Dear Mr. O’Conner:

Re: Registration of Force 1.5G Insecticide
(EPA Reg. No. 10182-130)

The New York State Department of Environmental Conservation has approved your application to register the referenced pesticide product, containing the new active ingredient tefluthrin. Force 1.5G Insecticide is a granular soil-applied product used to control insects on field corn, popcorn, and seedcorn.

This Department reviewed all of the information submitted in support of the registration, along with the continuously evolving mitigation measures, and has determined that use of the referenced product in conformance with the label directions is not likely to result in significant health or environmental risks. Documentation provided to the Department for review indicates that the fish kills associated with Force 1.5G Insecticide were due to use of the product in a manner not in conformance with the label. The recent label amendments place greater emphasis on the need to incorporate the product into soil at the time of application. In addition, the change in formulation reduces the potential for runoff of the active ingredient. No fish kill incidents have been associated with use of the alternate formulations (WF1535).

Since Force 1.5G is a federally restricted use pesticide, the same classification must apply in New York State. Please note that New York State Environmental Conservation Law (ECL) 33-0901.1 states that: "A commercial permit is required for the distribution, sale, offer for sale, purchase for the purpose of resale or possession for the purpose of resale of a restricted use pesticide." Thus, if ZENEC, Inc., proposes to sell or offer for sale any restricted use pesticide to any person within New York State, a commercial permit is required. ECL 33-0905.1 further states that: "Any person who engages in...the sale of restricted use pesticides shall be certified by the Commissioner..." Therefore, commercial permit holders must employ or retain under contract at least one person who is certified in New York State for the application of restricted use pesticides.
Enclosed is information pertaining to commercial permits in New York State, along with an application form for your convenience. Questions regarding commercial permits and certification should be directed to our Bureau of Pesticide Regulation at (518) 457-7482.

On June 14, 1993, in accordance with FIFRA Section 3(c)(7)(c), the United States Environmental Protection Agency (USEPA) extended the conditional registration of the referenced product for a period not to exceed November 15, 1994 and imposed the following conditions:

"(a) By November 31, 1993 ZENECA will submit to the Agency an initial proposal to address EPA's risk concerns which will consist of proposed aquatic risk reduction measures.

"(b) After receipt of the proposal, the Agency will evaluate the proposed risk reduction measures and if necessary meet to determine if it meets the Agency's expectations regarding adequate mitigation measures.

"(c) Make Agency's scientists available to discuss the proposed risk reduction measures as it progresses with the goal of achieving agreement on a final course of action by November 15, 1994."

As specified above in the terms of the conditional registration extension, the USEPA requires the development of additional aquatic risk reduction measures. As a condition of registration in New York State, ZENECA, Inc., must provide this Department with copies of correspondence and studies related to any proposed amendment of the federal registration status of the referenced product simultaneous with their submission to the USEPA. Documentation detailing the final USEPA registration decision must also be submitted to this Department within 30 days of receipt by ZENECA, Inc.

The Department recognizes the crucial role of soil incorporation of the subject product. If customary use of Force 1.5G Insecticide results in fish kills, the Department will re-examine this product and determine whether any further regulatory steps are appropriate.
The approved label is the federally registered label as submitted. Also enclosed, for your records, is the Certificate of Pesticide Registration and a copy of the stamped-accepted label.

Sincerely,

[Signature]

Norman H. Nosanchuck, P.E.
Director
Division of Hazardous Substances Regulation

Enclosures

cc: w/encs. - Donald Rutz, Cornell University
- James Tette, Cornell University
- Dennis Rapp, N.Y.S. Dept. of Ag. and Mkts.