

4-472

05/21/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Nicole Russell
Product Registration
Bondie Products, Inc.,
6301 Sutiff Road
Oriskany, NY 13424

MAY 21 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Names "Orchard Est. 1931 Rose & Flower Insect Spray
Ready to Use" and "Rose & Flower Insect Spray Ready to Use" and General
Label Change (Marketing Claims)
EPA Reg. No.4-472
Application Dated April 27, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 04/27/09 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 4-472	2. EPA Product Manager LaRocca	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bonide® Spinosad Ready-to-Use	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Bonide Products, Inc. 6301 Sutliff Road Oriskany, NY 13424 Attn: Nicole Russell <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

NOTIFICATION

MAY 21 2009

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

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

NOTIFICATION: Addition of additional brand names, optional marketing statements and clarification of use sites. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the CSF of this product. Bonide Products, Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA and further understands that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and Bonide Products, Inc. may be subject to enforcement action and penalties under section 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Nicole Russell	Title Pesticide Compliance Specialist	Telephone No. (Include Area Code) 315-736-8231 ext. 230
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Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

6. Date Application Received
(Stamped)

2. Signature 	3. Title Pesticide Compliance Specialist	6. Date Application Received (Stamped)
4. Typed Name Nicole Russell	5. Date 4-27-09	

Bonide Products, Inc.

6301 Sutliff Rd.
Oriskany, NY 13424

Phone (315) 736-8231
Fax (315) 736-7582

April 27, 2009

FedEx: 8685 1623 2377

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE: Bonide® Spinosad® Ready-to-Use
EPA Reg. No. 4-472
Notification – Addition of additional brand names, optional marketing statements and clarification
of use sites.

To Whom It May Concern:

Enclosed, please find a completed form 8570-1, Notification and the latest final printed label for the
above mentioned registration. I trust you will find everything in order for approval.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR
152.46, and no other changes have been made to the labeling or the confidential statement of formula of
this product. 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 this notification is not consistent with the terms of PR Notice 98-10 and
40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and
penalties under sections 12 and 14 of FIFRA.

Should you have any questions or require additional information, please do not hesitate to contact me at
(315) 736-8231, extension 230 or by e-mail at Nicoler@bonide.com.

Sincerely,


Nicole Russell
Pesticide Compliance Specialist

Enclosure

Faint, illegible text or markings in the bottom right corner of the page.

CAPTAIN JACK'S DEAD BUG BREW READY-TO-USE

FOR RESIDENTIAL USE IN HOME GARDENS, LAWNS AND ORNAMENTALS FOR CONTROL OF FOLIAGE FEEDING WORMS (CATERpillARS), THRIPS AND OTHER LISTED PESTS IN:

- FRUITING VEGETABLES, SUCH AS TOMATO, PEPPER, OKRA AND EGGPLANT
- CUCURBITS, SUCH AS CANTALOUPE AND HONEYDEW
- COLE CROPS (BRASSICA), SUCH AS BROCCOLI, CABBAGE AND CAULIFLOWER
- LEAFY VEGETABLES, SUCH AS LETTUCE, SPINACH AND CELERY
- TUBEROUS VEGETABLES, SUCH AS POTATOES, SWEET POTATOES, YAMS, JERUSALEM ARTICHOKE, CHINESE ARTICHOKE AND CASSAVA
- STONE FRUITS, SUCH AS PEACHES, PLUMS, CHERRIES, NECTARINES, PRUNES AND APRICOTS
- APPLE AND OTHER POME FRUITS, SUCH AS PEARS, CRABAPPLES, MAYHAW AND QUINCE
- BUSHBERRIES AND CANEBERRIES, SUCH AS BLUEBERRY, BLACKBERRY AND RASPBERRY

For Outdoor Residential Use Only.
Store and transport in an upright position.
EPA Est. No. 4-NY-1 EPA Reg. No. 4-472
Buyers Guarantee Limited to Label Claims.
©Bonide Products, Inc. All Rights Reserved
Bonide Products, Inc.
6301 Sutliff Road
Oriskany, NY 13424
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DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

For residential use in home gardens, lawns and ornamentals. Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

This insect control product is intended for control of worms (caterpillars) and other listed insects. This product does not significantly impact predatory beneficial insects, predatory mites, and spiders while controlling target pests. Susceptible insect pests may be observed on plants up to several hours after treatment, but will have ceased active feeding before being killed. Spinosad is classified as an organic substance by the USDA National Organic Standards Board.

Captain Jack's DEADBUG Brew® contains Spinosad "spin-OH-sid". Spinosad is derived from a naturally occurring soil dwelling bacterium that was collected from an abandoned rum distillery on a Caribbean island in 1982. This unique bacterium was defined as a new species when it was discovered and it has never been found in nature anywhere else in the world. Since being discovered, Spinosad has become a pesticide used by agriculture world-wide in the production of organic produce. Today, Spinosad is available to the homeowner in Captain Jack's DEADBUG Brew® Spinosad Ready-to-Use.

HOW TO APPLY

Shake Well Before Use

This product may be applied directly from this container. Make a thorough and complete application (a thin, uniform film) to both the tops and undersides of leaves. Apply when wind is very light or absent, usually early morning or evening will prevent drift and loss of product to adjacent areas.

WHEN TO APPLY

Apply when listed pests are present. Repeat applications may be made as indicated in the Home Gardens section. See your state extension service recommendations for treatment guidelines in your area.

USES

General Use Precautions and Restrictions
Do not make overhead applications with this product container. For taller (greater than 6 ft. ht.), mature trees, use Bonide Captain Jack's DeadBug Brew Concentrate with hand-held or backpack sprayer equipment, or Bonide Captain Jack's DeadBug Brew RTS a ready-to-spray hose-end applicator package. Always read and follow label directions before use.

Home Gardens
In the state of Georgia, do not apply this product to: Broccoli Raab, Chinese Cabbage (Bok Choy), Collards, Kale, Mizuna, Mustard Greens, Mustard Spinach, Rape Greens.

Crops	Pests Controlled	Maximum Number of Applications per Season	Minimum Days to Wait Before Reapplying	Minimum Days to Wait from Last Application to Harvest
apple and other pome fruits* crabapples, mayhaw, pears, and quince	codling moth leafminers leafrollers oriental fruit moth tufted apple budmoth	6	10	7
asparagus (post-harvest to protect lems)	asparagus beetles	4	7	60
bushberries and canberries blackberry, blueberry, currant, elderberry, gooseberry, huckleberry, juneberry, lingonberry, loganberry, raspberry, and salal	armyworms fireworms fruitfly (suppression) fruitworms leafrollers loopers thrips	6	6	3

Crops	Pests Controlled	Maximum Number of Applications per Season	Minimum Days to Wait Before Reapplying	Minimum Days to Wait from Last Application to Harvest
citrus trees*: grapefruit, lemons, limes, oranges, and tangerines (to prevent fruit scarring from thrips, treat when fruit is marble size)	kalydids leafminers thrips worms (caterpillars)	6	6	1
cole crops (Brassica vegetables), broccoli, broccoli raab, brussels sprouts, cauliflower, cavalo, Chinese broccoli, cabbage, Chinese cabbage (bok choy), Chinese cabbage (napa), Chinese mustard cabbage (gai choy), collards, kale, kohlrabi, mizuna, mustard greens, mustard spinach and rape greens	cabbage looper diamondback moth imported cabbage worm leafminers worms	6	4	1
cucurbits, cucumber, edible gourds, muskmelons (cantaloupe, honeydew, etc.), pumpkin, summer and winter squash, and watermelon	leafminers thrips worms (caterpillars)	6	5	all except cucumber, 3 cucumber, 1

Crops	Pests Controlled	Maximum Number of Applications per Season	Minimum Days to Wait Before Reapplying	Minimum Days to Wait from Last Application to Harvest
fruiting vegetables, eggplant, ground cherry, okra, pepino, pepper, tomatillo, and tomato	Cokorado potato beetle leafminers thrips worms (caterpillars)	6	4	1
grape	leafrollers thrips worms (berry moth)	6	5	7
leafy and dried herbs	leafminers thrips worms (caterpillars)	5	7	1
leafy vegetables, arugula, celery, chervil, corn salad, cress, dandelion, dock, edible chrysanthemum, endive, fennel, garden purslane, head and leaf lettuce, parsley, radicchio, rhubarb, spinach, and Swiss chard	leafminers worms (caterpillars)	6	4	1
stone fruits*, apricots, cherries, nectarines, peaches, plums, and prunes	borers fruit flies leafminers leafrollers thrips worms (caterpillars)	6	7	peach, apricot, all except cherry plum, prune, nectarine, 14 cherry, plum and prune, 7 nectarine, 1

Crops	Pests Controlled	Maximum Number of Applications per Season	Minimum Days to Wait Before Reapplying	Minimum Days to Wait from Last Application to Harvest
strawberry	armyworms leafrollers thrips	6	5	1
succulent beans and peas, blackeyed pea, garbanzo bean, garden pea, lima bean, snap bean, and snow pea	borers leafminers thrips worms (caterpillars)	6	5	3
sweet corn and popcorn (for earworms, treat silk frequently as it grows)	corn borers worms (caterpillars), including earworm	6	3	1
tree nuts*, almonds, cashew, chestnut, macadamia, pecans, pistachio, and walnuts	husk fly (suppression) leafrollers navel orangeworms peach twig borer shuckworms webworms	5	7	14
tree fruits*: atemoya, avocado, cherimoya, custard apple, guava, longan, lychee, mango, papaya, passionfruit, rambutan, sapodilla, sapote, star apple, star fruit, and wax jambu	suppression of worms or caterpillars, thrips, and katydids	4	7	1

Crops	Pests Controlled	Maximum Number of Applications per Season	Minimum Days to Wait Before Reapplying	Minimum Days to Wait from Last Application to Harvest
tuberous and corm vegetables, cassava, chayote root, Chinese artichoke, ginger, Jerusalem artichoke, potatoes, sweet potatoes, turmeric, and yams	Cokorado potato beetle corn borers leafminers thrips worms (caterpillars)	6	7	7

*see General Precautions and Restrictions for plants greater than 6 ft. in height.

LAWNS AND ORNAMENTALS		
Use Site	Pests Controlled	Comments
outdoor ornamentals (herbaceous and woody plants)	emerald ash borer gall midges leaf feeding beetles leafminers sawfly larvae spider mites*	Uniformly spray foliage to point of runoff. Uniform coverage of upper and lower leaf surfaces is essential for effective insect control.
(Outdoor Ornamentals; such as Roses, Flowers (herbaceous and woody plants))	thrips worms, including loopers, webworms, bagworms, gypsy moth, and tent caterpillars	

*Apply when spider mites are first observed prior to webbing and before mite populations have become severe. Reapply after 7 to 10 days (3 to 5 days in greenhouses and structures that can be altered to be closed or open) to contact newly hatched nymphs and repeat until infestation is managed. Uniform coverage of both upper and lower leaf surfaces is critical.

STORAGE and DISPOSAL
Do not contaminate water, food, or feed by storage and disposal.
Pesticide Storage: Store in original container only in secure or locked storage area.
Pesticide Disposal: If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.
Container Disposal: If empty: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available, or place in trash.

ENVIRONMENTAL HAZARDS
This product is toxic to bees exposed to treatment for 3 hours following treatment. Do not apply this pesticide to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period. This product is toxic to aquatic 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.

LIMITED WARRANTY AND DISCLAIMER
Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, Seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, Seller shall have no liability for consequential damage.