

7401-9

6/4/2009

1098



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Ms Leslie Oliver  
Agent for Voluntary Purchasing Groups, Inc  
C/O Mandava Associates, LLC  
6860 N Dallas Parkway, Suite 200,  
Plano, TX 75034

JUN 4 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 2008-1

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated January 14, 2009 for:

**EPA Registration 7401-9 Ferti-Lome Dormant Spray and Summer Oil Spray**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 2008-1 and finds that the label change(s) requested falls within the scope of PRN-2007-4 and 2008-1. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060



	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input type="checkbox"/> Amendment	
	Washington, DC 20460	<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 7401-9	2. EPA Product Manager George LaRocca	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ferti-lome Dormant Spray and Summer Oil Spray	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Voluntary Purchasing Groups, Inc. 230 N. FM 87 Bonham, Texas 75418 <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: <input checked="" type="checkbox"/> EPA Reg. No. <u>NOTIFICATION</u> Product Name <u>JUN 04 2009</u>	

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 label change relative to PR Notices 2008-1 and 2007-4. This notification is consistent with the guidance in PR Notices 2008-1 and 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to wilfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146 and 156.156, 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:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Pint & Quart	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product		
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Madhu Mandava	Title Agent for Voluntary Purchasing Groups, Inc.	Telephone No. (Include Area Code) 972-265-7924
<b>Certification</b> 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 Agent for Voluntary Purchasing Groups, Inc.	
4. Typed Name Madhu Mandava	5. Date April 30, 2009	

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# MANDAVA ASSOCIATES, LLC

CONSULTANTS IN SCIENCE, TECHNOLOGY AND REGULATORY AFFAIRS

6860 N Dallas Parkway, Suite 200, Plano, TX 75034

Telephone: (972) 265-7924 / Fax: (972)-265-7942 / E-MAIL: [Madhu@Mandava.com](mailto:Madhu@Mandava.com) / [www.Mandava.com](http://www.Mandava.com)

January 14, 2009

Mr. George LaRocca  
US EPA  
Office of Pesticide Programs  
Registration Division (7504P)  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

SUBJECT: EPA Registration Number: 7401-9; ferti-lome Dormant Spray & Summer Oil Spray;  
Notification Per PR Notices 2008-1 and 2007-4

Dear Mr. LaRocca:

On behalf of Voluntary Purchasing Groups, Inc. (VPG), we are submitting notification for change in Storage and Disposal Statements per PR Notice 2007-4 and Environmental Hazards Statements per PR Notice 2008-1 for ferti-lome Dormant Spray & Summer Oil Spray (EPA Registration Number: 7401-9).

Enclosed with this submission, please find the following:

- 1) Application for Pesticide Registration Notification
- 2) Two amended labels clearly marked
- 3) One original label

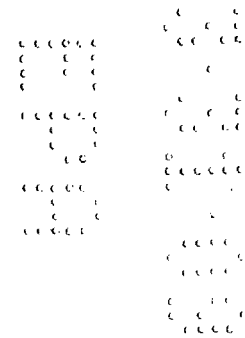
Please update the agency records in consideration of this notification.

If you have any questions regarding this submission, please contact me at (972) 265-7925.

Sincerely,



Leslie Oliver  
Agent for Voluntary Purchasing Groups, Inc.



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7401-9  
Ferti-lome Dormant Spray and Summer Oil Spray

Attachment for Section II of form 8570-1

"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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."

"Notification of label change relative to PR Notice 2008-1. This notification is consistent with the guidance in PR Notice 2008-1 and the requirements of EPA's regulations at 40 CFR 156.10, 40 CFR 156.80 and 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 guidance of PR Notice 2008-1 and the requirements of 40 CFR 156.10, 40 CFR 156.80 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."

*Justie Oliver*

\_\_\_\_\_  
Signature

Agent for Voluntary Purchasing Groups, Inc.  
Title

April 23, 2009  
Date

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NOTIFICATION  
JUN 04 2009

[FRONT LABEL PANEL]

**Ferti-lome®**  
**DORMANT SPRAY**  
**AND**  
**SUMMER OIL SPRAY**

[Optional proposed text appears in brackets-the final label may include some or all of the optional text]

- For [Homeowner] [Domestic] Use Only
- Controls Scale on Ornamentals, Flowering Shrubs and Trees Around The Home
- [Can be Used Anytime Temperature Is Not Over 90°F]

**ACTIVE INGREDIENT:**

Refines Petroleum Distillate\*.....98.8%

**INERT INGREDIENTS:**.....1.2%

**TOTAL:**.....100.00%

\*Unulfonated Residue of Petroleum Distillate.....98.0% Min.

\*50% Distillation Point of Petroleum Distillate..... 414.0°F

\*Flash Point.....

Weight per Gallon.....

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**See Back/Side Panel for Additional Precautionary Statements**

Net Contents \_\_\_\_\_

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**[BACK/SIDE LABEL PANEL]**

**FIRST AID**

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-222-1222 or 1-800-900-4044 for emergency medical treatment information.

If swallowed	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give <b>any</b> liquid to the person</li> <li>• Do not give <b>anything</b> by mouth to an unconscious person.</li> </ul>
If on skin or clothing	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If in eyes	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If inhaled	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>

**NOTE TO PHYSICIAN:** Contains petroleum distillate-vomiting may cause aspiration pneumonia.

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION:** Harmful if swallowed or inhaled. Avoid contact with eyes, skin, and clothing. Avoid breathing of spray mist or vapor. Avoid contamination of food.

Food utensils such as tablespoons or measuring cups should not be used for food purposes after use with pesticides.

**ENVIRONMENTAL HAZARDS**

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

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[BACK/SIDE LABEL PANEL]

**DIRECTIONS FOR USE**

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

**1. WHAT IS THIS PACKAGE FOR?**

Ferti-lome® Dormant Spray and Summer Oil Spray is effective in controlling scale on ornamentals, shrubs, fruit trees and shade trees.

**2. HOW DO YOU USE IT?**

ORNAMENTALS: Mix 3 tablespoons of ferti-lome® Dormant Spray and Summer Oil Spray in one gallon of water. Repeat application at 14 to 21 day intervals until scale is controlled. Make sure the undersides of branches and leaves are wet with the spray.

Ferti-lome® Dormant Spray and Summer Oil Spray may be mixed with other insecticides and with fungicides except those containing sulphur. Ferti-lome® Dormant Spray and Summer Oil Spray may cause plant injury in house plants such as ivy, ferns and the like. Do not spray plants in mid-day with this spray if temperature is above 90°F. Spray in late afternoon or early morning.

FRUIT TREES: To control San Jose scale on peaches, plums, pears and apple trees; obscure scale on pecans; spray trees thoroughly (during dormant season only) with 6 tablespoons of ferti-lome® Dormant Spray and Summer Oil Spray in 1 gallon of water. Dormant season is before the scale slip, or at, or prior to bud swell. Repeat in 3 to 4 weeks if necessary.

**3. HERE ARE THE RESULTS YOU MAY EXPECT!**

Ferti-lome® Dormant Spray and Summer Oil Spray when used according to directions, is an effective and economical way to control scale on ornamentals, shrubs and shade trees, such as tea scale on camellias, oleander scale on oleanders, juniper scale on junipers, azalea scale on azaleas, white peach scale on privet, scale on citrus trees, rose scale on roses and magnolia scale on magnolias.

**STORAGE AND DISPOSAL**

**PESTICIDE STORAGE:** Store in original container. Keep in an area inaccessible to children and pets.  
**PESTICIDE DISPOSAL:** **If Empty: Non-refillable container.** Do not reuse or refill this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

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**[BACK/SIDE LABEL PANEL]**

**NON-WARRANTY:** Follow directions carefully. Timing and method of application, weather and crop conditions, mixtures with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of the seller. Buyer assumes all risks of use, storage or handling of this material nor in strict accordance with directions given herewith.

Released For Shipment By:

VOLUNTARY PURCHASING GROUPS, INC.  
P.O. BOX 460  
BONHAM, TEXAS 75418

EPA Reg. No. 7401-9  
EPA Est. No. 7401-TX-1

[www.fertilome.com](http://www.fertilome.com)

**NOTIFICATION**  
**JUN 04 2009**