

PM 21 38087-2 TE RE 10/5



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460
APR 15 1994

Larry W. Moore
NEW BIOPRODUCTS INC
4737 N.W. ELMWOOD DR
Corvallis, OR 97330

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 01/04/94 in Response to PR Notice 93-7
EPA Reg. No. 38087-2
NORBAC 84-C

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments reflected on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

By the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling
- AND
- WITHIN one year from date of this acceptance.



Recycled/Recyclable
Printed with Soy/Candla Ink on paper that
contains at least 50% recycled fiber

2015

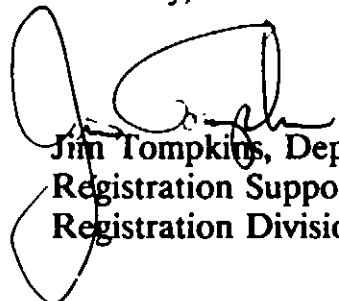
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

Hand or courier deliveries of final printed labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

3045

NEW BIOPRODUCTS INC
38087-2 01/04/94
NORBAC 84-C
Original Submission

You may delete the respirator statement added to your proposed label. It is not required for your product.

Add the following Spanish precautionary statement to the front panel of your label associated with the signal word: "Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle." (If you do not understand the label, find someone to explain it to you in detail)." The exact location is shown in Section E on Part 2 of the Product Worksheet in Supplement Three A to PR Notice 93-7.

You have incorrect wording in the second-to-last sentence in the first paragraph in the Agricultural Use Requirements box on your proposed label. The sentence must be as follows: "It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval."

Delete the crossed-out statements on your proposed label. They are redundant statements or phrases.

Correct the typographical errors circled on your proposed label.

4075

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS (& DOMESTIC ANIMALS)

PRECAUTIONARY STATEMENTS

1. Applicators and other handlers must wear:

- A. Long sleeved shirt and long pants.
- B. Waterproof gloves.
- C. Shoes plus socks.
- D. Dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C)

2. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

STORAGE AND DISPOSAL

STORAGE: Refrigerate NORBAC 84-C until used.

Do not store bags where they can be punctured or crushed by sharp or heavy objects. During storage, keep NORBAC 84-C separated from the other pesticides, fertilizers, food, and feed to prevent cross contamination. Do not contaminate water, food or feed by storage or disposal.

DISPOSAL:

1. **PESTICIDE DISPOSAL:** If the bag is ruptured accidentally or spilled, wear rubber gloves to clean up the spill. Use a spatula to recover the excess and soak up the remainder with paper towels. Dispose of the contents and used toweling on site or at an approved waste disposal facility.

2. **CONTAINER DISPOSAL:** To remove contents of bag, clip off corner and empty contents of bag into application equipment. Rinse remaining contents from bag with water. Dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

NORBAC 84-C

for

Biological Control of Crown Gall

FOR USE ON NON-FOOD AND NON-BEARING PLANTS ONLY

Active Ingredient: *Agrobacterium radiobacter* (strain K84) 2.25%
 Inert Ingredients 97.75%

TOTAL 100.00%

Each 5 unit package contains not less than 4×10^{11} cfu in 500 milliliters and when mixed as directed will provide a suspension of not less than 4×10^8 cfu/milliliter.

KEEP OUT OF REACH OF CHILDREN

WARNING AVISO

Si usted no entiende la etiqueta busque a alguien para que se la explique a usted en detalle. *Add English translation*

Causes eye and skin irritation. Do not get in eyes. Avoid contact with skin and clothing.

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Administer First Aid and call physician.

IF INHALED: Administer First Aid and call physician.

IF ON SKIN: Immediately flush with plenty of water for at least 15 minutes.

IF IN EYES: Immediately flush with plenty of water for at least 15 minutes and call a physician.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

MFG. BY: New BioProducts, Inc.
 TOWN, STATE: Corvallis, OR
 ESTABLISHMENT NO.: 38087-OR-1
 EPA REGISTRATION NO.: 38087-2
 NET CONTENT: 500 GRAMS

Lot. No.
Date Mfrd.

Each package contains 5 units: In EPA Letter Dated APR 15 1994
 Makes 5 gallons of suspension
 Treats 5,000 seedlings

PERISHABLE: USE PRIOR TO EXPIRATION DATE. Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

ACCEPTED with COMMENTS APR 15 1994
38087-2

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains (specific) instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE). The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Waterproof gloves
- Shoes plus socks

CROP: Root and Stem Application to non-bearing almond, apricot, caneberry, cherry, nectarine, peach, plum, prune, walnut and the ornamentals euonymus, rose and weeping cherry.

CROP: Germinating Seed Application to seeds of almond, apricot, cherry, nectarine, peach, plum, prune, walnut, and weeping cherry.

CROP: Cutting Application to cuttings of almond, apricot, cane berry, cherry, nectarine, peach, plum, prune, walnut and the ornamentals euonymus, rose and weeping cherry cuttings.

See SUPPLEMENTAL DIRECTIONS FOR USE relative to applications mentioned above.

Revised 12/93

BEST AVAILABLE COPY

EofS

SUPPLEMENTAL LABEL DIRECTIONS

NORBAC 84-C

for
Biological Control of Crown Gall

FOR USE ON NON-FOOD AND NON-BEARING
PLANTS ONLY

Norbac 84C is a bacterial inoculant of *Agrobacterium radiobacter* strain K84 which aids in the control of crown gall disease on certain bare-root seedlings, liners and planting stock. Application of Norbac 84C as directed may result in satisfactory control of crown gall for one or more growing seasons. However, Norbac 84C will not control crown disease when disease is established in the plant tissue prior to treatment.

PRECAUTIONS

General: Norbac 84C is a concentrated suspension of living bacterial cells subject to injury and death.

Specific: For best results use immediately upon receipt or store under refrigeration (35-40°F) not more than 40 days. Do not use if frozen, exposed to hot temperatures or allowed to dry. Mix only with clear, clean chlorine-free water using clean containers and utensils. Do not expose packages, treating suspensions, or treated stock to direct sunlight. Do not dip or wash treated stock prior to planting.

DO NOT REPACKAGE NORBAC 84C.

Warranty

NEW BIOPRODUCTS, INC. warrants that this material conforms to the description on this label and is reasonably fit for purposes referred to in the directions for use. The directions for use and other statements of limitation on this label are based upon opinions of experts, tests and field use and are believed reliable. Neither NEW BioProducts, INC. nor the seller make any warranty, expressed or implied, and in no case will be liable for consequential, special or direct damages resulting from use, handling, storage or disposal of this product other than those stated on this label. All such risks shall be assumed by the buyer and user.

EPA Reg. No. 38087-2
EPA Est. No. 38087-OR-01

Manufactured by: New BioProducts, Inc.
4737 NW Elmwood Dr., Corvallis, OR 97330
(503) 752-2045

Net Content/bag: 100 Grams ___ 500 Grams ___

PERISHABLE: USE PRIOR TO:

BEST AVAILABLE COPY

DOSAGE RATE

NORBAC 84-C is shipped in packages containing 1 to 5 units of a concentrated bacterial suspension. One unit is 100mL.

There are at least 8×10^{10} cfu of *A. radiobacter* K84 per 100mL of bacterial suspension.

Use at the rate of one unit per gallon of water.

A one and 5 unit package properly mixed in water will treat 1,000 and 5,000 bare root seedlings (1/4 in. caliper), respectively.

MIXING DIRECTIONS

Add each unit (see DOSAGE RATE) of NORBAC 84-C to one gallon of clear, chlorine-free water in a clean container, using EPA Worker Protections Standards that are printed on the label. Rinse the package free of bacterial suspension and add to the container. Mix water and NORBAC 84-C thoroughly.

DO NOT HOLD DILUTED SUSPENSION FOR MORE THAN 8 HOURS.

TREATMENT OF PLANTS & PROPAGULES

1. ROOT AND STEMS: Seedlings, liners, transplants and replant bare-root nursery stock should be treated as soon as possible after root pruning or other handling operations that damage plant tissue. Dip clean seedlings, liners, transplant or replant bare-root stock into suspension of NORBAC 84-C until all root surfaces and the stem above the bud or graft union are completely wet, or spray these tissues to runoff. Replace treatment suspension after treating the equivalent of 1000 plants/gallon of suspension or sooner when larger trees are dipped or when the suspension becomes excessively dirty. Large plants may require 10-15 gal. of suspension per 5,000 plants. Treated plants should be protected from direct sunlight and excessive drying by storing in a cool humid area or heeled in clean moist material such as sphagnum or sawdust. Treated plants must be protected from drying during transport to the planting site and during the planting operation.

2. GERMINATING SEED: Dip 75 pounds of seed into a suspension of NORBAC 84-C prepared by adding 5 units of NORBAC 84-C to 5 gallons of clear, unchlorinated water in a clean container. The surface of the seed must be thoroughly wet. Remove the seed from the suspension, drain off excess liquid, and sow immediately. **DO NOT ALLOW THE SEED TO COMPLETELY DRY BEFORE SOWING. DO NOT HOLD DILUTED SUSPENSION MORE THAN 8 HOURS.**

3. CUTTINGS: Cuttings are treated by dipping clean basal ends in NORBAC 84-C suspension. Use one unit per gallon of water as described above. Treated cuttings must be protected from drying and direct sunlight by storing in a cool humid area until they are placed in rooting media.

Revised 12/93

Lot No. _____
Date Mfr.: _____