

769-994

5/22/2012

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

May 22, 2012

Ms. Diana Williams
Value Garden Supply, LLC
P.O. Box 585
St. Josephs, MO 64502

Subject: CSF Notification(s) for Pesticide Registration Notice 98-10

Dear: Ms. Williams:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated April 24, 2012 for the following product(s).

AllPro Aqualuer 4-4

(EPA Reg. No. 769-994)

Alternate Brand Names:

AllPro envion rtu

AllPro Envion RTU

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 Confidential Statement of Formula (CSF) and/or label submitted with the application has (have) been stamped "Notification" and will be placed in our records.

If you have any questions, please contact Regina Foushee'-Smith at 703-605-0780.

Sincerely,

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

Richard Gebken
Product Manager
Insecticide Branch
Registration Division

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<h1 style="margin:0;">EPA</h1>	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide -Section I

1. Company/Product Number 769 - 994	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) AllPro Aqualuer 4-4	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Value Garden Supply, LLC 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: <div style="text-align: center;"> NOTIFICATION MAY 22 2012 </div> EPA Reg. No.: Product Name:	

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 of Alternate Brand Names: AllPro envion rtu or AllPro Envion RTU. Plus, correction of typographical errors and removal of redundant statements as noted within cover letter and accompanying label copy. 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.

Section III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No <small>*Certification must be submitted.</small>	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Unit Package Wt. No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Package Wt. No. Per Container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container 1, 2-1/2, 30, 55 & 250 gallons	
5. Location of Label Directions <input type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product		6. Manner In Which Label Is Affixed To Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Other - self adhesive <input checked="" 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 Regulatory Affairs Manager	Telephone No. (Include Area Code) 952-884-6477
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 Regulatory Affairs Manager	
4. Typed Name Diana Williams	5. Date April 24, 2012	



VALUE GARDEN SUPPLY

Via certified mail/return receipt – 7010 1670 0001 6931 0534

April 24, 2012

Mr. Richard Gebken
Product Manager 10
Registration Division
Document Processing Desk (NOTIF)
EPA – OPP (7504P)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Subject: Notification - Alternate Brand Name
EPA Reg. No. 769-994, AllPro Aqualuer 4-4

Dear Mr. Gebken:

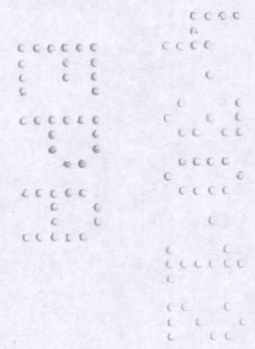
Enclosed is a Notification of Alternate Brand Name for the subject product. We are adding the alternate brand names of AllPro envion rtu and AllPro Envion RTU to the subject registration.

Also enclosed are two copies of labeling for the subject product, on which the alternate brand names have been included. In addition to indicating the alternate brand names, we corrected a typographical error that appeared in the aerial application section on page 3 of the label (changed “of” to “or”) and removed a redundant statement from within the container handling section of the label, on page 5. The revisions have been highlighted on one copy of the enclosed labeling for easy identification.

If there are any questions regarding this Notification, please do not hesitate to contact me.

Sincerely,

Diana Williams
Regulatory Affairs Manager
On Behalf of Value Garden Supply



Enclosures

MAY 22 2012

AllPro[®] Aqualuer[®] 4-4

[alternate brand name: AllPro envion rtu]
[alternate brand name: AllPro Envion RTU]

For use 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, 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	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.

** (butylcarbityl)(6-propylpiperonyl) ether and related compounds.

Contains 0.33 pounds of Permethrin and 0.33 pounds of Piperonyl Butoxide per gallon.

KEEP OUT OF REACH OF CHILDREN
CAUTION

EPA Reg. No 769-994

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

First Aid
<p>If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.</p> <p>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.</p>
<p>Hot Line Number: Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For emergency information concerning this product, call the National Pesticides Information Center (NPIC) at 1-800-858-7378 seven days a week, 6:30 am to 4:30 pm Pacific Time. During other times, call the poison control center 1-800-222-1222.</p>

<p>PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS</p> <p>Caution: 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, or using tobacco or using the toilet. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.</p>
<p>ENVIRONMENTAL HAZARDS</p> <p>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.</p> <p>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.</p>

DIRECTIONS FOR USE

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

AllPro Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU] [This product] 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.

This product is not for use in outdoor residential misting systems.

AllPro Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU] [This product] 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 cops 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.

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 exceed 25 applications at 0.007 lbs permethrin ai per acre per application or 0.025 lbs PBO ai per acre per application, or 0.18 lbs. of permethrin per acre per season or 2.0 lbs. PBO per acre per year.

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

HOW TO APPLY

Ground Application: Spray equipment must be adjusted so 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 rates(s) are properly calibrated.

For proper ground application mount the fog applicator so that the nozzle is at least 4 1/2 feet above the ground level and directed out the back of the vehicle. Failure to follow these label directions may result in reduced effectiveness.

Aerial Application: Do not apply by fixed wing aircraft at a height less than 100 feet, or by helicopter at a height less than 75 feet unless specifically approved by the state or tribe based on public health needs. 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 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 rate(s) are properly calibrated.

Aerial Application made at ≤ 200 feet above ground elevation:

Spray equipment must be adjusted so that the volume median diameter produced is less than 60 microns (Dv 0.5 < 60 μm) and that 90% of the spray is contained in droplets smaller than 100 microns (Dv 0.9 < 100 μm).

Aerial Application made at > 200 feet above ground elevation:

Spray equipment must be adjusted so the volume median diameter produced is less than 70 microns (Dv 0.5 < 70 μm) and that 90% of the spray is contained in droplets smaller than 145 microns (Dv 0.9 < 145 μm).

GROUND ULV NON-THERMAL AEROSOL (COLD FOG) APPLICATIONS

To control Mosquitoes, Midges and Black flies, apply **AllPro Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU]** [this product] 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.

Apply at a flow rate of 2.35 to 16.46 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. Do not exceed a flow rate of 20 oz. per minute unless recommended by equipment manufacturers and/or Public Health Officials, 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 Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU]** [this product] with suitable Thermal Fogging equipment. Droplet size of thermal "fog" will range 0.1 to 1.0 micron. 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 **AllPro Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU]** [this product] 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 Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU]** [this product] with equipment adjusted to deliver ULV particles of 50 to 100 volume median diameter. 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). If applied 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 Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU]** [this product] 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 **AllPro Aqualuer 4-4 [AllPro envion RTU] [AllPro Envion RTU]** [this product] 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 AllPro Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU] [this product] a.i. per acre. Do not exceed 2.72 fluid ounces per acre of AllPro Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU] [this product] 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.

RATE CHART						
CONDITIONS AND RATES TO USE AllPro Aqualuer 4-4 [AllPro envion rtu] [AllPro Envion RTU] [THIS PRODUCT] 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	8.23	16.46	24.69	32.91	2.72 (80.44 ml)
0.00350	0.00350	3.03	8.23	12.34	16.46	1.36 (40.22 ml)
0.00175	0.00175	2.06	4.11	6.17	8.23	0.68 (20.11 ml)
0.00100	0.00100	1.18	2.35	3.53	4.70	0.39 (11.53 ml)

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: 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 water 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 water. 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.

7.1.11 Rev2 4.24.12

