

7946-26

01/11/2007

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

JAN 11 2007

JJ Mauget Co.
c/o Mr. Frederick T. Smith, SciReg Consultant, Inc.
5435 Peck Rd.
Arcadia, CA 91006

Subject: Product Name: ArborFros
EPA Reg. No: 7946-26
Application for label Notification dated November 7, 2006: to add US units of volume and a statement clarifying the placement and alignment of the injection sites.

Dear Mr. Smith:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PRN 98-10 and it has been determined that the action(s) requested falls within the scope of PRN 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification, received, but not reviewed" and will be placed accordingly in our records.

Questions concerning this action should be directed to Mr. Raderrio Wilkins at (703) 308-1259 or email at wilkins.raderrio@epa.gov.

Sincerely,

Linda Hollis

Linda Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention Division

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United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 7946-26	2. EPA Product Manager L. Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ArborFos	PM# 90	
5. Name and Address of Applicant (Include ZIP Code) J.J. Mauget Co. 5435 Peck Rd. Arcadia, CA 91006 <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. _____ 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.)

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 type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	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) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. Per Container	If "Yes" Package wgt. No. Per Container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 On label.
 On label accompanying product.

6. Manner in Which Label is Affixed to Product
 Lithograph
 Paper glued
 Stenciled
 Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Frederick T. Smith	Title Senior Regulatory Specialist	Telephone No. (Include Area Code) 703/494-6500
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Certification
 I certify that the statements which 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.

2. Signature 	3. Title Agent (SciReg, Inc.)	6. Date Application Received (Stamped)
4. Typed Name Frederick T. Smith	5. Date 11/7/06	

* HIGHLIGHTED *

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Mauget

ArborFosTM

SYSTEMIC FUNGICIDE
IN READY TO USE CAPSULES
FOR TREE INJECTION USE FOR SEASONAL SUPPRESSION OF
CERTAIN DISEASES

MFG. BY:
TOWN, STATE:
EPA REGISTRATION NO:
EPA ESTABLISHMENT NO:
E-MAIL ADDRESS:

J.J. MAUGET CO.
Arcadia, CA 91006
7946-26
7946-CA-1
www.Mauget.com

ACTIVE INGREDIENT:

Mono- and di-potassium salts of Phosphorous Acid45.8%

OTHER INGREDIENTS:54.2%

Total100.0%

Contains 5.174 lbs/gallon of the active ingredients, mono- and di-potassium salts of Phosphorous Acid. Equivalent to 3.353 lbs Phosphorous Acid/gallon.

Net Contents:

- _____ 288 capsules @ 0.17 fl. oz. (5 mL) ea, 48.96 fl. oz. (1440 mL) net
- _____ 288 capsules @ 0.25 fl. oz. (7.5 mL) each, 72.0 fl. oz. (2160 mL) net
- _____ 288 capsules @ 0.34 fl. oz. (10 mL) each, 97.92 fl. oz. (2880 mL) net
- _____ 24 capsules plus 24 feeder tubes per carton
- _____ 24 capsules @ 0.17 fl. oz. (5 mL) ea, 4.06 fl. oz. (120 mL) net
- _____ 24 capsules @ 0.25 fl. oz. (7.5 mL) each, 6.0 fl. oz. (180 mL) net
- _____ 24 capsules @ 0.34 fl. oz. (10 mL) each, 8.12 fl. oz. (240 mL) net

Shipping box: 12 cartons as above.

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

IF SWALLOWED	<ul style="list-style-type: none"> • 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.
IF IN EYES	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.

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 contact 1-800-535-5053 for emergency treatment information.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution. Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing vapors or spray mist. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear:

- Protective eyewear.
- Long pants and long-sleeved shirt.
- Shoes plus socks.
- Waterproof gloves.

Follow manufacturer's instructions for maintaining and cleaning personal protective equipment (PPE). If no such instructions for washables, use hot water and detergent. Keep and wash PPE separately from other laundry.

NOTIFICATION
Date Reviewed: 1/11/07
Reviewed by: [Signature]

USER SAFETY RECOMMENDATIONS

Users Should:

- Wash hands before drinking, eating, chewing gum, using tobacco or using the toilet.
- Remove PPE clothing immediately if the pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

For terrestrial uses. 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 when disposing of equipment washwater or rinsate.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool place over 45°F with capsules in an upright position. Keep out of direct sunlight when possible.

PESTICIDE DISPOSAL: Waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Dispose of empty capsules in a sanitary landfill or by incineration if approved by state and local authorities. If burned, stay out of smoke.

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

RESTRICTIONS

Do not inject trees that are less than four inches in diameter.

GENERAL DIRECTIONS

Important: Preventative application is more effective than therapeutic treatment in trees showing disease symptoms. Trees in advanced stages of disease development may not respond to treatment. The health, species of the tree, and the environmental conditions will determine the rate of uptake. Infected trees will absorb the material more slowly due to the vascular plugging caused by the disease. If ArborFos is not absorbed within 24 hours, the tree is considered high risk and has a poor chance of survival. For all rates of application, see #3 below. Thoroughly irrigate trees/plants prior to or at the same time of injection. Test for phytotoxicity prior to regular use.

PLANT	DISEASE
ORNAMENTAL & FOREST TREES	PHYTOPHTHORA Spp. (including P. ramora, P. cinnamomi, P. palmivora, P. cactorum) ANTHRACNOSE APPLE SCAB (Venturia inaequalis) BACTERIAL BLIGHT (Xanthomonas spp.)
CONIFERS GROWN IN COMMERCIAL NURSERIES, PLANTATIONS, and FOREST (INCLUDING CHRISTMAS TREE FARMS)	PHYTOPHTHORA Spp. (including P. ramora, P. cinnamomi, P. palmivora, P. cactorum)
CROP TREES	
AVOCADOS	ROOT ROT (Phytophthora cinnamomi, P. citricola)
CITRUS (mature trees)	ROOT, FOOT and COLLAR ROT (Phytophthora spp. incl. P. nicotianae, P. citrophthora)
COCONUTS	BUD - NUT FALL (Phytophthora palmivora)
APPLES PEARS LOQUATS QUINCE	FIRE BLIGHT (Erwinia amylovora) APPLE SCAB (Venturia inaequalis)
TREE NUTS SUCH AS ALMONDS WALNUTS	ROOT and COLLAR ROT (Phytophthora spp.)

1. The MAUGET SYSTEM

- (A) Mauget compressible capsule with insert hole
- (B) Feeder tube with flanged gun-sight and opposite tapered beveled end

2. TOOLS

- (A) Portable electric drill
- (B) 11/64 in. (0.4 cm) drill bit
- (C) Plastic mallet
- (D) Tape measure
- (E) Insertion tool (optional)

3. NUMBER OF CAPSULES

Measure the diameter of the tree at chest height in inches.

The dosage is:

0.17 fl. oz. (5 ml) per inch DBH

Round down to the lower whole number.

Injection sites can be placed on first and second vertically spaced circumferential rings where necessary. Vertical injection sites should not be aligned.

4. PRESSURIZING THE CAPSULES

Apply the appropriate amount of pressure on the top of the capsule in order to compress.

5. DRILLING THE TREE HOLE

Predrill spaced injection sites at a slight downward angle at the root flair/buttress area (approximately 6.0 to 8.0 in., 15 to 20 cm) above ground level, using a clean 11/64 in. (0.4 cm) drill bit (except monocotyledons, conifers, etc.). Drill to a depth of 3/8 to 1/2 in. (0.95 to 1.3 cm) into healthy xylem tissue under the bark. For mini-micro feeder tube, see Step 10. Disinfect drill bit, insertion tool (if used), as well as mini-micro insertion tool prior to use on each tree.

6. TREE HOLE DEPTH

It is important that the feeder tube be set to the proper depth in the conductive xylem tissue. If set too deeply, flow is restricted by blockage in the heartwood; if set too shallow, leakage may occur. The feeder tube dispensing end is beveled to allow for a 1/4 in. (0.6 cm) plus tolerance.

7. COMBINING CAPSULE AND FEEDER TUBE

Several methods of combining the micro-injector capsule with the feeder tube are acceptable including placing by hand, the feeder tube's flange end, with the flange notch upward, into the micro-injector insert hole of a compressed upright micro-injector capsule. Push the flange end of the feeder tube flush with the membrane located at the inner end of the insert hole.

8. PLACING THE FEEDER TUBE IN THE TREE

Firmly seat the beveled, dispensing end of the feeder tube, with the attached upright micro-injector capsule, into the predrilled tree injection hole. Tap the rear side, opposite the insert hole of the micro-injector capsule either with an optional mallet, hammer or push forward with the palm your hand. This action will simultaneously seat the feeder tube in the injection hole while breaking the micro-injector capsule membrane for releasing the capsule contents into the feeder tube and into the tree. Another method is to place the feeder tube in the predrilled hole of the tree using the optional insertion tool. Then place the compressed micro-injector capsule onto the feeder tube in place.

9. REMOVAL

Uptake in the tree usually occurs within several minutes. Capsules may be temporarily rotated in place to see if any liquid is left. When empty, turn the micro-injectors upside down for one minute before removal. Applicators must remove micro-injectors promptly after treatment. Empty micro-injectors must not be left on the tree. The health and species of the tree, and local environmental conditions will determine the rate of uptake. If the capsule does not completely empty within a few hours, invert and carefully remove the micro-injector and enclose it in a heavy duty plastic bag for disposal in accordance with state and local regulations.

10. MINI-MICRO FEEDER TUBE

For established trees with thin bark (less than 3/8 in. (0.9 cm) thickness), use a 7/64 in. (0.3 cm) drill bit to produce a micro-injection site for a mini-micro feeder tube.

WARRANTY STATEMENT

J.J. Mauget Co. makes no warranty of merchantability, fitness for any purpose or otherwise expressed or implied concerning this product or its uses which extends beyond the use of the product under normal conditions in accord with the statements made on this label.

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SciReg, Inc.

Science and Regulatory Consultants

November 7, 2006

Ms. Linda A. Hollis
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Re: ArborFos™ (Reg. No. 7946-26)

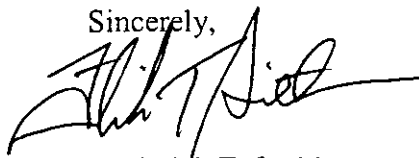
Dear Ms. Hollis:

On behalf of J.J. Mauget Co., SciReg, Inc. is submitting a notification consistent with PR Notice 98-10 for the above-identified product. Six copies of the revised label, one of which is highlighted to show the changes, are provided herein. The revisions are:

1. Addition of US units of volume (0.17 fl. oz.) to step 3 "Number of Capsules," page 2.
2. Addition of a statement clarifying the placement and alignment of the injection sites under Step 3. This statement was inadvertently deleted. It is present on the previous stamped-accepted label dated 9/1/05. A highlighted copy of the 9/1/05 label is included for your reference.

Should you have any questions, please call.

Sincerely,



Frederick T. Smith
Senior Regulatory Specialist

Enclosures