

8730-65

09-22-2009

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

September 22, 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Priscilla MacLean
Product Development Manager
Aberdeen Road Company d/b/a Hercon Environmental
P.O. Box 435
Emigsville, PA 17318

RE: Product Name: Hercon Disrupt Micro-Flake CM
EPA Reg. No: 8730-65
Application for Label Notification Dated August 24, 2009 to revise the
storage and disposal statement

Dear Mrs. MacLean:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration (PR) Notice 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PR Notice 98-10 and it has been determined that the action(s) requested falls within the scope of PR Notice 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification, received and reviewed" and will be placed accordingly in our records.

If you have any questions concerning this action, please feel free to contact Ms. Menyon Adams at (703) 347-8496 or email at adams.menyon@epa.gov.

Sincerely,

Linda Hollis

Linda Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

856074

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060

Print Form

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

Application for Pesticide - Section I

1. Company/Product Number 8730-65	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Hercon Disrupt Micro-Flake CM	PM# BPPD #91	
5. Name and Address of Applicant (Include ZIP Code) Aberdeen Road Company d/b/a Hercon Environmental P.O. Box 435 Emigsville, PA 17318 <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. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION Date Reviewed: <u>09/22/09</u> Reviewed By: <u>MCA</u>
<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 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. See Cover letter.

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	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Plastic	
		If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Glass	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 24" X 18" bag		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 Priscilla MacLean	Title Product Development Mgr	Telephone No. (Include Area Code) 717-779-2018
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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 <i>Priscilla MacLean</i>	3. Title Product Development Manager	
4. Typed Name Priscilla MacLean	5. Date Aug 24, 2009	

HERCON[®] Environmental

HERCON ENVIRONMENTAL
Aberdeen Road, P.O. Box 435
Emigsville, PA 17318-0435 U.S.A.
Phone (717) 764-1192 • Fax (717) 767-1016

August 24, 2009

Ms Linda Hollis (PM# 91)
Biopesticide and Pollution Prevention Division (7504P)
Office of Pesticide Programs
US Environmental Protection Agency
One Potomac Yard, 2777 South Crystal Dr.
Arlington, VA 22202-4501

**Subject: Notification of Label Change per PR Notice 2007-4
Hercon® Disrupt Micro-Flake CM, EPA Reg. No. 8730-65**

Dear Ms Hollis,

This submission is a notification of label change for the Hercon Disrupt Micro-Flake CM registered product (EPA Reg. No. 8730-65). The notification amends the storage and disposal section of the label per **PR Notice 2007-4**. The following changes were made to the Storage and Disposal section found in this master label:

- A statement identifying the container as nonrefillable and not for reuse
- A statement on recycling of the container
- Updated disposal instructions
- Batch Codes

Complete Certification Statement

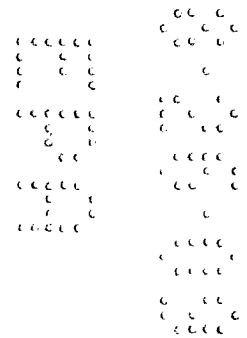
"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of 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."

Enclosed is the Notification form, this cover letter, a copy of the label with changes and a clean copy with the changes.

If you have questions or need further information please contact me at (717) 779-2018 or email me at pmaclean@herconenviron.com.

Sincerely,

Priscilla MacLean
Hercon Environmental
Product Development Manager
P.O. Box 435
Emigsville, PA 17318



HERCON®
DISRUPT MICRO-FLAKE® CM
MATING DISRUPTANT

For Codling Moth, *Cydia pomonella* (L.)

Disrupt Micro-Flake CM Mating Disruptant is a behavior modifying biopesticide mating disruption product used to control infestations and damage caused by codling moth, *Cydia pomonella*, on apple, peach, pear, pecan, plum prune, nectarine, quince and walnut trees. The codling moth mating disruptant pheromone is contained in, and released from a laminated polymer flake that can be applied using specialized air or ground equipment.

ACTIVE INGREDIENTS:

(E,E)-8, 10-Dodecadien-1-ol _____ **5.97 %**

OTHER INGREDIENTS _____ **94.03 %**

TOTAL **100.00 %**

NET WEIGHT: 15 lb. (6.8 kg) 406 grams of A.I

15 lb will treat 20 acres at 0.75 lb product (20.3 gm A.I.) per acre

BATCH CODE _____

KEEP OUT OF REACH OF CHILDREN
CAUTION PRECAUCION

FIRST AID STATEMENTS
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 by a poison control center or doctor • Do not give anything to an unconscious person
IF IN EYES:
<ul style="list-style-type: none"> • Hold eye open and rise 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 immediately for treatment advice
IF ON SKIN:
<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 immediately for treatment advice.
<p>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 National Pesticide Information Center (NPIC) at 1-800-858-7378 seven days a week, 6:30 am to 4:30 PST (NPIC website www.npic.orst.edu). After 4:30 pm PST call your poison control center at 1-800-222-1222</p>

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes and clothing. Wear protective eyewear, either goggles, face shield or shielded safety glasses. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove contaminated clothing and wash before reuse.

Personal Protective Equipment (PPE): Applicators and handlers must wear: long-sleeved shirt and long pants, socks, shoes, chemical resistant gloves, and protective eyewear. Follow the manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendations:
 Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
 Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
 Users should 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 water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or by disposing of equipment wash wastes.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulations

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) restricted entry interval and notification to workers (as applicable). Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. Do not enter or allow any worker to enter into treated areas during the restricted-entry interval (REI of 4 hours). For early entry into treated areas that is permitted under the Workers Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water, wear: coveralls, chemical resistant gloves, shoes plus socks and protective eyewear.

Application: **DISRUPT MICRO-FLAKE® CM** is effective in disrupting the pheromone communication female moths use to attract males of the same species for mating. This disruption delays and reduces the incidence of viable mating, which reduces the population density of the next generation. This product is to be used on apple, peach, pear, pecan, plum, prune, nectarine, quince and walnut trees or where codling moth are a problem. The application rate of **DISRUPT MICRO-FLAKE® CM** is 0.5 lbs (0.22 kg) to 1.5 lbs (0.68 kg) of product per acre per application. This is equivalent to 13.5 grams to 41 gm of codling moth pheromone AI per acre. Reapply **DISRUPT MICRO-FLAKE® CM** after 60-75 days, or sooner as needed, based on local conditions and monitoring results and field scouting. Use in combination with supplemental codling moth sprays where populations are extremely high. Do not exceed a total application rate of 150 grams AI (5.5 lb) per acre per year.

METHOD OF APPLICATION: For use on apple, peaches, pear, pecan, plum, prune, nectarine, quince and walnut trees. Do not open pouches until ready to use. Do not use **DISRUPT MICRO-FLAKE® CM** from damaged, punctured or unsealed bags. Apply the first **DISRUPT MICRO-FLAKE® CM** treatment early in the season, just prior to the first adult codling moth emergence. Second application should be timed with the second generation flight. If more than three generations or localized elevated population densities (or hot spots) occur consult your local extension agent, Pest Consultant Advisor or distributor. This product can only be applied using the Hercon-recommended modified ground or specialized aerial equipment. For best results use a Hercon-approved sticker, such as MICRO-TAC™ Sticker, to ensure the product is retained in the upper canopy for the entire treatment period. DO NOT use in liquid ULV pesticide sprayer. Recommended equipment for ground application is either a modified hydroseeder or modified blower, such as the TURBO-TAC™ Applicator, mounted on a suitable vehicle. Recommended application equipment for aerial application is either the Hercon Pod System for fixed winged aircraft or a modified helicopter applicator bucket. Monitor all applications for infestation with pheromone-baited traps such as the Hercon LURETAPE® CM LURE and SCOUT™ WING TRAP monitoring system, and by visual inspection of trees and fruit. Place monitoring traps in the orchard before applying **DISRUPT MICRO-FLAKE® CM**. Monitoring should begin early and continue throughout the season to help assess the effectiveness of the treatment. Monitor treatments closely, particularly for secondary pests such as leafrollers. Supplementary treatments or alternative control measures are advised for codling moth and secondary pests if monitoring by pheromone traps or visual damage assessments indicate such treatments or measures are needed.

Ground Equipment: For application using a modified blower, such as the TURBO-TAC™ Applicator, place **DISRUPT MICRO-FLAKE® CM** in the equipment's hopper and blow flakes into the top part of the tree canopy either by angling the application upward into the canopy of large trees or by applying over the tops of small trees allowing the flakes to fall down into the upper part of the canopy. Use an approved sticker such as MICRO-TAC™ at 2-6 oz per acre to ensure product is retained in the upper tree canopy for the entire treatment period. For application using a modified hydroseeder, prepare a uniform suspension of **DISRUPT MICRO-FLAKE® CM** in a tank mix of water approved sticker such as MICRO-TAC™ and approved thickening agent such as MICRO-THIC™ at appropriate rates. Apply by spraying flakes into the top part of the tree canopy either by angling the application upward into the canopy of large trees or by applying over the tops of small trees allowing the flakes to fall down into the upper part of the canopy.

Aerial Equipment: For application by fixed wing aircraft equipped with the Hercon Pod System, place **DISRUPT MICRO-FLAKE® CM** in the appropriate hoppers and apply over the tree canopy allowing the flakes to fall into the tops of the trees. Use an approved sticker such as MICRO-TAC™ at 2-6 oz per acre to ensure good adherence of flakes to foliage. For application by helicopter equipped with suitably modified application bucket, prepare a uniform suspension of **DISRUPT MICRO-FLAKE® CM** in a tank-mix of water, approved sticker such as MICRO-TAC™, and approved thickening agent such as MICRO-THIC™, all at appropriate rates and apply over tree canopy allowing flakes to fall down into the tops of the trees.

STORAGE AND DISPOSAL:

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

PESTICIDE STORAGE: Store in original container in a cool dry place until used. Reseal any unused pouches immediately after use and store in a cool dry place, preferably in a refrigerator or freezer. Do not store with food.

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

CONTAINER DISPOSAL: Non-refillable container. Do not refill or reuse this container. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or, if allowed by state or local authorities, by burning. If burned stay out of smoke.

Warranty and Limitation of Damages

Hercon Environmental warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in accordance with the Directions for Use under normal conditions of use to the extent allowed by state law. Hercon neither makes, nor authorizes any agent or representative to make, any other warranty of fitness or of merchantability, guarantee or representation, expressed or implied, concerning this material except as stated above. This warranty does not extend to the use of this product contrary to the label instructions, or under abnormal use conditions, or under conditions not reasonably foreseeable to Hercon Environmental. If this product is defective, Buyer's exclusive remedy shall be the replacement of the product, or if replacement is impractical as determined by Hercon, refund of the purchase price. To the extent allowable by law, Hercon's maximum liability for breach of this warranty shall not exceed the purchase price of this product. In no case will Hercon be liable for incidental, consequential or special damages resulting from handling, storage, use, misuse or abuse of this product.

Made in the USA by

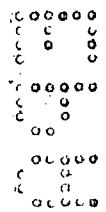
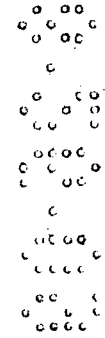
HERCON ENVIRONMENTAL

P.O. box 435 Emigsville, PA 17318-0435 Questions? 866-4-HERCON

"HERCON", "DISRUPT MICRO-FLAKE", "LURETAPE" AND "DISRUPT" are registered trademarks of Aberdeen Road Co. REV 081009

EPA Est. No. 8730-PA-01

EPA Reg. No. 8730-65



NOTIFICATION

Date Reviewed: 09/22/09

Reviewed By: M.A.