

Tame[®] 2.4 EC Spray – Label Interpretation

Date December 1, 2003

Enclosure to Enforcement Letter ENF 03-42

Distribution County Agricultural Commissioners

Referral If you have any questions pertaining to this document, please contact your senior pesticide use specialist liaison.

Introduction This responds to a request for a label interpretation for the product Tame[®] 2.4 EC Spray (Tame[®]), U.S. Environmental Protection Agency Registration Number 59639-77-AA, concerning California only personal protective equipment (PPE) requirements.

Background Potted roses from a county were delivered to local home and garden retail stores in other counties. The plants had been treated with TAME[®] as part of the glassy-winged sharpshooter (GWSS) quarantine requirements, and subsequently inspected by a county biologist. Apparently, after reading the Tame[®] labeling requirements, the biologist placed tags on the plants stating that the plants could not be sold for 14 days, or handled without PPE (long-sleeved shirt, long pants and shoes plus socks) for 14 days. The retail stores and the grower were upset because the grower is required under GWSS quarantine to treat the plants, and if they then can't sell them for 14 days, it causes an additional financial burden.

California specific requirements The Tame[®] labeling has a 24 hour restricted entry interval (REI). The label states under "California Specific Requirements for Greenhouse Harvesters and Other Personnel Working With Treated Ornamentals," "Harvesters and other personnel performing tasks with foliage contact in treated areas within fourteen (14) days of application must wear a long-sleeved shirt, long pants and shoes plus socks." There are no statements on the label regarding sales of treated plants after the REI has expired and within 14 days of the application.

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Questions and answers

Questions concerning the California only PPE requirements are answered as follows:

1. Can the plants be sold by local home and garden retail stores within 14 days of the application?

Answer: Yes. Based on review of the Tame® labeling and review of Evaluation information in Pesticide Registration Branch's product registration file for Tame®, the requirements in the block labeled "California Specific Requirements for Greenhouse Harvesters and Other Personnel Working With Treated Ornamentals" (California specific requirements) are specific to and apply only to harvesters and other personnel working in a greenhouse. Therefore, after the 24 hour REI expires and after the treated potted plants are taken out of the greenhouse, the PPE requirements do not apply to those who may handle the treated potted plants outside of the greenhouse such as employees of a home and garden retail store.

2. Is there any requirement that the grower notify the retail stores of the 14 day labeling statement?

Answer: No. Because the California specific requirements do not apply to those who may handle the treated potted plants outside of the greenhouse such as retail store employees, the grower is not required to notify retail stores taking delivery of the potted plants.

3. Do employees of the retail stores have to wear the PPE listed when unloading the plants and putting them out on display at the store?

Answer: The PPE requirement does not apply to retail store employees. The California specific requirements only apply to harvesters and other personnel working in a greenhouse.

4. Is there a requirement or obligation to notify persons purchasing the potted plants of the 14 day PPE Requirement?

Answer: No. Again, California specific requirements only applies to harvesters and other personnel working in a greenhouse.
