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

SEP 13 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MEMORANDUM

SUBJECT: Requested Waiver of WPS Label Statements for Aztec 2.1% Granular Insecticide

FROM: John Tice, MS
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TO: Marilyn Mautz
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THRU: Mark I. Dow, Ph.D., Section Head
Special Review and Registration Section II
Occupational and Residential Exposure Branch
Health Effects Division (7509-C)

Larry Dorsey, Chief
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Health Effects Division (7509-C)

Please find below, the OREB review of:

DP Barcodes: D204309

Pesticide Chemical Code: 129086 Phostebupirim
128831 Cyfluthrin

EPA Reg. Nos.: 3125-URE AZTEC 2.1% granular insecticide

EPA MRID No.: NONE

PHED: NOT USED



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I. INTRODUCTION:

Miles, Inc. submitted a request for a waiver from the Worker Protection Standard (WPS) reentry and posting requirements for granular product Aztec.

II. DETAILED CONSIDERATIONS:

Aztec 2.1% Granular insecticide contains 2.0 % phostebupirim (an organophosphate) and 0.1 % cyfluthrin (a synthetic pyrethroid). Aztec is used to control corn rootworm, cutworm and other soil insect pests in corn. Aztec is labeled for application at planting and must be either banded, T-banded or applied in-furrow. All three methods of application include covering with soil or soil incorporation.

Of the two active ingredients contained in the product, phostebupirim is the more toxic active ingredient and also appears in a higher concentration. As such, WPS labeling is based on the toxicity characteristics of phostebupirim. The toxicity of this active ingredient and product is summarized in the following table:

TOXICITY CATEGORIES

TEST	TECHNICAL	AZTEC 2.1%
Acute Oral	1	2
Acute Dermal	1	3
Acute Inhal.	1	3
Eye Irritation	1*	3

* Assumed Tox Category 1 based on dermal results.

RESTRICTED RE-ENTRY DISCUSSION

WPS requires a 48 hr re-entry interval for tox category 1 compounds. WPS also provides an exception (How to Comply Manual, pp 46 - 47) for persons entering treated fields and expected to NOT contact the product. Soil incorporation is specifically mentioned as a reason for exemption.

In the course of planting, there are no known cultural practices with corn that requires a person to enter a planted/treated field and handle or disturb the soil thus contacting the pesticide. The only person(s) in a field would be the planter and other employees that would be considered either in the applicator or loader category and WPS requirements for PPE are specific and adequate for these workers.

OREB believes that soil incorporation of granular products (at the time of planting), where there are no known activities that result in contact with the soil or the product, qualify for the exemption under the WPS and the re-entry interval may safely be waived. In the case of corn, fields are not entered after planting until cultivation or herbicide application is needed.

POSTING REQUIREMENTS

WPS requires both oral warnings and posting warning signs for those chemicals which contain tox category 1 active ingredients. The same exceptions as described above also apply to posting. Additionally, there are no cultural practices that would require workers to enter a freshly planted field, and uncover or expose the product.

OREB believes that soil incorporation of granular products (at the time of planting), where there are no known activities that result in contact, qualify for the exemption under the WPS and the posting requirement may safely be waived. The oral warning provision should not be waived. Applicators and land owners should provide workers information about the planting and application of pesticides to ensure that the fields are not accidentally entered.

III. CONCLUSIONS:

OREB concurs with the waiver of the re-entry and posting requirements of WPS for Aztec as long as the label only permits applications that cover or incorporate the product at the time of planting. This waiver applies to applications to corn or other similar row crops where contact and re-entry are not expected. For crops where cultural practices involve reentry of other workers in the field at the time of planting, the posting and re-entry requirements will remain.

cc: Correspondence File
129086 Phostebupirim
128831 Cyfluthrin