

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

MAR 12 2007

Mr. Steve Rogosheske, Regulatory Affairs Manager  
Value Garden Supply, LLC  
D/B/A Value Garden Supply  
P.O. Box 585  
Saint Joseph, MO 64502

Dear Mr. Rogosheske,

Subject: Agency Initiated Action – PR 2005-1 Product Labeling Changes  
AllPro Evoluer 4-4 ULV  
EPA Registration No. 769-982  
Submission dated February 5, 2007

The label amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, is acceptable provided that you make the following label changes listed below before you release the product for shipment bearing the amended labeling:

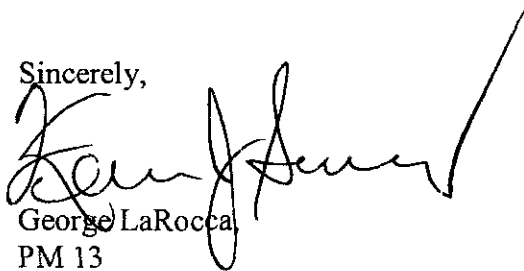
1. Remove "All-Temperature" from the label. State a minimum temperature for application of this product as "Do not apply when air temperature is below 50<sup>o</sup> F." under the heading "When to Apply" in the Directions for Use section.
2. Revise the wind speed restriction to read "Apply when wind speed is greater or equal to 1 mph." You may add a maximum wind speed for product use. State the wind speed directives at the beginning of the Directions for Use section under the heading "When to Apply". Remove wind speeds directions from the rest of the label.
3. Revise the heading "ULV non-Thermal Aerosol (Cold Fog)" to read "Ground ULV Non-Thermal Aerosol (Cold Fog) Applications"
4. Change droplet size measurement values from Mass Median Diameter to Volume Median Diameter on the label. It is not stated properly under the heading "Use as an Insect Barrier Spray".
5. In order to decrease the length of the label and clarify the directions for use, I suggest you state the droplet size measurement directives in one section as outlined in PR Notice 2005-1 Recommendation 5 for both ground and aerial applications under the heading "How to Apply".
6. Add the phrase "To the extent provided by law," to the beginning of the first sentence of

section entitled: "Disclaimer of Warranties."

Please note that a notice of availability of EPA's reregistration eligibility document (RED) for products containing permethrin was published in the FR on June 28, 2006 (Vol. 71 No. 124 pg. 36788). The availability of the piperonyl butoxide RED was published in the FR on July 26, 2006 (Vol. 71, No. 143 pg. 42385). Additional data and/or labeling changes may be required for products containing permethrin and/or piperonyl butoxide.

A stamped copy of the label is enclosed for your records. Please submit the final printed label as soon as possible but no later than 30 days from the date of this letter. If you any questions, please contact Kevin Sweeney at (703) 305-5063. Thank you for your patience and cooperation in this matter.

Sincerely,



George LaRocca  
PM 13

Registration Division 7505P  
Insecticides Branch

Enclosure

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# AllPro<sup>®</sup> Evoluer<sup>®</sup> 4-4 ULV

For use only by federal, state, tribal, or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications, or by persons under their direct supervision.

This product is Ready-To-Use as an All Temperature, Quick Knockdown, Low Odor, Non-Corrosive Synergized Synthetic Pyrethroid for Control of Adult Mosquitoes, Biting and Non-Biting Midges, Black flies and other outdoor flying insects as listed on this label which cause Public Health annoyance in Residential, Municipal and Recreational Areas. READ ENTIRE LABEL BEFORE USING

## READY-TO-USE

### ACTIVE INGREDIENTS:

*Permethrin.....	4.0%
**Piperonyl Butoxide Technical.....	4.0%
OTHER INGREDIENTS***.....	92.0%
TOTAL.....	100.0%

\*(3-phenoxyphenyl)methyl(+/-)Cis/trans 3-(2,2-dichloroethenyl)2,2-Dimethyl cyclopropaneca boxylate.  
cis/trans ratio: min. 35% (+/-) cis and max. 65% (+/-) trans.

\*\*Equivalent to 80% (butylcarbityl)(6-propylpiperonyl) ether and 20% related compounds.

\*\*\* Contains a petroleum distillate solvent

Contains 0.29 pounds of Permethrin and 0.29 pounds of Piperonyl Butoxide per gallon.

**ACCEPTED  
with COMMENTS  
in EPA Letter Dated  
MAR 12 2008**

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
769-982

## KEEP OUT OF REACH OF CHILDREN CAUTION

“PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta haya sido explicado ampliamente” (If you do not understand the label, find someone to explain it to you in detail).

EPA Reg. No 769-982

EPA Est. No. 44616-MO-1

### Net Contents

\_\_\_ 1 gal.    \_\_\_ 2.5 gal.    \_\_\_ 5 gal.    \_\_\_ 15 gal.    \_\_\_ 30 gal.    \_\_\_ 55 gal.

<b>Value Garden Supply</b> P.O. Box 585 • St. Joseph, MO 64502
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*This product will not dilute with water.*

### First Aid

**Swallowed:** Call a poison control center or doctor immediately for treatment advice. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

**in Eyes:** 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.

**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 advice.

**Inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further advice.

**of Line Number:** Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also call 1-800-858-7378 for emergency medical treatment advice. See below for Additional Precautionary Statements.

**to Physician:** Solvent presents an aspiration hazard. Gastric lavage is indicated if material was taken orally. Vomiting may cause aspiration pneumonia.

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**Caution:** Causes moderate eye irritation. Harmful if swallowed or absorbed through the skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or the toilet. Prolonged or repeated skin contact may cause allergic reactions in some individuals. Remove contaminated clothing and wash before reuse.

#### ENVIRONMENTAL HAZARDS

This product is extremely toxic to aquatic organisms, including fish and aquatic invertebrates. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body. Do not contaminate bodies of water when disposing of equipment rinsate or washwaters.

**Warning:** This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply to blooming crops or weeds while bees are visiting the treatment areas, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease-causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

#### PHYSICAL AND CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame.

### DIRECTIONS FOR USE

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

#### When to Apply

**Note:** Before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

FOR BEST RESULTS treat when mosquitoes or insects are most active and weather conditions are conducive to keeping the fog near the ground e.g. cool temperatures, and consistent wind speeds are not greater than 10 m.p.h. Applications during the cool hours of night or early morning are usually preferable.

Do not retreat the same site more than once in 12 hours. Do not apply more than 0.18 lbs. of permethrin per acre per year to any site. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

RATES CHART FOR Evoluer 4-4 ULV USE, UNDILUTED						
CONDITIONS AND RATES TO USE Evoluer 4-4 ULV UNDILUTED FOR MOSQUITO CONTROL						
Permethrin lbs. A.I./Acre	PBO lbs. A.I./Acre	Application Rates Fluid Ounces per Minute at mph				Fluid Ounces and (milliliters) Per acre
		5 mph	10 mph	15 mph	20 mph	
0.00700	0.00700	9.40	18.80	28.20	37.60	3.10 (91.7 ml)
0.00350	0.00350	4.70	9.40	14.10	18.80	1.55 (45.9 ml)
0.00175	0.00175	2.35	4.70	7.05	9.40	0.78 (22.9 ml)
0.00100	0.00100	1.34	2.69	4.03	5.37	0.44 (13.1 ml)

1 to 1 DILUTION RATES FOR Evoluer 4-4 ULV						
MIX 1 PART Evoluer 4-4 ULV WITH 1 PART OF A SUITABLE MINERAL OIL. APPLY AS FOLLOWS:						
Pounds A.I. per Acre		Application Rates Fluid Ounces per Minute at Vehicle Speeds				Fluid Ounces and (milliliters) Finished Spray Per acre
Permethrin	PBO	5 mph	10 mph	15 mph	20 mph	
0.00700	0.00700	19.80	37.60	56.40	75.20	6.20 (183.3)
0.00350	0.00350	9.40	18.80	28.20	39.57	3.10 (91.7)
0.00175	0.00175	4.70	9.40	14.10	18.80	1.55 (45.9)
0.00100	0.00100	2.70	5.37	8.06	10.74	0.90 (26.6)

#### HOW TO APPLY

For proper ground application mount the fog applicator so that the nozzle is at least 4 ½ feet above the ground level and directed out the back of the vehicle. Failure to follow these label directions may result in reduced effectiveness. For Aerial Application refer to the "Aerial Application" section on this label. **AllPro Evoluer 4-4**

**ULV** may be used as is, or diluted with a suitable solvent such as 60 to 100 Second viscosity mineral oil and applied at a rate not to exceed 3.10 fl. oz. of **AllPro Evoluer 4-4 ULV** per acre. Both aerial and ground applications should be made when the wind is less than 10 mph. For exact rates, see the "Undiluted" or the "1 to 1 Dilution" rate charts on this label.

**AllPro Evoluer 4-4 ULV** is recommended for application as an Ultra Low Volume (ULV) Thermal or Non-Thermal aerosol (cold fog) to control adult mosquitoes, and other insects as listed on this label, in residential and recreational areas where these insect pests become a problem; such as, but not limited to parks, campsites, woodlands, athletic fields, golf courses, residential areas, municipalities, gardens, playgrounds, and non-crop waste areas

**AllPro Evoluer 4-4 ULV** can be applied over specific growing crops and range grasses prior to harvest for the control of adult mosquitoes and biting flies within or adjacent to these areas. Application can only be made where the following crops are present:

Almonds	Leafy Vegetables (except Brassica)
Apples	Lettuce, head
Broccoli	Mushrooms
Brussels sprouts	Onions, dry bulb
Cabbage	Peaches
Celery	Pears
Cauliflower	Peppers, bell
Cherries	Soybeans
Corn, fodder	Tomatoes
Corn, forage	Vegetables, cucurbit
Corn grain	Walnuts
Eggplant	
Range Grasses	

Do not allow spray treatment to drift on pastureland, cropland, (other than crops listed) or water supplies. In treatment of corrals, feedlots, animal confinements/houses, swine lots and zoos, cover any exposed drinking water, drinking fountains and animal feed before application.

### ULV NON-THERMAL AEROSOL (COLD FOG)

To control Mosquitoes, Midges and Black flies, apply **AllPro Evoluer 4-4 ULV** using any standard ULV ground applicator capable of producing a non-thermal aerosol fog and base all acreage calculations on the equipment manufacturer's recommended swath width. Spray equipment must be adjusted so the volume median diameter or mass median diameter is less than 30 microns ( $Dv\ 0.5 < 30\ \mu m$ ) and that 90% of the spray is contained in droplets smaller than 48 microns ( $Dv\ 0.9 < 48\ \mu m$ ). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to product acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rates(s) are properly calibrated.

When applying this product undiluted, apply at a flow rate of 2.69 to 18.80 ounces per minute at an average vehicle speed of 10 mph. These rates are equivalent to 0.001 to 0.007 pound of permethrin a.i. and 0.001 to 0.007 pound of piperonyl butoxide a.i. per acre. If a different vehicle speed is used, adjust the rate accordingly. Vary flow rates accordingly to vegetation density and mosquito population. Use higher flow rates in heavy vegetation or when insect populations are high. An accurate flow rate control system must be used to ensure proper flow rate. **AllPro Evoluer 4-4 ULV** may also be applied by diluting 1 part to 1 part of a 60 to 100 second mineral oil or another suitable solvent applies so as not to exceed the maximum a.i. rates per acre as shown in the rate charts. If an alternate dilution rate is required, adjust the flow rate accordingly, provided the droplet size and spectrum remain within the label specifications. Do not exceed a flow rate of 20 oz. per minute unless recommended by equipment manufacturers and/or Public Health Officials when undiluted or diluted 1 to 1, and high vehicle speeds of 10, 15 or 20 mph are necessary in emergency conditions, and when fogging equipment is capable of such higher rates of output per minute.

## THERMAL AEROSOL FOGGING

**TRUCK MOUNTED:** Apply **AllPro Evoluer 4-4 ULV** diluted or undiluted with suitable Thermal Fogging equipment. Droplet size of thermal "fog" will range 0.1 to 1.0 micron. If diluted use a 60 to 100 second viscosity mineral oil, or another suitable non-phytotoxic diluent, to reduce oil requirement and sludge buildup in equipment. Do not exceed the maximum rates. May be applied at speeds of 5 mph up to 20 mph.

**HAND CARRIED** and/or **LAWN MOWER FOGGERS**, use the same rates of a.i. per acre with a 50 foot swath width at a walking speed of 2 mph. Do not fog to wet foliage. Do not fog when wind conditions exceed 10 mph. Only use a clean, well maintained, and properly calibrated fogger, known to give excellent performance. Fog downwind. Apply **AllPro Evoluer 4-4 ULV** to deliver 0.001 to 0.007 pound of permethrin a.i. per acre and 0.001 to 0.007 pound of piperonyl butoxide a.i. per acre.

## USE AS AN INSECT BARRIER TREATMENT

For use in Non-Thermal ULV, motorized, portable backpack fog type mist blower equipment, apply **AllPro Evoluer 4-4 ULV** with equipment adjusted to deliver ULV particles of 50 to 100 mass median diameter. **AllPro Evoluer 4-4 ULV** may be applied undiluted or diluted (see application rate charts on this label). If diluted, use a 30 to 100 second viscosity mineral oil, or another (if recommended by Public Health Officials) suitable non-phytotoxic diluent. Use 0.001 to 0.007 pound of permethrin a.i. per acre at a 50 ft. (15.2 m) swath width while walking at a speed of 2 mph (3.2 kph). Whether applied undiluted or diluted, or at a different speed, make sure that the same amount (0.001 to 0.007 lb.) of permethrin a.i. and piperonyl butoxide a.i. is applied per acre.

When this product is applied as a barrier application using low pressure hand sprayers, hydraulic sprayers or ground ULV equipment, do not apply within 100 feet (30 meters) of lakes and streams

## AERIAL APPLICATION

Aerial application with ULTRA LOW VOLUMES of **AllPro Evoluer 4-4 ULV** applied according to the rate charts on this label may be considered necessary when conducted at the discretion of Public Health Officials, Mosquito Abatement Districts, or other trained personnel engaged in outdoor Mosquito and flying insect control programs, when these insects threaten to become a public health hazard. Spray equipment must be adjusted so the volume median diameter produced is less than 60 microns ( $Dv\ 0.5 < 60\ \mu m$ ) and that 90% of the spray is contained in droplets smaller than 115 microns ( $Dv\ 0.9 < 115\ \mu m$ ). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to product acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rates(s) are properly calibrated.

Aerial application of **Aqualuer 20-20** shall be made at altitudes ranging from 100 feet to 300 feet. Do not apply when ground wind speed equals 0 MPH or when ground wind exceeds 10 MPH. The recommended airspeed for Fixed Wing aircraft with flat fan nozzles is from 120 to 160 mph. For Rotary Aircraft equipped with rotary nozzles, apply at a sufficient airspeed to deliver the appropriate amount of **AllPro Evoluer 4-4 ULV** a.i. per acre. Do not exceed 3.10 fluid ounces per acre of **AllPro Evoluer 4-4 ULV** which is equal to 0.007 lb. permethrin a.i. per acre and 0.007 lb. piperonyl butoxide a.i. per acre.

**PROHIBITION FOR AERIAL USE:** Not for aerial application in the State of Florida unless specifically authorized by the Bureau of Entomology and Pest Control, Florida Department of Agriculture and Consumer Services.