

8730-66

9/22/2009

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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 OFM
EPA Reg. No: 8730-66
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)



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 OFM, EPA Reg. No. 8730-66

Dear Ms Hollis,

This submission is a notification of label change for the Hercon Disrupt Micro-Flake OFM registered product (EPA Reg. No. 8730-66). 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
- Updated disposal instructions
- Batch Codes

Complete Certification Statement

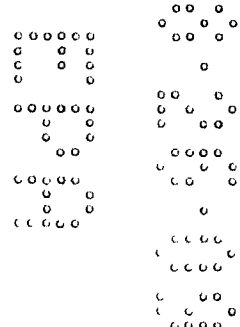
"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of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

For Oriental Fruit Moth, *Grapholita molesta*

Disrupt Micro-Flake OFM Mating Disruptant is a behavior modifying biopesticide mating disruption product used to control infestations and damage caused by Oriental fruit moth, *Grapholita molesta*, on peaches, pears, nectarines, apples, apricots, plums, quince, almonds, macadamia and walnuts. The oriental fruit moth mating disruptant pheromone is contained in, and released from a solid matrix laminate flake that can be applied using specialized air or ground equipment.

ACTIVE INGREDIENTS:

(Z)-8-dodecenyl acetate.....	7.83%
(E)-8-dodecenyl acetate.....	0.51%
(Z)-8-dodecenol.....	0.08%

OTHER INGREDIENTS	91.58%
TOTAL	100.00%

NET WEIGHT: 44 lb (20 kg) 1566 grams of A.I.
20 kg will treat 41 acres at 38 g ai/ac

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 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 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 the National Pesticide Information Center (NPIC) at 1-800-858-7378 seven days a week, 6:30 am to 4:30 pm Pacific Time (NPIC Web site: www.npic.orst.edu). After 4:30 pm 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 or 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 manufacturer's instructions for cleaning/maintaining PPE. If no such instructions are available 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 surface 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 waters.

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: This product is an effective tool used in the disruption of female and male moths' communication for the purposes of mating. This interference results in delaying or reducing the incidences of mating, thereby reducing the population density of the next generation. This product is to be used on peach, pear, nectarine, apple, apricot, plum, quince, almond, and macadamia trees or where oriental fruit moth is a problem. The application rate of DISRUPT MICRO-FLAKE OFM is 0.3 lbs to 1.0 lbs of product per acre per application. This is equivalent to 11.5 grams to 38 gm of oriental fruit moth pheromone AI per acre. Reapply DISRUPT MICRO-FLAKE OFM after 45-75 days, or sooner as needed, based on local conditions, monitoring results and field scouting. Use in combination with

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supplemental oriental fruit moth sprays where populations are extremely high. Do not exceed a total application rate of 150 grams AI (4 lb) per acre per year.

METHOD OF APPLICATION: For use on peaches, pears, nectarines, apples, apricots, plums, quince, almonds, and macadamia trees or other stone fruits. Do not open pouches until ready to use. Do not use DISRUPT MICRO-FLAKE OFM from damaged, punctured or unsealed bags. Apply the first DISRUPT MICRO-FLAKE OFM treatment early in the season just prior to the first adult 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 Hercon recommended modified ground or specialized aerial equipment. For best results use Hercon approved sticker to ensure the product remains in the upper canopy of the tree for the entire treatment period. Do NOT use in liquid ULV pesticide sprayers. Hercon recommends for this application: Modified hydroseeder or blower such as the TURBO-TAC™ for ground applications and Hercon Pods for fixed winged aircraft or modified helicopter bucket for aerial applications.

Monitor for infestation with a pheromone-baited trap, such as the Hercon LURETAPE® OFM LURE and SCOUT™ WING TRAP monitoring system, and by visual inspection of trees and fruit. Place monitoring traps in the orchard before handling DISRUPT MICRO-FLAKE OFM. 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.

Ground equipment: Use an approved sticker such as MICRO-TAC™ at 4-48 oz per acre and MICRO-THIC™ at 1 to 6 ounces per gallon to ensure the Micro-Flakes remain in the upper canopy using a modified hydroseeder or blower. Spray Micro-Flakes into the top part of the tree canopy either by angling the spray upward into the canopy for larger trees or by spraying over the tops of the trees allowing the Micro-Flake to fall down on the top of the trees. For best results use an approved sticker to make sure the product remains in the upper canopy of the tree for the application period.

Aerial Equipment: Place the Micro-Flakes in the appropriate hoppers mounted on the plane. Spray Micro-Flakes in to the tree canopy allowing the Micro-Flakes to fall down and through the top of the trees. For best results use an approved sticker such as MICRO-TAC™ at 4-16 oz per acre and if using the Arena Turbo-Tac for aerial applications use MICRO-THIC™ at 1 to 4 pounds per 100 gallons to ensure the product remains in the upper canopy of the tree for the application period.

STORAGE AND DISPOSAL

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

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: Wastes resulting from the use of 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 reuse or refill this container. Completely empty bag into application equipment. Then dispose of bag in a sanitary landfill or by incineration, 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 impracticable 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

Emigsville, PA 17318-0435

EPA Est. No. 8730-PA-01

EPA Reg. No. 8730-66

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