

8730-67



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 WPSB
EPA Reg. No: 8730-67
Application for Label Notification Dated August 31, 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)

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

1. Company/Product Number 8730-67-	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Hercon Disrupt Micro-Flake WPSB	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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<p style="text-align: right;">NOTIFICATION</p> <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
	Date Reviewed: <u>09/22/09</u> Reviewed By: <u>MCA</u>

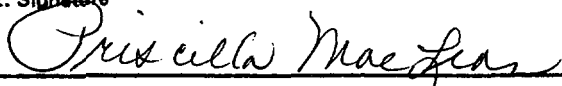
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

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:			
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	2. Type of Container <input type="checkbox"/> Metal <input checked="" 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 <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 24" X 28" 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
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 	3. Title Product Development manager	(Stamp area with dots)
4. Typed Name Priscilla MacLean	5. Date Aug 31, 2009	



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

August 31, 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 WPSB EPA Reg. No. 8730-67**

Dear Ms Hollis,

This submission is a notification of label change for the Hercon Disrupt Micro-Flake WPSB registered product (EPA Reg. No. 8730-67). 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

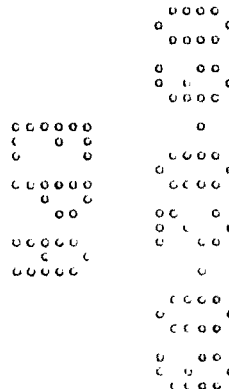
"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of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

**For the Control of the Western Pine Shoot Borer, *Eucosma sonomana*
 Kearfott and other species of *Eucosma* and *Rhyacionia***

DISRUPT MICRO-FLAKE WPSB Mating Disruptant is a behavior modifying biochemical product (pheromone) which functions through mating disruption. It is to be used for control of infestation and damage caused by the Western pine shoot borer, on pine see orchard and plantations of ponderosa pine (*Pinus ponderosa*) and lodgepole pines (*Pinus contorta*). Other species this product causes disruption of mating are *Eucosma gloriole* (Eastern Pine Shoot Borer) and *Rhyacionia zozana* (Ponderosa Pine Tip Moth). The pheromone is contained in and released from a solid matrix laminate flake that can be applied using specialized air of ground equipment.

ACTIVE INGREDIENTS:

(Z)-9-Dodecen-1-yl acetate.....	4.83%
(E)-9-Dodecen-1-yl acetate.....	1.21%
OTHER INGREDIENTS:	93.96%
TOTAL:	100.00%

NET WEIGHT: 44 lb (22 kg) or 1328.8 gm active ingredient
Batch Code _____

KEEP OUT OF REACH OF CHILDREN
CAUTION PRECAUCION
READ DIRECTIONS AND PRECAUTIONARY STATEMENTS BEFORE USE

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

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may contact the National Pesticide Telecommunications Network at 1-8700-858-7378 for emergency medical treatment information. Hours of operation are seven days a week, 6:30 am to 4:30 pm PST

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 State and Tribal agency responsible for pesticide regulation.

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) and the restricted entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard. 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 Worker 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 moth communication for the purposes of mating. This interference results in delaying or reducing the incidences of mating and thereby reducing the population density for the next generation. This product is to be used on several species of pine trees from damage caused by Western pine shoot borer. The application rate of **DISRUPT MICRO-FLAKE WPSB** is 0.3 lbs (136 gm) to 0.7 lbs (331 gm) of product per acre per application. This is equivalent to 8 grams to 20 gm of western pine shoot borer pheromone (AI) per acre. Reapply **DISRUPT MICRO-FLAKE WPSB** after 45-75 days, or sooner as needed, based on local conditions and monitoring results and field scouting. Use in combination with supplemental insecticidal sprays where populations are extremely high. Do not exceed a total application rate of 150 grams AI (5.5 lbs or 2.5 kg) per acre per year.

METHOD OF APPLICATION: This product is an effective tool to help manage the Western pine shoot borer, the Eastern pine shoot borer and the ponderosa pine shoot borer in forested areas containing the following tree species: Ponderosa pine (*Pinus ponderosa*), Lodgepole pine (*P. contorta*), Jeffrey pine (*P. jeffreyi*), Eastern White Pine (*P. strobes*), Western White Pine (*P. monticola*), Red Pine (*P. resinosa*), Scots Pine (*P. sylvestris*), Pitch Pine (*P. rigida*) and other species of trees damaged by these pine shoot borers.

Do not open pouches until ready to use. Do not use **DISRUPT MICRO-FLAKE WPSB** from damaged, punctured or unsealed bags. Apply the first **DISRUPT MICRO-FLAKE WPSB** treatment early in the season, just prior to the first adult emergence. Consult your local extension or forestry specialist for timing of moth emergence. Apply this product only by using modified ground or specialized aerial equipment. For best results use an approved sticker to insure the product is in the upper canopy of the tree during the application period. DO NOT use in liquid ULV pesticide sprayer. Four pieces of equipment are needed for this application: Modified hydroseeder, or a blower such as the **ARENA TURBO-TAC™** for ground applications and the Hercon pods for fixed winged aircraft and a modified helicopter bucket.

Monitor for infestation with a pheromone-baited trap, such as the Hercon **LURETAPE® WPSB LURE** and **SCOUT™ WING TRAP** monitoring system, and by visual inspection of trees for shoot tip damage. Place monitoring traps in the treatment area before applying **DISRUPT MICRO-FLAKE WPSB**. Begin monitoring early and continue throughout the season to help assess the effectiveness of the treatment.

Ground equipment: Use an approved sticker such as **MICRO-TAC™** at 4-48 fl. oz per acre to insure product remains in the upper canopy using a modified hydroseeder or blower. Spray **DISRUPT MICRO-FLAKE WPSB** 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 product to fall down on the upper part of the canopy.

Aerial Equipment: Place **DISRUPT MICRO-FLAKE WPSB** in the appropriate hoppers mounted on the plane or into a modified helicopter bucket. Spray the product into 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 fl. oz per acre 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.

PESTICIDE STORAGE: Store in original container in a cool dry place until used. Reseal any unused bags 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 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 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. 8730-67

Questions? 866-4-HERCON REV 081009

"HERCON", **DISRUPT MICRO-FLAKE**, AND **LURETAPE** are registered trademarks of Aberdeen Road Company. **Micro-Tac** and **Micro-Thic** are trademarks of Aberdeen Road Company.

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