

769-983

3/26/2007

Page 187



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAR 26 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 30-30 ULV
EPA Registration No. 769-983
Submission dated March 21, 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 before releasing the product bearing the amended labeling for shipment.

Page 2

1. The first statement of the Environmental Hazards statement should be changed to: *"This product is extremely toxic to aquatic organisms, including fish and aquatic invertebrates."* This change is consistent with the PR Notice 2005-1 recommendation and is needed to across permethrin adulticide labeling.

Page 3

2. On page 3 under the Ground ULV directions for non-thermal and thermal fogging applications, change the maximum application rate value from 0.00007 lbs. permethrin/acre to 0.007 lbs. permethrin/acre.

3. On page 3 under the directions for aerial applications, change the maximum amount of undiluted Evoluer 30-30 that can be applied per acre from 0.96 ounces per acre to 0.36 ounces per acre (as stated in the application rates table on page 4).

4. On page 3 revise the statement "Do not apply within 100 feet (30 meters) of fish bearing waters." to *"When this product is applied as a barrier treatment, do not apply within 100 feet (30 meters) of lakes and streams."*

Page 4

5. Change "potatoes" to "potato" in the crop list.

6. **DELETE** the statement "Do not apply over bodies of water (lakes, rivers, permanent streams, natural 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." from the directions from use as it is unnecessary and redundant. This statement already appears in the environmental hazard statement as recommended in PR Notice 2005-1.

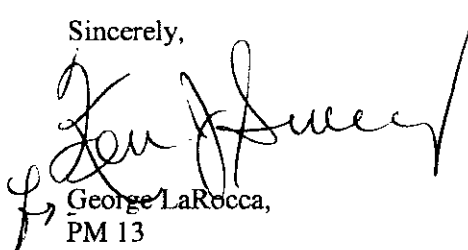
7. **ADD:** "Do not spray on or allow this product to drift onto pastureland, cropland (other than crops listed), or potable water supplies." before the statement beginning with 'In treatment of corrals...

8. Correct the application rate for PBO in the last line of the 1:4 dilution table. Change this value from 0.00175 to 0.001.

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. Submit a hard copy of the final printed label as soon as possible. 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

AllPro Evoluer[®] 30-30 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.

ACCEPTED
with COMMENTS
In EPA Letter Dated
MAR 26 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
769-983

ACTIVE INGREDIENTS:	
Permethrin: CAS [52645-53-1].....	30.0%
Piperonyl Butoxide Technical CAS [51-03-6].....	30.0%
OTHER INGREDIENTS:*	40.0%
Total	100.0%

*Contains Petroleum Distillate

Contains 2.5 lbs. a.i. Permethrin/gallon and 2.5 lbs. a.i. Piperonyl Butoxide/gallon

KEEP OUT OF REACH OF CHILDREN CAUTION

Si usted no entienda 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).

FIRST AID
IF SWALLOWED: Immediately call a Poison Control Center or doctor. Do not induce vomiting unless told to 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 ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice.
IMPORTANT: Have this product container or label with you when calling a poison control center or doctor or when going for treatment. You may also call 1-800-858-7378 for emergency medical treatment advice.
NOTE TO PHYSICIAN: Contains petroleum distillate – vomiting may cause aspiration hazard.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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

EPA Reg. No. 769-983

EPA. Est. No. 44616-MO-1

Net Contents 1Gal 2.5Gal 30 Gal 55Gal

Value Garden Supply
P.O. BOX 585 • ST. JOSEPH, MO 64502

ENVIRONMENTAL HAZARDS

This product is extremely toxic to 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 this product or allow it to drift on blooming crops or weeds while bees are actively 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 recover 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: Do not apply when air temperature is below 50° F. Apply when wind speed is greater or equal to 1 MPH. Do not apply if wind speed exceeds 20 MPH. 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.

HOW TO APPLY

For proper ground application mount the fog applicator so that the nozzle is at least 4 ½ feet above ground level and directed out the back of the vehicle. May be applied at speeds of 5 m.p.h. up to 20 m.p.h. Failure to follow these label directions may result in reduced effectiveness. For Aerial Application refer to the Aerial Application section on this label. Evoluer 30-30 ULV may be used as is, or diluted with a suitable solvent i.e. a 60 to 100 second viscosity mineral oil. For exact rates see the "UNDILUTED" or the "DILUTION" Rates charts on this label.

Evoluer 30-30 ULV is recommended for application as an Ultra Low Volume (ULV) Thermal or Non-thermal aerosol (cold fog) to control adult mosquitoes, flies midges and gnats, 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.

FOR BEST RESULTS treat when mosquitoes or insects are most active and weather conditions are conducive to keeping the fog close to the ground e.g. cool temperatures. 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.

Ground-based Applications: Spray equipment must be adjusted so that the volume median diameter is less than 30 microns (Dv 0.5 < 30 µm) and that 90% of the spray is contained in droplets smaller than 50 microns (Dv 0.9 < 50 µm). 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 rate(s) are properly calibrated.

GROUND ULV NON-THERMAL AEROSOL (COLD FOG) APPLICATIONS

To control Mosquitoes, Midges and Black flies apply Evoluer 30-30 ULV using any standard U.L.V. ground applicator. When applying this product undiluted apply at a flow rate of 0.32 to 2.19 ounce per minute at an average vehicle speed of 10 M.P.H. These rates are equivalent to 0.001 to 0.0007 pound of Permethrin a.i. and 0.001 to 0.0007 pound piperonyl butoxide a.i. per acre. If a different vehicle speed is used, adjust the rate accordingly. Vary flow rates according 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. Evoluer 30-30 ULV may also be applied by diluting with a 60 to 100 second mineral oil or another suitable solvent, applied so as not to exceed the maximum a.i. rates per acre as shown below. If an alternate dilution is required, adjust the flow rate accordingly, provided droplet size and spectrum remain within label specifications. Do not exceed a flow rate of 20 oz. per minute unless recommended by equipment manufacturers and/or Public Health Officials.

GROUND THERMAL AEROSOL FOGGING APPLICATIONS

Refer to the DILUTION RATES tables for fogging applications. Droplet size of thermal "fog" will be very small usually in the 0.5 to 1.0 micron range.

TRUCK MOUNTED – Apply Evoluer 30-30 ULV diluted or undiluted with Suitable Thermal Fogging equipment. 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 0.0007 lb. a.i. Permethrin per acre rate. May be applied at speeds of 5 m.p.h. up to 20 m.p.h. For use with HAND CARRIED and/or LAWN MOWER FOGGERS, use the same rates of A.I. per acre with a 300 foot swath width at a walking speed of 2 m.p.h. Do not wet plant foliage. Do not fog when wind conditions exceed 10 miles per hour. Only use clean, well maintained, and properly calibrated equipment known to give excellent performance. Fog Downwind. Apply Evoluer 30-30 ULV at 0.001 to 0.0185 lb. a.i. Permethrin/a.i. Piperonyl Butoxide per acre.

Urban Applications

For control of resting or flying adult mosquitoes in harborage areas such as but not limited to utility tunnels, sewers, storm drains and catch basins, pipe chases, underground basements, underground passages, parking decks, crawl spaces or uninhabited buildings, apply Evoluer 30-30 ULV diluted or undiluted using mechanical foggers, hand-held or truck-mounted ULV equipment, or thermal foggers suitable for this application. Apply Evoluer 30-30 ULV at rates up to but not exceeding 0.0185 lbs permethrin per acre

INSECT BARRIER APPLICATIONS

AS AN INSECT BARRIER – USE A "BACKPACK" FOG-Type-MIST BLOWER

For use in Non-Thermal ULV, motorized, portable, Backpack, Fog type Mist Blower equipment apply Evoluer 30-30 ULV with equipment adjusted to deliver ULV particles of 50 to 100 volume median diameter. Evoluer 30-30 ULV may be applied undiluted or diluted (see Application Rates tables section). If diluted use a 30 to 100 second viscosity mineral oil, or another (if recommended by Public Health Officials), suitable non-phytotoxic diluent. Use up to 0.1 pound Permethrin A.I. per acre at a 300 ft. (91.44 m) swath width while walking at a speed of 2 m.p.h. (3.2 k.p.h.). Whether applied undiluted or diluted, or at a different speed, make sure that the same amount of Permethrin a.i. – Piperonyl Butoxide a.i. is applied/acre.

Do not apply within 100 feet (30 meters) of fish bearing waters. For best results treat when insects are most active and conditions are conducive to keeping the fog close to the ground.

DIRECTIONS FOR AERIAL APPLICATION

Spray equipment must be adjusted so that the volume median diameter produced is less than 50 microns (Dv 0.5 < 50 µm) and that 90% of the spray is contained in droplets smaller than 115 microns (Dv 0.9 < 115 µm). The effects of flight speed and, for non-rotary nozzles, nozzle angle on the droplet size spectrum must be considered. 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 rate(s) are properly calibrated.

Applications should be made at an altitude range of 100 to 300 feet and a forward speed of 150 m.p.h. achieving an effective swath width of 500 feet. Flow rate should be set at 146 ounces per minute; equal to 0.96 ounce of Evoluer 30-30 ULV per acre. Flow rate and swath width should be set so as to achieve .05 to 0.96 fluid ounce of Evoluer 30-30 ULV per acre. Evoluer 30-30 ULV may be applied undiluted at rates of 0.5 to 0.96 ounces per acre by fixed wing or rotary aircraft. Evoluer 30-30 ULV may also be applied diluted with a suitable solvent such as mineral oil so long as 0.96 fluid ounces per acre of Evoluer 30-30 ULV is not exceeded.

PROHIBITION OF AERIAL USE IN FLORIDA: Not for aerial application in Florida UNLESS specifically authorized by the Bureau of Entomology, Florida Department of Agriculture and Consumer Services.

Evoluer 30-30 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	Leafy Vegetables(except Brassica)
Almonds	Lettuce, head
Apples	Mushrooms
Broccoli	Onions, dry bulb
Brussels sprouts	Peaches
Cabbage	Pears
Celery	Peppers, bell
Cauliflower	Potatoes
Cherries	Soybeans
Corn, fodder	Tomatoes
Corn, forage	Vegetables, cucurbit – group 9
Corn grain (field & pop)	Walnuts
Eggplant	
Range Grasses	

In treatment of corrals, feedlots, animal confinements/houses, swine lots and zoos, cover any exposed drinking water, drinking fountains and animal feed before application.

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.

CONDITIONS AND RATES TO USE Evoluer 30-30 ULV UNDILUTED						
Pounds a.i. per/acre		Application Rates Fl. Oz. per Minute at M.P.H.				Fl. Oz. of Evoluer 30-30 ULV per acre
Permethrin	PBO	5 MPH	10 MPH	15 MPH	20 MPH	
0.00700	0.00700	1.09	2.19	3.28	4.38	0.36
0.00350	0.00350	0.55	1.09	1.65	2.19	0.18
0.00175	0.00175	0.27	0.55	0.82	1.09	0.09
0.00100	0.00100	0.16	0.32	0.48	0.63	0.05

DILUTION RATES FOR Evoluer 30-30 ULV						
<i>FOR A 1:2 Dilution</i>						
Mix 1 part Evoluer 30-30 ULV with 2 parts suitable Mineral Oil; apply as follows:						
Pounds a.i. per/acre		Application Rates Fl. oz. per Minute at Vehicle Speeds M.P.H.				Fl. Oz. finished spray per acre
Permethrin	PBO	5 MPH	10 MPH	15 MPH	20 MPH	
0.00700	0.00700	3.28	6.56	9.84	13.13	1.09
0.00350	0.00350	1.64	3.28	4.92	6.56	0.55
0.00175	0.00175	0.82	1.64	2.46	3.28	0.27
0.00100	0.00100	0.48	0.96	1.44	1.89	0.15
<i>FOR A 1:4 Dilution</i>						
Mix 1 part Evoluer 30-30 ULV with 4 parts suitable Mineral Oil; apply as follows:						
Pounds a.i. per/acre		Application Rates Fl. oz. per Minute at Vehicle Speed M.P.H.				Fl. Oz. finished spray per acre
Permethrin	PBO	5 MPH	10 MPH	15 MPH	20 MPH	
0.00700	0.00700	5.38	10.77	16.15	21.54	1.79
0.00350	0.00350	2.69	5.39	8.08	10.77	0.90
0.00175	0.00175	1.35	2.69	4.04	5.39	0.45
0.00100	0.00175	0.79	1.58	2.37	3.17	0.26

FOR A 1:8 Dilution						
Mix 1 part Evoluer 30-30 ULV with 8 parts suitable Mineral Oil; apply as follows:						
Pounds a.i. per/acre		Application Rates Fl. oz. per Minute at Vehicle Speeds M.P.H.				Fl. Oz. finished spray per acre
Permethrin	PBO	5 MPH	10 MPH	15 MPH	20 MPH	
0.00700	0.00700	9.55	19.09	28.64	38.18	3.18
0.00350	0.00350	4.77	9.55	14.32	19.09	1.59
0.00175	0.00175	2.39	4.77	7.16	9.55	0.80
0.00100	0.00100	1.44	2.88	4.32	5.67	0.45

FOR A 1:14 Dilution						
Mix 1 part Evoluer 30-30 ULV with 14 parts suitable Mineral Oil; apply as follows:						
Pounds a.i. per/acre		Application Rates Fl. oz. per Minute at Vehicle Speeds M.P.H.				Fl. Oz. finished spray per acre
Permethrin	PBO	5 MPH	10 MPH	15 MPH	20 MPH	
0.00700	0.00700	16.41	32.81	49.22	65.63	5.41
0.00350	0.00350	8.20	16.41	24.76	32.81	2.71
0.00175	0.00175	4.10	8.21	12.31	16.42	1.35
0.00100	0.00100	2.38	4.75	7.13	9.50	0.78

STORAGE & DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **STORAGE AND SPILL PROCEDURES:** Store upright at room temperatures. Do not expose to extreme temperatures. In case of spill or leakage, ventilate the area, wear chemical resistant gloves, and footwear. Retrieve and filter the liquid in some manner and use as directed on this label, or "soak-up" the liquid with absorbent material such as sawdust, soil, fuller's earth or, etc. Dispose of the resulting chemical waste as follows. **PESTICIDE DISPOSAL:** Wastes resulting from a spill or the use of this product may be disposed of on site, or at an approved waste disposal facility. **CONTAINER DISPOSAL:** Metal Containers - Triple rinse or equivalent. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or by other procedures approved by State and local authorities. Plastic Containers - Triple rinse or equivalent. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by incineration or if allowed by State and local authorities, by burning. If burned stay out of smoke. Then dispose of in a sanitary landfill or by other approved State and local procedures.

NOTICE: To the extent provided by law, buyer and user assume all risk and liability of use, storage and/or handling of this product not in accordance with the terms of this label.