

769-982

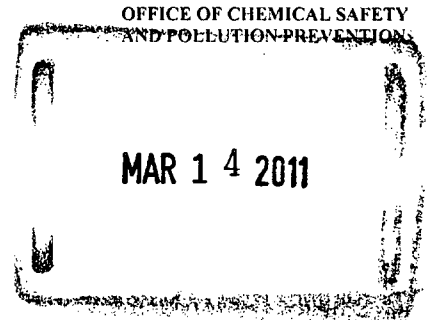
3/14/2011

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

Ms. Diana Williams
Value Garden Supply
9100 W. Bloomington Freeway, Suite 113
Bloomington, MN 55431



Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Ms. Williams:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated February 21, 2011 for the following product(s):

ALLPro® Evoluer® 4-4 ULV EPA Registration Number 769-982

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2007-4 and finds that the label change(s) requested falls within the scope of PRN 2007-4. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Gebken".

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

EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide -Section I

1. Company/Product Number 769-982	2. EPA Product Manager R. Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) AllPro Evoluer 4-4 ULV	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Value Garden Supply P O Box 585 St. Joseph, MO 64502 <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.: NOTIFICATION Product Name: MAR 14 2011	

Section II

<input checked="" 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 type="checkbox"/> Notification - Explain below	<input type="checkbox"/> Other - explain below

Explanation: Use additional page(s) if necessary. (For Section I and Section II).
 Amendment to container handling/disposal portion of Storage and Disposal label statement, per PR Notice 2007-4.
 Proposing use of different container rinsing agent (mineral oil) than that which appears as part of the standard, suggested directions (water).

Section III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No <small>*Certification must be submitted.</small>	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," Unit Package Wt. No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," Package Wt. No. Per Container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <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) of Retail Container	5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner In Which Label Is Affixed To Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other <input type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled			

Section IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Diana Williams	Title Reg. Affairs Mgr.	Telephone No. (Include Area Code) 952-884-6477
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 Regulatory Affairs Manager	
4. Typed Name Diana Williams	5. Date February 21, 2011	



VALUE GARDEN SUPPLY

February 21, 2011

Mr. Richard Gebken
Product Manager Team 10
Document Processing Desk (AMEND)
Insecticide Branch, Registration Division
US EPA – OPP (7504P)
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Subject: Container Handling Label Amendments Per PR Notice 2007-4
EPA Reg. No. 769-982, AllPro Evoluer 4-4 ULV
EPA Reg. No. 769-983, AllPro Evoluer 30-30 ULV
EPA Reg. No. 769-984, AllPro Evoluer 2-2 ULV

Dear Mr. Gebken:

In order to recommend the use of a rinsing agent other than water to clean containers prior to disposal, we are submitting an amendment application for each of the subject registrations pursuant to PR Notice 2007-4. For each registration, we are recommending the use of mineral oil.

Enclosed for each registration are an application form and five copies of proposed labeling. The section of the labeling that is being amended has been highlighted on one copy of the labeling for each registration.

If there are questions concerning the enclosed, please do not hesitate to contact me.

Sincerely,

Diana Williams
Regulatory Affairs Manager
On Behalf of Value Garden Supply

Enclosures

Cc: B. Russell, VGS



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AllPro[®] Evoluer[®] 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, 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 cyclopropanecarboxylate.
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.

KEEP OUT OF REACH OF CHILDREN
CAUTION
NOTIFICATION
MAR 14 2011

“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.

Value Garden Supply
P.O. Box 585 • St. Joseph, MO 64502

This product will not dilute with water.

First Aid

If 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.

If 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.

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 advice.

If 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.

Hot 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.

Note to Physician: Solvent presents an aspiration hazard. Gastric lavage is indicated if material was taken internally. 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.

Bee 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. Apply when wind speed is greater or equal to 1 mph. Applications during the cool hours of night or early morning are usually preferable.

Do not apply when air temperature is below 50° F.

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

Ground Application: Spray equipment must be adjusted so the volume median diameter or mass median diameter is less than 30 microns ($D_v 0.5 < 30 \mu\text{m}$) and that 90% of the spray is contained in droplets smaller than 48 microns ($D_v 0.9 < 48 \mu\text{m}$). 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 produce 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: Spray equipment must be adjusted so the volume median diameter produced is less than 60 microns ($D_v 0.5 < 60 \mu\text{m}$) and that 90% of the spray is contained in droplets smaller than 115 microns ($D_v 0.9 < 115 \mu\text{m}$). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a wind tunnel and laser-based measurement instrument must be used to adjust equipment to produce 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.

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. 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:

Alfalfa	Cherries	Garlic	Peppers, bell
Almonds	Corn, forage	Kiwifruit	Pistachios
Apples	Corn, fodder	Horseradish	Potato
Artichokes, globe	Corn, grain	Leafy vegetables	Range grasses
Asparagus	(field	(except Brassica)	Soybeans
Avocados	and pop)	Lettuce, head	Spinach
Broccoli	Corn, stover	Mushrooms	Tomatoes
Brussels sprouts	Corn, sweet kernel + cob	Onions, dry bulb	Vegetables, cucurbit
Cabbage	with husks removed	Peaches	Walnuts
Cauliflower	Eggplant	Pears	Watercress
Celery	Filberts		

Do not allow spray treatment to drift on 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.

GROUND ULV NON-THERMAL AEROSOL (COLD FOG) APPLICATIONS

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.

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. **AiPro 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 **AiPro 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. Only use a clean, well maintained, and properly calibrated fogger, known to give excellent performance. Fog downwind. Apply **AiPro 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 **AiPro Evoluer 4-4 ULV** with equipment adjusted to deliver ULV particles of 50 to 100 volume median diameter. **AiPro 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 **AiPro 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.

Aerial application of **AiPro Evoluer 4-4 ULV** shall be made at altitudes ranging from 100 feet to 300 feet. 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 **AiPro Evoluer 4-4 ULV** a.i. per acre. Do not exceed 3.10 fluid ounces per acre of **AiPro 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.

IN FLORIDA: Do not apply by aircraft unless approved by the Florida Department of Agriculture and Consumer Services.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE AND SPILL PROCEDURES: Store upright at room temperature. Avoid exposure to extreme temperatures. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

PESTICIDE DISPOSAL: Pesticide, spray mixture or rinsate that cannot be used according to label instructions must be disposed of at or by an approved waste disposal facility.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Triple rinse or pressure rinse container promptly after emptying. Then offer for recycling, if available, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

Triple Rinse as Follows - Containers 5 gallons or less in capacity : Do not reuse or refill this container. Triple rinse or pressure rinse container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill container ¼ full with mineral oil and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. **Containers greater than 5 gallons in capacity:** Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with mineral oil. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure Rinse as Follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure-rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

READ ENTIRE LABEL BEFORE USING

Read the entire **Directions for Use, Conditions, Disclaimer of Warranties, and Limitation of Liability** before using this product. By using this product, User and Buyer accept the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The Directions for Use of this product are believed to be adequate and should be followed carefully. However it is impossible to eliminate all risks associated with the use of this product. Injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of **Value Garden Supply**. All such risks shall be assumed by the User or Buyer.

DISCLAIMER OF WARRANTIES: To the extent provided by law, there are no warranties express or implied, of merchantability or of fitness for a particular purpose or otherwise, which extend beyond the statements made on this label. No agent of **Value Garden Supply** is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein.

Value Garden Supply disclaims any liability whatsoever for special, incidental, or consequential damages resulting from the use or handling of this product.

LIMITATION OF WARRANTIES: The exclusive remedy of the User or Buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract warranty, tort, negligence, strict liability, or otherwise, shall not exceed the purchase price, or at **Value Garden Supply's** option, the replacement of the product.