

73049-12

5/12/2009



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

May 12, 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Doina Bujor, Regulatory Manager
Valent BioSciences Corporation
870 Technology Way
Libertyville, IL 60048

RE: Product Name: Dipel Biological Insecticide Technical Powder
EPA Reg. No: 73049-12
Application for Label Notification Dated April 9, 2009 to Update Storage and
Disposal Language per PR Notice 2007-4

Dear Ms. Bujor:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticides Registration Notice (PRN) 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PRN 98-10 and it has been determined that the action(s) requested falls within the scope of PRN 98-10. Our records have been duly noted, and the letter submitted with this application has been stamped "Notification, received and reviewed" and will be placed accordingly in our records.

Questions concerning this action should be directed to Ms. Diana Hudson at (703) 308-8713 or email at HUDSON.DIANA@EPA.GOV.

Sincerely,

Sheryl K. Reilly

Sheryl K. Reilly, Ph.D., Chief
Microbial Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)



United States Environmental Protection Agency Washington, DC 20460

Registration [] Amendment [] Other [X]

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number: 73049-12
2. EPA Product Manager: Sheryl Reilly
3. Proposed Classification: [X] None [] Restricted
4. Company/Product (Name): DiPel Biological Insecticide Technical Powder
5. Name and Address of Applicant: Valent BioSciences Corporation
6. Expedited Review: [] EPA Reg. No. Product Name

Section - II

Amendment - Explain below. []
Resubmission in response to Agency letter dated []
Notification - Explain below. [X]
Final printed labels in response to Agency letter dated []
"Me Too" Application []
Other - Explain below []
Date Reviewed: 5-12-09
Reviewed By: D. Hudson

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of label per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. NO other changes have been made to the labeling or the Confidential Statement of Formula for this product. (see next page)

Section - III

1. Material This Product Will Be Packaged In:
Child-Resistant Packaging: [X] No
Unit Packaging: [X] No
Water Soluble Packaging: [X] No
2. Type of Container: [X] Other (Specify)
3. Location of Net Contents Information: [X] Label [] Container
4. Size(s) Retail Container
5. Location of Label Directions: [X] On Label [] On Labeling accompanying product
6. Manner in Which Label is Affixed to Product: [] Lithograph [] Paper glued [] Stenciled [] Other

Section - IV

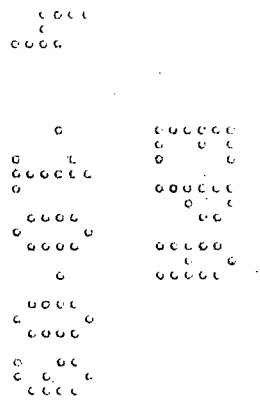
1. Contact Point: Name: Doina Bujor, Title: Regulatory Manager, Telephone No.: 847-968-4724
Certification: I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.
2. Signature: [Handwritten Signature]
3. Title: Regulatory Manager
4. Typed Name: Doina Bujor
5. Date: Apr 9, 2009
6. Date Application Received (Stamped)

Notification of Storage and Disposal Statement (PR Notice 2007-4) for DiPel Technical Powder, EPA Reg. No. 73049-12 (continuation from the previous page)

I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§152.46, 56.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and may be subject to enforcement action and penalties under section 12 and 14 of FIFRA.


Doina Bujor
Regulatory manager

April 9, 2009





April 9, 2009

Sheryl Reilly
Biopesticides & Pollution Prevention Division
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501
703-308-8269

RE: DiPel Technical Powder (EPA Reg. No. 73049-12) Notification

Dear Ms. Reilly:

Valent BioSciences Corporation is submitting a notification for DiPel Technical Powder (EPA Reg. No. 73049-12) in accordance with PR Notice 2007-4 and PR. The changes made to the label are to the Storage and Disposal statement and include the container disposal language for non-refillable container.

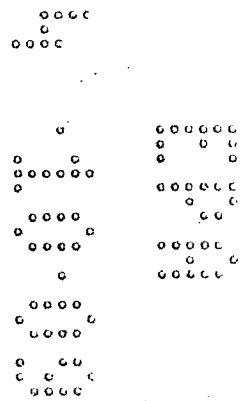
Present submission consists of:

- Application for Registration (EPA form 8570-1)
- One copy of the red-lined label
- One copy of the clean label.

Please contact me if you have any questions at 847-968-4724 or by e-mail at doina.bujor@valent.com.

Sincerely,

Doina Bujor
Regulatory Manager



5/7

NOTIFICATION

**DIPEL®
BIOLOGICAL INSECTICIDE
TECHNICAL POWDER**

Date Reviewed: 5-12-09

Reviewed By: D. Hudson

FOR MANUFACTURING USE ONLY

Active Ingredient:

Bacillus thuringiensis subsp. *kurstaki*, strain ABTS-351, fermentation solids, spores and insecticidal

toxins.....91% w/w

Inert Ingredients.....9% w/w

Total.....100%

The percentage active ingredient does not indicate product performance.

EPA Registration No. 73049-12

Lot No.: _____

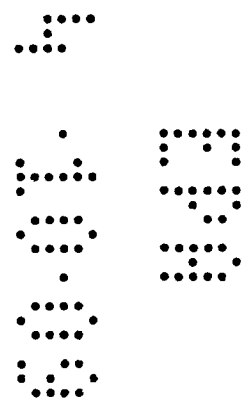
EPA Est. No. 33762-IA-1

Valent BioSciences Corporation

870 Technology Way

Libertyville, IL 60048

Net Contents:



**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID

If in eyes:	Hold eyes 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 advise.
If on skin or clothing:	Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 -20 minutes. Call a poison control center or doctor for treatment advise.

HOT LINE NUMBER

Have the product container with you when calling a poison control center or doctor, or going for treatment. For medical emergencies, you may also call toll-free 1-877-315-9819 for treatment information.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

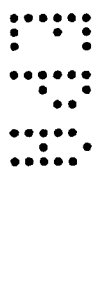
Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NDPES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. DiPel Technical Powder is used in the formulation of end-use products registered for use on terrestrial and greenhouse raw agricultural commodities, as well as stored agricultural commodities, turf and forestry.



This product may be used to formulate products for any additional use(s) not listed on the For Manufacturing Use label if the formulator, user group, or grower has complied with US EPA requirements regarding support of such use(s).

STORAGE AND DISPOSAL

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

Storage: Reclose containers of unused DiPel Technical Powder. Store in a dry place inaccessible to children and out of sunlight.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty liner by tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Dispose of liner in a sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke. Perforate or crush drum and dispose of in the same manner.

NOTICE TO USER

Seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on the label. User assumes all risks of use, storage or handling not in strict accordance with accompanying directions.

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