

2217-783

09/13/2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 13, 2011

James Kunstman, Ph.D.
1217 West 12th St.
PO Box 014090
Kansas City, MO 64101

Subject: Amended Reregistration Label
Product Name: Acme Aqueous Pyrenone Garden Spray
EPA Registration Number: 2217-783
EPA Decision Numbers: 412208 and 410973

Dear Dr. Kuntsman:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all of the information submitted with your application to support the reregistration of the above referenced product in connection with the pyrethrins and piperonyl butoxide (PBO) REDs, and has concluded that your submission is acceptable.

NOTE: This product is not being reregistered under sections 3(c)5 and 4(g) of FIFRA at this time.

Please note that the record for this product currently contains the Confidential Statements of Formulation (CSFs) listed below. Any previously dated CSFs are superseded.

- Basic CSF, dated 2/1/10

A copy of your label stamped "Accepted" is enclosed along with copies of the acute toxicity and product chemistry reviews completed for the subject product. Products shipped after 12 months from the date of this amendment or the next printing of the label whichever occurs first, must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e).

If you have any questions about this letter, please contact Jennifer Urbanski at 703-347-0156 or urbanski.jennifer@epa.gov.

Sincerely,



Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)

*Enclosures: Label stamped "Accepted," dated 9/13/11
Acute Toxicity Review, dated 3/15/10
Product Chemistry Review, dated 3/3/11*

ACME AQUEOUS PYRENONE® GARDEN SPRAY

EPA Reg. No. 2217-783

ACTIVE INGREDIENT:

Pyrethrins	0.02%
*Piperonyl Butoxide	0.20%
OTHER INGREDIENTS:	99.78%
TOTAL	100.00%

*Butylcarbitol (6-propylpiperonyl) ether and related compounds.
 Contains 0.0016 pound of pyrethrins per gallon
 PYRENONE® is a registered trademark of Bayer AG.

ACCEPTED
 SEP 13 2011

Under the Federal Insecticide, Fungicide,
 and Rodenticide Act, as amended, for the
 pesticide registered under:

KEEP OUT OF REACH OF CHILDREN

CAUTION

EPA. Reg. No: 2217-783

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed or absorbed through skin. Avoid breathing vapors. Avoid contact with eyes, skin, or clothing.

User Safety Recommendations

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

First Aid

If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 - 20 minutes. • Call a poison control center or doctor for treatment advice.



If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment advice.</p>	

Environmental Hazards

This pesticide is toxic to aquatic organisms, including fish and invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

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 to blooming crops or weeds while bees are actively visiting the treatment area.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

USE RESTRICTIONS

- Do not make applications during rain
- Do not water the treated area to the point of run-off.
- Not for use in outdoor residential misting systems.
- Do not apply this product in a way that will contact adults, children or pets, either directly or through drift.
- All outdoor applications must be limited to spot or crack and crevice treatments only, except for the following uses: 1) Treatment to soil or vegetation around structures; 2) Applications to lawns, turf, and other vegetation; 3) Applications to building foundations, up to a maximum height of 3 feet.
- Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.
- Do not apply directly into sewers or drains, or to any area like a gutter where drainage to storm sewers, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

[OPTION 1

TO OPERATE: Shake before using. Hold sprayer 18 inches from foliage and spray with circular motion. Direct spray so that upper and lower leaf surfaces are contacted. Use caution on new growth and tender foliage. When using outdoors, spray when air is still.]

[OPTION 2

TO OPERATE: Shake before using. Remove shipping cap and save. Insert sprayer hose into bottle and tighten securely. Prime sprayer by holding at cap level of bottle and pumping trigger. Turn nozzle to "spray" or "stream" position before using. Hold pump sprayer 18 to 24 inches from foliage or surfaces being treated. Direct spray so that upper and lower surfaces are contacted. Use caution on new growth

and tender foliage. Remove sprayer and replace shipping cap between uses. Spray water through sprayer after each use. Sprayer should be rinsed thoroughly and pumped empty for storage.]

This insecticide may be used indoors, outdoors, or in greenhouses throughout the growing season, or as a preharvest treatment when other insecticides are prohibited due to residue restrictions and use limitations.

To control insects named, apply this spray to provide thorough coverage of upper and lower leaf surfaces. Repeat treatment weekly. May be applied on day of harvest.

1. USE ON THE FOLLOWING GARDEN CROPS OR VEGETABLES:

Asparagus	Cauliflower	Kale	Radish
Beans	Celery	Lettuce	Spinach
Broccoli	Collard	Mustard Green	Tomato
Brussels Sprout	Cranberry	Pepper	Turnip
Cabbage	Eggplant	Potato	

To control: asparagus beetle, aphid, leafhoppers, whitefly, Mexican bean beetle, spotted cucumber beetle, cabbage looper, cross-striped cabbageworm, stink bugs, green peach aphid, leaf tier, blister beetle, Colorado potato beetle, and webworms.

Use restrictions for home vegetable gardens and home greenhouse applications: Do not allow adults, children, or pets to enter the treated area until sprays have dried. Do not exceed the use rate of one gallon of product per 750 sq.ft. of area per application (0.0012 pound pyrethrins and 0.012 pound piperonyl butoxide per 1,000 sq.ft. per application). Do not apply more than 10 times per season. Do not reapply within 3 days except under extreme pest pressure. In case of extreme pest pressure do not reapply within 24 hours. Do not wet plants to point of runoff or drip.

2. USE ON THE FOLLOWING ORNAMENTALS:

African violet	Camellia	Dogwood	Marigold
Aster	Carnation	Geranium	Roses
Azalea	Chrysanthemum	Gladiolus	Wandering Jew
Begonia	Dahlia		

On trees and shrubs: To control gypsy moth caterpillars and adults, Japanese beetle (adult), and forest tent caterpillar, treat trees and shrubs as soon as insects emerge (usually late spring). Treat leaves, branches and tree trunks evenly, making sure to penetrate dense foliage. Repeat application every 7 days as necessary for control.

On roses and in flower gardens: To control gypsy moth (caterpillars and adults), Japanese beetle (adult), and forest tent caterpillar, treat plants and flowers as soon as insects appear. Spray plants and flowers making sure to penetrate dense foliage. Repeat application every 7 days or as necessary for control.

Use restrictions for ornamentals (trees, shrubs, and flowers): Do not allow adults, children, or pets to enter the treated area until sprays have dried. Do not wet plants to point of runoff or drip. Do not apply more than 1 time per day. Do not exceed the use rate of one gallon of product per 750 sq.ft. of area per application (0.0012 pound pyrethrins and 0.012 pound piperonyl butoxide per 1,000 sq.ft. per application)

3. INDOORS AS A SPACE SPRAY IN HOUSEHOLDS (RESIDENTIAL DWELLINGS):

To control house flies, fruit flies, mosquitoes, gnats and small flying moths, apply using a good sprayer adjusted to deliver a fine mist.

[OR

To control house flies, fruit flies, mosquitoes, gnats and small flying moths, turn the nozzle tip of the sprayer to deliver a fine mist.]

Close windows and doors and shut off ventilating systems. Direct spray toward upper portions of the enclosure filling the room with mist. Use 4 to 5 fluid ounces of product per 1,000 cubic feet of space (0.00005 to 0.00006 pound of pyrethrins per 1000 cu.ft. Keep area closed for at least 30 minutes. Repeat treatment as needed.

Use restrictions for households (residential dwellings): Remove or cover exposed food and drinking water before application. Remove or cover dishes, utensils, food processing equipment, and food preparation surfaces, or wash them before use. Do not remain in treated area. Exit area immediately and remain outside the treated area until aerosols, vapors, and/or mists have dispersed. Do not allow adults, children, or pets to enter until vapors, mists, and aerosols have dispersed, and the treated area has been thoroughly ventilated. Remove pets, birds, and cover fish aquariums before spraying.

4. OUTDOORS FOR ADULT MOSQUITO CONTROL:

Apply as a fine mist to treat the entire area. For best results, treat when the wind velocity does not exceed 5 miles per hour. Treat shrubbery and vegetation as a foliar treatment where mosquitoes may rest particularly around the perimeter of mosquito breeding sites such as swamps, marshes, stagnant pools and ponds.

Use 5 to 6 quarts of product per acre. See Table 1.

Table 1. Use rates as a foliar application for adult mosquito control.

Amount of product per acre	Equivalent amount of pyrethrins per acre	Amount of product per 1000 sq.ft.	Equivalent amount of pyrethrins per 1000 sq.ft.
5.0 quarts/A	0.0020 lb ai/acre	3.7 fl. oz./1,000 sq.ft.	0.000046 lb ai/1,000 sq.ft.
6.0 quarts/ A	0.0024 lb ai/acre	4.4 fl.oz./1,000 sq.ft.	0.000055 lb ai/1,000 sq.ft.

Use restrictions for outdoor adult mosquito control: Do not allow adults, children, or pets to enter the treated area until sprays have dried. Not for use in outdoor residential misting systems. Do not apply directly to or near water, storm drains, or drainage ditches. Do not apply when windy. To prevent product run-off, do not over water the treated area(s) or apply prior to heavy rainfall. Do not apply more than 1 time per day.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

PESTICIDE STORAGE: Do not transport or store under 32°F. If freezing occurs, thaw and agitate vigorously. Store in original container in a cool, dry place inaccessible to children and pets.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR

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PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Contents: _____
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- Controls Gypsy Moth Caterpillars And Japanese Beetles
- An Effective Insecticide For Use On Vegetable And Ornamental Insects
- A Pyrenone® Micro-Emulsion, Clear, Stable
- Apply With Conventional Mechanical Compressed Air Equipment, Trigger-Type Sprayers, Or Hand Sprayers.
- ? Information: 1-XXX-XXX-XXXX.
- Fast Acting
- Use indoors or outdoors.
- Use on roses, flowers, shrubs, trees and vegetables.
- Apply weekly or as needed to control insects.
- May be applied on the day of harvest.
- Kills/Controls most common insects.
- [Graphics] of various listed insects.
- Ready to use (RTU)
- For use on garden vegetables and ornamentals
- Kills/Controls: Insects: aphids, whiteflies, Japanese beetles, cabbage loopers, tent caterpillars, stinkbugs and other listed insects.
- Use On: roses, flowers, shrubs, trees and indoor plants.
- Use on vegetables up to the day of harvest.
- Amount to Use: Spray to provide thorough coverage of upper and lower leaf surfaces.

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00783.20110909.amend-proposed-clean.doc

2. Reason for Issue: Respond (#2) to EPA comments. Re-registration. Re-format label.