



Mary-Ann Warmerdam
Director

Arnold Schwarzenegger
Governor

June 27, 2008

Brian L. Bret, Ph.D.
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, Indiana 46268-1054

Dear Dr. Bret:

Pursuant to Article 8, Subchapter 1, Chapter 2, Division 6 of Title 3 of the California Code of Regulation, the Director of the Department of Pesticide Regulation (DPR) placed three products intended for structural fumigation containing sulfuryl fluoride into reevaluation, including the following product:

Vikane, EPA Reg. No. 62719-4-ZA

DPR is required to investigate all reported pesticide episodes and information received indicating that a pesticide may have caused, or is likely to cause, a significant adverse impact. If the Director finds from the investigation that a significant adverse effect has occurred or is likely to occur, the pesticide involved shall be reevaluated. Therefore, certain structural fumigation products, including the product listed above are being reevaluated.

BASIS FOR REEVALUATION

In July 2006, DPR completed a risk assessment on inhalation exposure to sulfuryl fluoride as used in structural fumigation. In the risk characterization document (RCD), DPR scientists identified several scenarios where exposure to sulfuryl fluoride is of concern. DPR based the exposure assessment for these scenarios on limited data, using health-protective factors to compensate for data uncertainties. Based on the current exposure assessment, it appears that worker, bystander, and residential exposure cannot be mitigated using currently known mitigation strategies.

DPR is also concerned that current sulfuryl fluoride labels in combination with California regulations require workers to use self-contained breathing apparatus (SCBA) until air levels are confirmed to be below 1 part per million (ppm). DPR and the structural pest control industry developed a tarpaulin removal aeration plan (TRAP), based on the need to reduce worker exposure to 5 ppm (the standard on older labels). DPR is concerned that workers removing tarpaulins using the TRAP method may be exposed to sulfuryl fluoride levels above the permissible reentry level of 1 ppm, thereby, triggering the requirement to wear SCBA. While SCBA protects the worker from possible residues, DPR feels that it obstructs vision and can be hazardous to personnel working at heights, such as rooftops. DPR needs worker exposure



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monitoring data to assess whether the TRAP plan is adequate to reduce sulfur dioxide exposures to workers to 1 ppm (the current label standard) or to support a new method. DPR also needs monitoring data to develop mitigation methods that will reduce the risks to workers, bystanders, and residents.

REEVALUATION DATA REQUIREMENTS

Pursuant to this reevaluation, Dow AgroSciences LLC is required to submit the following:

1. Within **60 days** from the date of this letter, submit a written statement of intent to comply with the data requirements as a sole entity or through the formation of a Task Force.
2. Within **90 days** from the date of this letter, submit any monitoring data that your company has on file that may fulfill the requirements of this reevaluation as listed in items 3 and 4. If you conducted the study prior to initiation of the reevaluation, you do not need to submit a protocol as identified below.
3. Within **120 days** from the date of this letter, submit a study protocol for a worker exposure monitoring study as delineated in Table 1. Monitoring shall be conducted during aeration, untopping, and reentry of structures treated at maximum label rates. Monitoring shall include both area air monitoring and personal air monitoring. The exposure study must be designed to monitor inhalation exposure. DPR will establish a date for submission of the final report, once we approve the study protocol.

Table 1. Fumigant worker exposure data requirements.

Type of data required	Stage of Structural Fumigation			Guideline reference
	Aeration	Untopping	Reentry	
Area air monitoring	Required	Required	Required	OPPTS 875.1300, 875.1400
Personal air monitoring	Required	Required	Required	OPPTS 875.1300, 875.1400

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4. Within **120 days** from the date of this letter, submit a study protocol for a residential post-application monitoring study as delineated in Table 2. Monitoring shall include both instantaneous and continuous air measurements. Monitoring shall continue until measurements from both sampling methods are below the level of detection. The structure shall be treated at the maximum application rate on the product label. DPR will establish a date for submission of the final report, once we approve the study protocol.

Table 2. Residential post-application monitoring requirements.

Type of data required	Maximum Application Rate	Guideline reference
Instantaneous air measurements	Required	OPPTS 875.2500
Continuous air measurements	Required	OPPTS 875.2500

All studies and protocols submitted to DPR must be formatted in accordance with CA Notice 2006-06, Formatting Requirements for Scientific Data Submitted to the Department of Pesticide Regulation (Revised 08/10/2006). This Notice is located on DPR's Web site at: <<http://www.cdpr.ca.gov/docs/registration/canot/2006/ca2006-06.pdf>>.

GENERAL INFORMATION

Please note that pursuant to Food and Agricultural Code section 12811.5, as revised January 1, 2006, any registrant that does not submit its own data to fulfill a data requirement imposed by the Director to maintain the registration of its pesticide product, and instead relies upon data owned by another company, should be aware that they may have certain obligations, in specifically defined situations, to the owner of the data. For further information, please refer to AB 1011 – Consolidated Registration Resources located on DPR's Web site at: <<http://www.cdpr.ca.gov/docs/legbills/ab1011/resource.htm>>. Failure of a registrant to comply with the requirements of this reevaluation, may subject that registrant's product(s) to cancellation pursuant to Food and Agricultural Code section 12825(h).

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CONTACTS

If you have any questions regarding the reevaluation process, please contact Ms. Denise Webster by e-mail at <dwebster@cdpr.ca.gov> or by telephone at (916) 324-3522. If you have any questions regarding the required study protocols, please contact Ms. Linda O'Connell by e-mail at <loconnell@cdpr.ca.gov> or by telephone at (916) 445-1717.

Sincerely,

Ann Prichard, Acting Branch Chief
Pesticide Registration Branch
(916) 324-3931

cc: Ms. Linda O'Connell, Senior Environmental Scientist
Ms. Denise Webster, Program Specialist
Ms. Anne Downs, Program Specialist



Mary-Ann Warmerdam
Director

Arnold Schwarzenegger
Governor

June 27, 2008

Luz G. Chan
Drexel Chemical Company
P.O. Box 13327
Memphis, Tennessee 38113-0327

Dear Luz Chan:

Pursuant to Article 8, Subchapter 1, Chapter 2, Division 6 of Title 3 of the California Code of Regulation, the Director of the Department of Pesticide Regulation (DPR) placed three products intended for structural fumigation containing sulfuryl fluoride into reevaluation, including the following product:

Drexel Master Fume, EPA Reg. No. 19713-596-AA

DPR is required to investigate all reported pesticide episodes and information received indicating that a pesticide may have caused, or is likely to cause, a significant adverse impact. If the Director finds from the investigation that a significant adverse effect has occurred or is likely to occur, the pesticide involved shall be reevaluated. Therefore, certain structural fumigation products, including the product listed above are being reevaluated.

BASIS FOR REEVALUATION

In July 2006, DPR completed a risk assessment on inhalation exposure to sulfuryl fluoride as used in structural fumigation. In the risk characterization document (RCD), DPR scientists identified several scenarios where exposure to sulfuryl fluoride is of concern. DPR based the exposure assessment for these scenarios on limited data, using health-protective factors to compensate for data uncertainties. Based on the current exposure assessment, it appears that worker, bystander, and residential exposure cannot be mitigated using currently known mitigation strategies.

DPR is also concerned that current sulfuryl fluoride labels in combination with California regulations require workers to use self-contained breathing apparatus (SCBA) until air levels are confirmed to be below 1 part per million (ppm). DPR and the structural pest control industry developed a tarpaulin removal aeration plan (TRAP), based on the need to reduce worker exposure to 5 ppm (the standard on older labels). DPR is concerned that workers removing tarpaulins using the TRAP method may be exposed to sulfuryl fluoride levels above the permissible reentry level of 1 ppm, thereby, triggering the requirement to wear SCBA. While SCBA protects the worker from possible residues, DPR feels that it obstructs vision and can be hazardous to personnel working at heights, such as rooftops. DPR needs worker exposure



monitoring data to assess whether the TRAP plan is adequate to reduce sulfur dioxide exposures to workers to 1 ppm (the current label standard) or to support a new method. DPR also needs monitoring data to develop mitigation methods that will reduce the risks to workers, bystanders, and residents.

REEVALUATION DATA REQUIREMENTS

Pursuant to this reevaluation, Drexel Chemical Company is required to submit the following:

1. Within **60 days** from the date of this letter, submit a written statement of intent to comply with the data requirements as a sole entity or through the formation of a Task Force.
2. Within **90 days** from the date of this letter, submit any monitoring data that your company has on file that may fulfill the requirements of this reevaluation as listed in items 3 and 4. If you conducted the study prior to initiation of the reevaluation, you do not need to submit a protocol as identified below.
3. Within **120 days** from the date of this letter, submit a study protocol for a worker exposure monitoring study as delineated in Table 1. Monitoring shall be conducted during aeration, untopping, and reentry of structures treated at maximum label rates. Monitoring shall include both area air monitoring and personal air monitoring. The exposure study must be designed to monitor inhalation exposure. DPR will establish a date for submission of the final report, once we approve the study protocol.

Table 1. Fumigant worker exposure data requirements.

Type of data required	Stage of Structural Fumigation			Guideline reference
	Aeration	Untopping	Reentry	
Area air monitoring	Required	Required	Required	OPPTS 875.1300, 875.1400
Personal air monitoring	Required	Required	Required	OPPTS 875.1300, 875.1400

4. Within **120 days** from the date of this letter, submit a study protocol for a residential post-application monitoring study as delineated in Table 2. Monitoring shall include both instantaneous and continuous air measurements. Monitoring shall continue until measurements from both sampling methods are below the level of detection. The structure shall be treated at the maximum application rate on the product label. DPR will establish a date for submission of the final report, once we approve the study protocol.

Table 2. Residential post-application monitoring requirements.

Type of data required	Maximum Application Rate	Guideline reference
Instantaneous air measurements	Required	OPPTS 875.2500
Continuous air measurements	Required	OPPTS 875.2500

All studies and protocols submitted to DPR must be formatted in accordance with CA Notice 2006-06, Formatting Requirements for Scientific Data Submitted to the Department of Pesticide Regulation (Revised 08/10/2006). This Notice is located on DPR's Web site at: <<http://www.cdpr.ca.gov/docs/registration/canot/2006/ca2006-06.pdf>>.

GENERAL INFORMATION

Please note that pursuant to Food and Agricultural Code section 12811.5, as revised January 1, 2006, any registrant that does not submit its own data to fulfill a data requirement imposed by the Director to maintain the registration of its pesticide product, and instead relies upon data owned by another company, should be aware that they may have certain obligations, in specifically defined situations, to the owner of the data. For further information, please refer to AB 1011 – Consolidated Registration Resources located on DPR's Web site at: <<http://www.cdpr.ca.gov/docs/legbills/ab1011/resource.htm>>. Failure of a registrant to comply with the requirements of this reevaluation, may subject that registrant's product(s) to cancellation pursuant to Food and Agricultural Code section 12825(h).

Luz G. Chan
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CONTACTS

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Sincerely,

Ann Prichard, Acting Branch Chief
Pesticide Registration Branch
(916) 324-3931

cc: Ms. Linda O'Connell, Senior Environmental Scientist
Ms. Denise Webster, Program Specialist
Ms. Anne Downs, Program Specialist



Mary-Ann Warmerdam
Director

Arnold Schwarzenegger
Governor

June 27, 2008

Mr. Ken Kendall
Ensystem II, Inc.
P.O. Box 87329
Fayetteville, North Carolina 28304-7329

Dear Mr. Kendall:

Pursuant to Article 8, Subchapter 1, Chapter 2, Division 6 of Title 3 of the California Code of Regulation, the Director of the Department of Pesticide Regulation (DPR) placed three products intended for structural fumigation containing sulfuryl fluoride into reevaluation, including the following product:

Zythor, EPA Reg. No. 81824-1-AA

DPR is required to investigate all reported pesticide episodes and information received indicating that a pesticide may have caused, or is likely to cause, a significant adverse impact. If the Director finds from the investigation that a significant adverse effect has occurred or is likely to occur, the pesticide involved shall be reevaluated. Therefore, certain structural fumigation products, including the product listed above are being reevaluated.

BASIS FOR REEVALUATION

In July 2006, DPR completed a risk assessment on inhalation exposure to sulfuryl fluoride as used in structural fumigation. In the risk characterization document (RCD), DPR scientists identified several scenarios where exposure to sulfuryl fluoride is of concern. DPR based the exposure assessment for these scenarios on limited data, using health-protective factors to compensate for data uncertainties. Based on the current exposure assessment, it appears that worker, bystander, and residential exposure cannot be mitigated using currently known mitigation strategies.

DPR is also concerned that current sulfuryl fluoride labels in combination with California regulations require workers to use self-contained breathing apparatus (SCBA) until air levels are confirmed to be below 1 part per million (ppm). DPR and the structural pest control industry developed a tarpaulin removal aeration plan (TRAP), based on the need to reduce worker exposure to 5 ppm (the standard on older labels). DPR is concerned that workers removing tarpaulins using the TRAP method may be exposed to sulfuryl fluoride levels above the permissible reentry level of 1 ppm, thereby, triggering the requirement to wear SCBA. While SCBA protects the worker from possible residues, DPR feels that it obstructs vision and can be hazardous to personnel working at heights, such as rooftops. DPR needs worker exposure



monitoring data to assess whether the TRAP plan is adequate to reduce sulfur dioxide exposures to workers to 1 ppm (the current label standard) or to support a new method. DPR also needs monitoring data to develop mitigation methods that will reduce the risks to workers, bystanders, and residents.

REEVALUATION DATA REQUIREMENTS

Pursuant to this reevaluation, Ensystex II, Inc. is required to submit the following:

1. Within **60 days** from the date of this letter, submit a written statement of intent to comply with the data requirements as a sole entity or through the formation of a Task Force.
2. Within **90 days** from the date of this letter, submit any monitoring data that your company has on file that may fulfill the requirements of this reevaluation as listed in items 3 and 4. If you conducted the study prior to initiation of the reevaluation, you do not need to submit a protocol as identified below.
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Table 2. Residential post-application monitoring requirements.

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Mr. Ken Kendall
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CONTACTS

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Sincerely,

Original signed by

Ann Prichard, Acting Branch Chief
Pesticide Registration Branch
(916) 324-3931

cc: Ms. Linda O'Connell, Senior Environmental Scientist
Ms. Denise Webster, Program Specialist
Ms. Anne Downs, Program Specialist