protection of threatened or endangered species
- reduction in the rate of application and number of applications in one crop season, plus lengthening of intervals between application

If you have any questions in regard to this letter, please feel free to contact me.

Sincerely,

George T. LaRocca
Product Manager (13)
Insecticide-Rodenticide Branch
Registration Division (H7505C)

cc: Jeff Klundt
FMC Corporation
P.O. Box 1622
Walla Walla, WA 99362

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

MEMORANDUM

OFFICE OF
PESTICIDES AND TOXIC
SUBSTANCES

Subject: Section 24C application of Bifenthrin and Fluvalinate to alfalfa grown for seed in North Dakota and Washington

From: Douglas Urban, Acting Chief
Ecological Effects Branch
Environmental Fate and Effects Division(H7507C)

To: George Larocca
Registration Division (H7505C)

EEB has completed review of presently approved Section 24C use of bifenthrin in North Dakota and fluvalinate in Washington on alfalfa grown for seed. Both chemicals are highly toxic to aquatic life and these concerns are illuminated in the attached reviews. Bifenthrin(Capture 2EC) is not only very toxic, but also very persistent once it reaches the aquatic habitat. The Branch has strong concerns about any uses of bifenthrin, including a 11,500 acre use such as seed alfalfa in North Dakota.

Fluvalinate(Spur 22EW) is also very toxic to aquatic organisms, although present fate data would indicate that it's persistence characteristics are much less than bifenthrin. Should residues reach aquatic habitats before terrestrial degradation can occur then adverse effects to aquatic life could be expected.

Neither of the 24C applications has listed safety measures to prevent actual spraydrift or runoff contamination from the use of bifenthrin and fluvalinate(ie buffer zones or restrictions on wind velocity during aerial application). The number of applications of bifenthrin permitted in one crop season and intervals between the 3 fluvalinate applications permitted on the Washington application are not specified and could have considerable affect on environmental concentration levels to which non-target organisms are exposed.

Printed on Recycled Paper

261728
Record Number

128825
Shaughnessey No.

EEB REVIEW

Date: In 4/2/90 Out 8/23/91

FILE OR REG. NO. ND-90-0003

PETITION OR EXP. NO.
DATE OF SUBMISSION 3/19/90

DATE RECEIVED BY EFED 3/30/90

RD REQUESTED COMPLETION DATE 4/29/90

EEB ESTIMATED COMPLETION DATE 4/29/90

RD ACTION CODE/TYPE OF REVIEW 585

TYPE OF PRODUCT(S): I,D,H,F,N,R,S Insecticide

DATA ACCESSION NUMBER(S):

PRODUCT MANAGER NO. PM 15

PRODUCT NAME(S) Bifenthrin
COMPANY NAME FMC Corporation

SUBMISSION PURPOSE Review 24C use on alfalfa grown for seed

SHAUGHNESSEY NO.	CHEMICAL AND FORMULATION	%A.I.
128825	Bifenthrin	25.1%
	Capture 2EC,North Dakota	

Ecological Effect Branch Review

Chemical: Bifenthrin,Capture 2EC

100.0 Submission Purpose and Label Information:

100.1 Submission Purpose and Pesticide Use:
The North Dakota State Dept. of Health and Consolidated Laboratories has granted Section 24 C status for use of Capture 2 EC insecticide to FMC Corporation to sell the product for use as a prebloom treatment on alfalfa grown for seed. According to the 1987 agricultural statistics this would encompass approximately 11,500 acres. The seed produced would not be available for human or domestic animal consumption. Several insect pests including lygus bug are listed as target pests for this use. No specifics as to the number of acres to be treated, location, or reasons for not using alternatives are provided. The 1987 statistics for alfalfa production in North Dakota totaled 1,362,758 acres in production in over 53 counties statewide.

Bifenthrin is presently registered for only one major crop, cotton. Section 24 C registrations on jojoba and carrots represent additional minor uses. Apparently one 24 C was issued to the State of Nevada (NV89000300) for lygus bug/aphid infestation on alfalfa and Washington state received another in 1989 for the same crop/use pattern.

100.2 Formulation Data:

Active Ingredient: Bifenthrin 25.1%
Inert Ingredients(emulsifiers and solvents).....74.9%

100.3 Application Methods, Directions, and Rates

Application at 0.06 to 0.1 lb ai/acre by aerial or ground spray application equipment.

Directions for use are as follows:
"To control lygus bugs, weevil, aphids, and spider mites apply Capture 2EC at the rate of 3.9 to 6.4 ounces(0.06 to 0.1 lb ai) per acre. Apply in a minimum of 5 gallons of water per acre by air or in a minimum of 20 gallons of water per acre by ground."

100.4 Target Organisms: Lygus bug, weevil, aphids, and spider mites.

100.5 Precautionary Labeling: (excerpted from label)
Environmental Hazards:
This pesticide is extremely toxic to fish and aquatic invertebrates. Drift and runoff from treated areas may be

hazardous to aquatic organisms in neighboring areas. Do not apply directly to water or wetlands(swamps, bogs, marshes, and potholes). Do not contaminate water when disposing of equipment washwater.

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

100.6 Scope of the Emergency: From comments listed on the 24C application form dataed 2/15/90 :

"Capture is very efficaceous on lygus bugs and other important economic pests in alfalfa seed. The old products have become ineffective or have dropped their labels for this crop."

101 Hazard Assessment:

101.1 Discussion:

Environmental Fate: Bifenthrin exhibits extreme persistence in water (halflife >365 days) and also persists in soils (halflife 97-250 days). Photolytic halflife in water was 209-300 days. Bioacculmulation in whole fish was 8720 X after 42 days. In fathead minnow life cycle testing a bioaccumulation factor of 28,000 x was achieved after 1 year of exposure. Low to negligible mobility was displayed in soils. Pyrethroids have been shown to have strong binding properties to soils or sediments and bifenthrin residues may remain in benthic sediments long after detectable residues are gone in the water column. Sediments contaminated with bifenthrin residues may prove toxic to benthic organisms and remain over 1 year, as indicated by halflife values. EEB continues to have strong concerns for this evident persistence in aquatic biosystems and the chemical's high toxicity to organisms which inhabit them.

Estimated Environmental Concentrations:

The label permits aerial or ground spray application at up to 0.10 lbs ai/acre.

Estimated terrestrial residues based on Kenaga and Hoerga residue tables would be as follows for the maximum application rate.

	Shortgrass	LongGrasses	Leaves	Seed pods	Fruit
Typical	12.5	9.2	3.5	0.3	0.15
maximum	24	11	12.5	1.2	0.7

Foliar halflife data have not been submitted as required by the Agency.

A 2 percent runoff of a 0.1 lb ai/acre application from a 10 acre drainage basin would lead to residues of approximately 1.22 ppb. This would be expected to remain concentrated in sediments for long periods of time. Aerial application with a 5% drift would lead to a loading of 0.01 lbs or a concentration of 3.6 ppb at the 6 " depth on a pond's surface. Adverse wind conditions leading to a 20% drift might lead to a concentration of 14.7 ppb in a 6" deep 1 acre freshwater marsh.

Toxicity to Terrestrial Organisms:

Bifenthrin appears to demonstrate low toxicity to mammalian and avian wildlife. LC_{50} values for bobwhite quail and mallard duck are estimated to be 4,450 ppm and 1,280 ppm, respectively. LC_{50} values for laboratory rats based on the LD_{50} value of 355 mg/kg times a factor of 10 would be 3,550 mg/kg. Increased egg breakage was noted at 50 and 75 ppm in bobwhite quail reproduction studies. Estimated residues are not expected to exceed 1/20 of LC_{50} values at the maximum application rate, thus hazard to avian or mammalian species is not expected. Reduction of food resources for waterfowl or mammals which feed on aquatic animals may occur due bifenthrin's high toxicity to aquatic organisms.

Toxicity to Aquatic Organisms:

EEB has strong concerns about the extreme toxicity of bifenthrin to fish and aquatic invertebrates and these concerns are mentioned in Branch reviews of the past few years. Estimated surface concentrations from spray drift alone exceed LC_{50} values of nearly all the species tested by factors of 2 to 9000 times. A concentration of 1.22 ppb as calculated earlier for the 2% runoff to a one acre pond would be equivalent to over 600 times the MATC of Daphnia magna and 20 times the MATC of the Fathead Minnow.

Toxicity to Non-target Insects:

Bifenthrin is shown to demonstrate high toxicity to honey bees from direct application, but low toxicity to bees foraging after application. Beneficial non-target insects in or near strawberry fields are therefore expected be subjected to hazardous affects during actual spraying operations only.

101.4 Endangered Species Concerns:

Presently only one aquatic species, the pallid sturgeon, is listed as endangered in North Dakota. Contamination of

critical habitat for this species would present risk if concentrations are above 1/20 the lowest LC_{50} for freshwater fish which would be 0.05 ppb. This concentration is exceeded by very low runoff or drift loading scenarios. Burleigh, Dunn, McKenzie, and Sioux counties all contain habitat for the pallid sturgeon and are listed as production areas for alfalfa grown for seed. Any use of bifenthrin in watersheds leading to these critical habitats should be prohibited or strictly regulated.

Reduction of aquatic food sources could have secondary affect on habitat quality for listed waterfowl such as piping plover, whooping crane, least tern, and American bald eagle.

101.5 Adequacy of Toxicity Data:

EEB feels that adequate toxicity data exists for this incremental risk analysis. Aquatic field testing results which have been requested by the Agency should more clearly define bifenthrin's behavior in the environment. The lack of foliar half-life data makes calculation of the bio-availability of residues to terrestrial organisms following multiple applications difficult.

101.6 Adequacy of Labeling:

Labeling is specific as to the hazard to aquatic organisms from any spray drift into aquatic habitats. No mention is made, however, of the potential hazard to aquatic habitats from runoff of soil containing bifenthrin residues and this should be incorporated into the label. No buffer zone is proposed for any aquatic habitat containing endangered aquatic organisms or supporting endangered animals or any other aquatic habitats.

102.0 Conclusions;

EEB concludes that proposed and presently registered uses of Capture 2EC exceed Agency criteria for risk to aquatic species and constitute a possibility high risk from relatively small amounts of drift or runoff. This contamination would be persistent for hundreds of days. No mention is made in the 24C concerning plans to require protective buffer zones for aquatic habitats. Buffer zones should especially be considered in areas where runoff may potentially enter pallid sturgeon habitat. The high bioconcentration factors associated with bifenthrin increase the likelihood that secondary ingestion of contaminated aquatic organisms by piscivorous wildlife species may occur. Any second applications of bifenthrin before alfalfa plants bloom will compound the expected residue levels accordingly.

Though addition of 11,500 acres to present use patterns may be a small increment in relation to cotton use it is significant and may encompass a wide area of North Dakota where alfalfa is also grown for other uses.

Reviewed by: Brian Montague, Fisheries Biologist
Ecological Effects Branch
Environmental Fate and Effects Division

Brian Montague 8/27/91

Approved by: Les Touart, Supervisory Biologist
Ecological Effects Branch
Environmental Fate and Effects Division

Les T 8/27/91

Approved by: Doug Urban, Acting Chief
Ecological Effects Branch
Environmental Fate and Effects Division(H7507C)

Douglas J Urban 8/28/91

C. ALAN PETTIBONE
Director

STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

406 General Administration Bldg., AX-41 • Olympia, Washington 98504-0641 • (206) 753-5063

CERTIFIED

May 3, 1989

Environmental Protection Agency
Process Coordination Section
Registration Division (TS-767)
401 "M" Street S.W.
Washington, D.C. 20460

RE: EPA SLN REG. NO. WA-890010

Enclosed is Washington Special Local Need registration number WA-890010 issued to FMC Corporation for the use of Capture 2EC to control lygus bugs, weevil, aphids and spider mites on seed alfalfa. This registration was issued under authority of Section 24(c) of amended FIFRA.

This product is a replacement insecticide for older products that that have been dropped from registration or are no longer effective. Alfalfa seed and alfalfa seed screenings are prohibited from food or feed use in Washington state. The supplemental label prohibits this use for any market area. The treated seed alfalfa must be identified as "not for human or animal consumption."

If you have any questions, please contact this office at (206) 753-5064.

Sincerely,

CHEMICAL AND PLANT DIVISION

Mary Sookey
for Ann R. Wick
Acting Chief, Registrations

ARW/hww

cc: Dick Maxwell, WSU
F. Clarke Brown, WSDA, Chief, Enforcement

P-14
Rev. 2/82

U. S. ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF PESTICIDE PROGRAMS
REGISTRATION DIVISION (WH-567)
WASHINGTON, D. C. 20460

APPLICATION FOR/NOTIFICATION OF STATE REGISTRATION OF A PESTICIDE TO MEET A SPECIAL LOCAL NEED PURSUANT TO 40 CFR PART 162, SUBPART B AND SECTION 24 (C) OF THE FEDERAL INSECTICIDE FUNGICIDE, AND RODENTICIDE ACT, AS AMENDED

IMPORTANT: See reverse before completing/submitting this form.

FOR EPA USE ONLY	FOR STATE USE ONLY
90th Day	Registration Number Assigned: WA-890010
[ ] Approved [ ] Disapproved Date _____	Date Registration was Issued: May 3, 1989
Federal Register Notice	Expiration Date

1. NAME AND ADDRESS OF APPLICANT FOR REGISTRATION
FMC CORPORATION
AGRI. CHEM. GROUP
P.O. BOX 1622
WALLA WALLA, WA. 99362

2. PRODUCT IS: (check one)
[ ] NEW (not EPA-registered)
[X] EPA-REGISTERED (give number)
EPA REG. NO. _____

3. EPA COMPANY NUMBER: 279

4. EPA ESTABLISHMENT REGISTRATION NUMBER: 279-NJ-1

5. PRODUCT NAME
CAPTURE 2EC INSECTICIDE/MITICIDE

6. TYPE OF REGISTRATION: (give details in Item 11 or on a separate page, properly identified and attached to this form)
[X] a. To permit use of a new product.
[ ] b. To amend EPA registrations for one or more of the following purposes:
[ ] (1) To permit use on additional crops or animals.
[ ] (2) To permit use at additional sites.
[ ] (3) To permit use against additional pests.
[ ] (4) To permit use of additional application techniques or equipment.
[ ] (5) To permit use at different application rates.
[ ] (6) To prescribe special label directions for one or both of the following purposes:
[ ] (a) Preventing unreasonable adverse effects on man or the environment under local use conditions.
[ ] (b) Providing for local use conditions affecting pesticide efficacy.
[ ] c. To serve other purposes.

7. NATURE OF SPECIAL LOCAL NEED: (check one)
[ ] a. There is no pesticide product registered by EPA for such use.
[X] b. There is no EPA-registered pesticide product which, under the conditions of use within the State, would be as safe and/or as efficacious for such use within the terms and conditions of EPA registration.
[ ] c. An appropriate EPA-registered pesticide product is not available.

8. IF THIS IS A FOOD/FEED USE REQUIRING TOLERANCES OR OTHER RESIDUE CLEARANCES, CITE APPROPRIATE REGULATIONS IN 40 CFR 180, 21 CFR 123, AND/OR 21 CFR 561.

9. IS THIS REGISTRATION FOR A "CHANGED USE PATTERN" AS DEFINED IN 40 CFR 162.152(c)?
[X] NO [ ] YES

10. HAS AN EPA REGISTRATION OF, OR EXPERIMENTAL USE PERMIT FOR THE PRODUCT EVER BEEN SOUGHT, ISSUED, DENIED, CANCELED, OR SUSPENDED?
[ ] NO [X] YES

12. HAS A REGISTRATION OF THE PRODUCT (UNDER SECTION 24(c)) EVER BEEN SOUGHT FROM, OR DENIED OR REVOKED BY, ANOTHER STATE?
[ ] NO [X] YES

11. COMMENTS
CAPTURE IS VERY EFFICACOUS ON LYGUS BUGS AND OTHER IMPORTANT ECONOMIC PESTS IN ALFALFA SEED. THE OLD P PRODUCTS HAVE BECOME INEFFECTIVE OR HAVE DROPPED THEIR LABELS FOR THIS CROP.

SIGNATURE OF APPLICANT OR AUTHORIZED REPRESENTATIVE: Jeff R. Klindt
TITLE: TECHNICAL SERVICE REPRESENTATIVE
TELEPHONE: 509-529-5950
DATE: 3/7/88

DETERMINATION BY STATE AGENCY

This registration is related to a Special Local Need, as defined in 40 CFR 162.152(k), and is being issued in accordance with the approved State Plan and the Regulations at 40 CFR Part 162 Subpart B. To the best of our knowledge, the information above is correct, except as noted in COMMENTS below or in attachments.

COMMENTS (BY STATE AGENCY ONLY)
SEE ATTACHED LETTER

RECEIVED BY EPA-OPP, REGISTRATION DIVISION, WASHINGTON, D. C. 20460

NAME AND TITLE OF STATE AGENCY OFFICIAL: Ann R. Wick, Acting Chief, Registrations
TELEPHONE NUMBER: (206) 753-5064
SIGNATURE OF STATE AGENCY OFFICIAL: Ann Wick
DATE: May 3, 1989

122825

REFER TO 40 CFR 162.150 THROUGH 16[illegible] FOR REGULATIONS REGARDING STATE R[illegible]STRATION OF PESTICIDES TO MEET SPECIAL LOCAL NEEDS. These Regulations were proposed in the Federal Register of September 3, 1975 (40 FR 40538). Interim certification procedures adopted on the same date (40 FR 40543) provide for State Registration until such time as final regulations are promulgated.

This Form is designed so that it may be used both as a request *to* a State by an applicant and as a notification *by* a State to EPA. If a State prefers to utilize a different application form, such State must complete all numbered items on this Form (from information required to be supplied *by* the applicant) prior to sending the "NOTIFICATION" to EPA.

INSTRUCTIONS TO APPLICANT

COMPLETE ALL NUMBERED ITEMS ON THE FORM AS INDICATED BELOW. The form must be signed, dated, and accompanied by any additional required information to be accepted for processing. Submit five (5) copies of the form and certain attachments to your State pesticide regulatory agency.

Item 1 - Give full name and mailing address of the firm or individual applying for registration.

Item 2 - Indicate whether the product is or is not registered (by the applicant) with EPA. If it is, give the EPA Registration Number.

Item 3 - List your EPA Company Number if one has been previously assigned. Otherwise, enter "NONE."

Item 4 - List your EPA Establishment Registration Number if you entered "NONE" for the previous item. This number is required for all producing establishments. If you do not have an EPA Establishment Registration Number *and* another company produces and packages your product *for* you, enter "NONE" and explain the circumstances in your submission.

Item 5 - List the name of *your* product as formulated (not the chemical name unless such chemical name is used as part of the product name).

Item 6 - Check appropriate answer(s) and give details in Item 11 or in your submission.

Item 7 - If b or c is checked, explain in Item 11 or in your submission the circumstances resulting in this determination, including the identity of the EPA-registered product(s).

Item 8 - Use of pesticides on food or feed commodities which will enter the commercial market requires Federal clearance for pesticide residues (for both active and inert ingredients). 40 CFR 180 regulates pesticide residues in or on raw agricultural commodities; 21 CFR 123 regulates residues in processed human food (including potable water); and 21 CFR 561 regulates residues in processed animal feed.

Item 9 - Give details in Item 11 or in your submission.

Item 10 - If "YES," give details in Item 11 or in your submission.

Item 11 - COMMENT BLOCK

Item 12 - If "YES," give details in Item 11 or in your submission.

ENTER NAME, SIGNATURE, TELEPHONE NUMBER, AND DATE IN THE PROPER BLOCKS ON THE FORM. Do not make any entries in blocks below "DETERMINATION BY STATE AGENCY." Do not make any entries in unnumbered blocks designated for "EPA USE ONLY" and "FOR STATE USE ONLY."

ATTACH FIVE (5) OF LABELING AND THE COMPLETE FORMULA (UNLESS ALREADY EPA-REGISTERED) AND ONE COPY OF ADDITIONAL DATA OR INFORMATION AND FORWARD TO YOUR STATE AGENCY. If the name of any person other than the applicant will appear on the labeling or in the directions for use, indicate the name and corresponding address in your submission as well as on the proposed labeling.

See "REGISTRATION REQUIREMENTS" below for further information.

REGISTRATION REQUIREMENTS

REFER TO 40 CFR 162.153 AND 162.155 FOR REGISTRATION REQUIREMENTS AND LIMITATIONS.

1. Labeling must satisfy the requirements of 40 CFR 162.10 (40 FR 28241, July 3, 1975 - effective August 4, 1975) and 40 CFR 162.153(c)(1).
2. Supplemental directions for use to meet special local needs shall satisfy the requirements of 40 CFR 162.10(i) and 40 CFR 162.153(c)(1).
3. The container of a pesticide product registered by a State agency to meet a special local need must bear, or be accompanied by, directions for use of the product to meet such special local need and a statement identifying the State within which it is so registered.
4. Labeling of a pesticide product registered pursuant to interim certification shall state "FOR DISTRIBUTION AND USE ONLY WITHIN (name of State)."
5. Products shall be subject to any standards or regulations which the Administrator may prescribe with respect to pesticide packaging (pursuant to section 25(c)(3) of the Act) or coloration and discoloration of pesticides (pursuant to section 25(c)(4) of the Act, including the regulations set forth at 40 CFR 162.12).
6. The establishment in which the product "formulated for use and distribution within the State" was produced shall be registered in accordance with regulations under section 7 of the Act; such establishment shall maintain books and records in accordance with regulations under section 8 of the Act.
7. Products shipped, distributed, or sold or offered or delivered for shipment, distribution, or sale after April 1, 1978, shall be subject to classification in accordance with 40 CFR 162.11.

NOTE: STATE-REGISTERED PRODUCTS ARE SUBJECT TO SECTION 12 OF THE ACT, IN WHICH CERTAIN ACTS ARE DECLARED TO BE UNLAWFUL. ANYONE COMMITTING AN UNLAWFUL ACT UNDER SECTION 12 IS SUBJECT TO THE PENALTY PROVISIONS UNDER SECTION 14 OF THE ACT.

Capture 2EC
Insecticide-Miticide

EPA REG. NO. 279-3069

RESTRICTED USE PESTICIDE
Toxic to fish and aquatic organisms
For retail sale to and use only by certified applicators or persons under their direct supervision, and only for those uses covered by the certified applicator's certification.

FOR DISTRIBUTION AND USE ONLY WITHIN WASHINGTON

EPA SLN NO. WA - 890010

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

CROP: SEED ALFALFA

PESTS: LYGUS BUGS, WEEVIL, APHIDS AND SPIDER MITES

DIRECTIONS FOR USE:

To control lygus bugs, weevil, aphids and spider mites apply Capture 2EC at the rate of 3.9 to 6.4 ounces (0.06 to 0.1 lb. a.i.) per acre. Apply in a minimum of 5 gallons of water per acre by air or in a minimum of 20 gallons of water per acre by ground.

When applying by air, 1 quart of emulsified oil may be substituted for one quart of water in the finished spray.

RESTRICTIONS: Do not apply Capture 2EC or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

Capture 2EC should be mixed and loaded using systems that comply with accepted standards that identify a closed mixing system.

Rotational crops may be planted no sooner than 30 days after last application.

Do not cut current year's treated alfalfa seed crop for hay or forage.
Do not graze current year's treated alfalfa seed crop.
Treated alfalfa seed is not to be used for sprouting.

All seed alfalfa treated with Capture 2EC is to be tagged at the processing plant "Not for human or animal consumption." It shall be the grower's responsibility to notify the processing plant of any seed crop treated with Capture 2EC.

Screenings from seed processing are prohibited from feed channels. All Capture 2EC treated alfalfa seed screenings must be removed from the feed market.

ALL APPLICABLE DIRECTIONS, RESTRICTIONS AND PRECAUTIONS ON THE EPA REGISTERED LABEL ARE TO BE FOLLOWED. REFER TO THE EPA REGISTERED LABEL FOR INFORMATION ON CHEMIGATION.
THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.

FMC CORPORATION
Agricultural Chemical Group
P.O. Box 1669
Fresno, CA 93717

24(c) Registrant:

FMC

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Code 777