



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

11/12/2003

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

NOV 1 2 2003

Darryl E. Brock Regulatory Affairs Manager AMVAC Chemical Corporation 4695 MacArthur Court Suite 1250 Newport Beach, CA 92660

Subject: PRUNE SMART SPROUT INHIBITOR EPA Reg. No. 5481-459 Amendment dated August 1, 2003

Dear Mr. Brock:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes are made:

1. In the "First Aid" block, instructions for various exposure routes must be listed in order of decreasing acute toxicity category. Put the instructions for "If swallowed" at the bottom of the list.

2. Under "ORNAMENTAL WOODY PLANTS", change "American Elam" to "American Elm"

3. In the "STORAGE AND DISPOSAL" block: Move the sentence "Do not contaminate...or disposal" to immediately under the "STORAGE AND DISPOSAL" header. It is suggested that you change the subheader "STORAGE" to "PESTICIDE STORAGE"

One copy of the label stamped "Accepted with comments" is enclosed for your records. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

Cynthia Giles-Parker Product Manager (22) Fungicide Branch Registration Division (7505C)

Enclosure

PRUNE SMART® SPROUT INHIBITOR READY-TO-USE FORMULATION

Inhibits Sprouts and Sucker Growth in Woody Ornamental Trees and Shrubs, Apples, Olives, and Pears. For use by Commercial Pest Control Operators, Highway Departments, Parks and Recreation Departments, Landscape Maintenance and Utility Companies.

Not for Agricultural or Homeowner Residential use. Not for use on plants being grown for sale or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in ornamental gardens or parks, non-crop areas or on golf courses or lawns and grounds.

ACTIVE INGREDIENT:

Ethyl 1-Naphthaleneacetate	
INERT INGREDIENTS:	
TOTAL:	

KEEP OUT OF REACH OF CHILDREN CAUTION

	FIRST AID
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 swallowed:	 Call a poison control center or doctor immediately for treatment advice. Have a 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.
If inhaled:	 Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.
	EMERGENCY INFORMATION
Have the product contain FOR THE FOLLOWING	her or label with you when calling a poison control center or doctor, or going for treatment. G EMERGENCIES, PHONE 24 HOURS A DAY:
Transportation: CHEMT	REC1-800-424-9300
Other: AMVAC	

SEE SIDE/BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS AND DIRECTIONS FOR USE

EPA Reg. No. 5481-459 EPA Est. No. 5481-CA-1

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ACCEPTED with COMMENTS In EPA Letter Dated:

NOV 12 2003

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



4100 E. Washington Blvd. Los Angeles, CA 90023 U.S.A 1-323-264-3910 • www.amvac-chemical.com

= 5481-459

Net Weight:

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459-030801r1

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or inhaled. Causes eye and skin irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

- Applicators and other handlers must wear:
- Long sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

USER SAFETY RECOMMENDATION

- Wash hands before eating, drinking, chewing gum, using tobacco or using toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water by the cleaning of equipment or disposal of equipment washwaters.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not allow product to freeze.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS. KEEP CHILDREN, PETS AND OTHER UNPROTECTED PERSONS OUT OF TREATED AREA UNTIL SPRAY HAS DRIED.

GENERAL INFORMATION

Many trees sprout vigorously from the rootstock base of the trunks, scaffold limbs, and around pruning cuts on limbs. PRUNE SMART[®] inhibits vegetative bud development in woody plants after pruning. PRUNE SMART[®] reduces resprouting on bearing and non-bearing apple, olive, and pear trees, and on ornamental woody plants. PRUNE SMART[®] is a ready-to-use product and no further dilution or mixing is required. PRUNE SMART[®] may be applied with a brush, small hand held sprayer or back pack sprayer. For larger projects a power operated, low pressure sprayer with an attached hand gun can also be used. Always maintain low pressure (do not exceed 25 PSI) to avoid spray drift of fine particles. Make applications to pruning cuts on the scaffold limbs, base of trunks and on rootstock suckers. Thorough coverage of the treated area is essential for the most effective sprout control.

IMPORTANT: SHAKE WELL BEFORE EACH USE!

USE PRECAUTIONS

- 1. Do not treat any trees less than 1 year old.
- 2. Do not treat trees that are not vigorous, healthy and free from stress.
- 3. Read the specific instructions for each type of tree to be treated. Failure to follow these specific instructions could cause severe damage to the tree.
- 4. Thorough coverage of the treatment area is essential to attain the most effective control of suckers and sprouts.
- 5. If you do not have experience using this product, it is recommended that you use PRUNE SMART⁶ on a trial basis.
- 6. PRUNE SMART[®] may cause discoloration of the treated bark area.

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ORNAMENTAL WOODY PLANTS

PRUNE SMART[®] inhibits vegetative growth in woody plants that have been properly pruned. PRUNE SMART[®] is effective on many ornamental flowering and shade trees such as:

American Elam Chinese Elm Coast Redwood Crab Apples Crepe Myrtle Flowering Plum Pyracantha Red Maple River Birth Silver Maple Sugar Maple Sycamore Water Oak Wax Myrtle Willow spp. (Black, Marsh)

For the most effective and cost efficient application, apply PRUNE SMART[®] immediately after pruning. Treat the cut surface and the immediate surrounding bark area. PRUNE SMART[®] can also be applied to young sucker growth up to 10 inches in length.

APPLES AND PEARS

Do not apply PRUNE SMART[®] to trees less than 1 year old.

Scaffold Limbs: Make application only during the dormant season! Prune the existing sprouts and thoroughly treat the area where existing sprouts were removed but restrict treatment to the cut surfaces and 2 to 3 inches of the surrounding area. DO NOT ALLOW ANY PRODUCT TO DRIFT OR SPLASH ONTO SURROUNDING FRUITING WOOD OR BUDS. Do not treat scaffold limbs after bud activity starts in the spring. To minimize the chance of injury, limit treated areas to 10 percent of the total bark area of the trees. Do not treat weak trees and do not repeat application on the same tree for at least one year.

Trunk And Basal Sprouts And Root Suckers: Make applications only during the dormant season prior to the green tip stage OR during the summer season when new shoots are 6 to 12 inches in length. Summer applications are the most effective. On fruit bearing trees do not treat suckers during bud swell, bloom or fruit set. This period is from the start of growth in the spring to 4 weeks after petal fall. Application during this time period can result in excessive fruit thinning. For both the dormant and summer applications prune the existing sprouts and then thoroughly brush or spray the treatment areas. Do not allow the product to splash or drift to other parts of the tree.

Pruning Cuts on Large Lateral or Upright Limbs: Make applications only in the dormant season prior to bud activity. Do not allow product to contact any fruit buds. Do not allow product to splash or drip onto other parts of the tree. To control sprouts in the vicinity of the pruning cuts thoroughly brush PRUNE SMART[®] on the bark in the immediate vicinity of the cut. Treat several inches of bark around cut. Spray applications are not recommended due to the possibility of the spray contacting fruit buds.

OLIVES

LIMITED FOR USE ON <u>TRUNK BASAL SPROUTS</u> AND <u>ROOT SUCKERS</u> ONLY. For the most effective and cost efficient application, apply PRUNE SMART[©] immediately after pruning. Treat the cut surface and the immediate surrounding bark area. PRUNE SMART[©] can also be applied to young sucker growth up to 10 inches in length. Do not treat during bloom or fruit set! Limit treatment to 10% of the plants total bark area! <u>(Do not treat</u> <u>scaffold branches or pruning cuts in the canopy of Olive trees due to possible injury and fruit thinning!)</u>

STORAGE AND DISPOSAL

STORAGE: Do not store near fertilizers, seeds, insecticides or fungicides. Store at temperatures above 35°F. **PESTICIDE DISPOSAL:** Do not contaminate water, food or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved was; te disposal facility.

CONTAINER DISPOSAL: Do not reuse empty container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, incineration, or if allowed by State and local authorities, by burning. If container is burned, stay out of smoke.

LIMITED WARRANTY AND DISCLAIMER

The manufacturer warrants (a) that this product conforms to the chemical description on the label; (b) that this product is reasonably fit for the purposes set forth in the directions for use, subject to the inherent risks referred to herein, when it is used in accordance with such directions; and (c) that the directions, warnings, and other statements on this label are based upon responsible experts' evaluations of reasonable tests of effectiveness, of toxicity to laboratory animals and to plants and residues on food crops, and upon reports of field experience. Tests have not been made on all varieties of food crops and plants, or in all states or under all conditions.

THERE ARE NO EXPRESS WARRANTIES OTHER THAN THOSE SET FORTH HEREIN. THE MANUFACTURER NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE, TO MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OF FITNESS FOR A PARTICULAR PURPOSE, OR ANY WARRANTY OF QUALITY OR PERFORMANCE. THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS OR CAUTIONS.

BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT, SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. AMVAC offers this product, and Buyer accepts it, subject to the foregoing Limited Warranty which may be varied only by agreement in writing signed by an authorized representative of AMVAC.

PRUNE SMART[®] is a registered trademark of Amvac Chemical Corporation.

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