

7/8/2010

1/1



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

JUL 8 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Masuo Robinson, Agent for
Britz-Simplot Growers Solutions, LLC
c/o Robinson Associates
583 Canyon Road
Redwood City, CA 94062

Subject: Label Notification for Pesticide Registration Notice 2007-4
(Storage & Disposal Changes)

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated June 16, 2010 for:

EPA Reg. 10951-10 "Britz BT 25 Sulfur Dust"

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN 2007-4. 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.


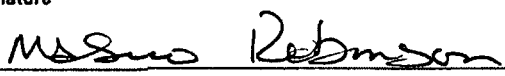
If you have any questions, please call me directly at 703-305-5335 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in cursive script that reads "Rachel C. Holman".

Paul J. Mattradone, Ph.D., Acting
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

2/7

 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 10951-10		2. EPA Product Manager Mary Waller	
4. Company/Product (Name) Britz BT 25 Sulfur Dust		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (Include ZIP Code) Britz-Simplot Grower Solutions, LLC c/o Robinson Associates 583 Canyon Rd. Redwood City, CA 94062 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.	
NOTIFICATION JUL - 8 2010			
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 provisions of 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."			
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 <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container	
		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product		<input 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 Masuo Robinson		Title Authorized Agent Telephone No. (Include Area Code) 650.361.1101	
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 Authorized Agent	
4. Typed Name Masuo Robinson		5. Date June 16, 2010	

3/7



June 16, 2010

U.S. Environmental Protection Agency
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
1200 Pennsylvania Avenue, N.W.
Washington DC 20460-0001

Subject: Revised Label per PR Notice 2007-4.

Britz BT 25 Sulfur Dust,
EPA Reg. No. 10951-10

Dear Ms. Waller:

On behalf of Britz-Simplot Grower Solutions, LLC, this letter is to submit a notification for the revised label based on compliance with PR Notice 2007-4.

Supporting this request, please find attached the following documents:

- Application for Pesticide Registration form 8570-1 dated June 16, 2010.
- One (1) copies of the revised label (highlighted).

Should you have any questions regarding this submission or require additional information, please call me. Please send all correspondence to Robinson Associates..

Sincerely,

A handwritten signature in black ink, appearing to read "Masuo Robinson".

Masuo Robinson
Agent for Britz-Simplot Grower Solutions, LLC

attachments

cc: Tim Brown, BSGS

notif epa 10-1

Regulatory Affairs 583 Canyon Road
Pesticide Registration Redwood City, CA 94062
Telephone 650.361.1101
Facsimile 650.361.0111
Email masuo@ix.netcom.com

4/7

BRITZ BT 25 SULFUR DUST

(Bacillus thuringiensis. subsp. kurstaki strain ABTS-351 solids, spores, and insecticidal toxins)

NOTIFICATION

JUL - 8 2010

ACTIVE INGREDIENTS:

Bacillus thuringiensis. subsp. kurstaki strain ABTS-351 solids, spores, and insecticidal toxins * 1.16%
Sulfur 25.00%

OTHER INGREDIENTS 73.84%

TOTAL 100.00%

*0.29 billion Cabbage Looper Units per pound product or 640 CLU per gram product.

The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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 to 20 minutes. • Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
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 day or night, 1-800-424-9300	



♦ Listed by the Organic Materials Review Institute (OMRI) for use in production of organic food and fiber

5/7

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, inhaled, or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material, shoes plus socks and protective eyewear. Mixers/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

Follow 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.

ENGINEERING CONTROLS STATEMENTS

When handlers use closed systems, enclosed cabs or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS. **IMPORTANT:** When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for "applicators and other handlers" and have such PPE immediately available for use in an emergency, such as a spill or equipment break-down.

USER SAFETY RECOMMENDATIONS

USERS SHOULD:

Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

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.

Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from treated areas. Do not contaminate water when disposing of equipment washwaters.

This product must not be applied aerially within ¼ mile of any habitats of endangered or threatened lepidoptera (i.e. moths or butterflies). No manual application can be made within 300 feet of any threatened or endangered lepidoptera.

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 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 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 worker entry into treated areas during the restricted entry interval (REI) of 24 hours.

PPE required for early entry to 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, is: coveralls, chemical-resistant gloves made of any waterproof material, shoes plus sock, and protective eyewear.

Britz BT Sulfur 25 Dust is a biological insecticide intended for use against chewing larvae (caterpillars) of certain lepidopterous species.

Apply recommended amounts when air is calm, using ground equipment, aircraft, or hand duster. Apply at first sign of infestation and repeat at weekly intervals when needed to maintain control. Good underleaf coverage is essential since the insect must ingest Britz BT Sulfur 25 Dust. After eating Britz BT Sulfur 25 Dust, some insects stop feeding, but may otherwise appear to be unaffected for several days. Use the higher recommendations against very heavy infestations, or where it is difficult to obtain good coverage due to rank foliage. Britz BT Sulfur 25 Dust is exempt from tolerance requirements, and may be applied in recommended amounts up to the day of harvest.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower/treatment coordinator are responsible for considering all of these factors when making decisions.

Caution: Applications of sulfur should not be made just prior to or during periods of high summer temperatures. Do not make applications within 2 weeks of an oil spray. Do not use or allow this material to drift onto sulfur sensitive melons, squash, cucumbers, apricots, spinach or other plants which may be injured by sulfur. Concord and other labrusca type grapes may be injured by sulfur.

**DO NOT MIX OR DILUTE WITH OTHER PRODUCTS.
THOROUGH COVERAGE ESSENTIAL WHEN USING BT SULFUR 25 DUST**

APPLICATION RATE

For the control of cabbage looper on broccoli, cabbage, cauliflower, collards, kale, mustard and turnip greens, celery, lettuce, melons, potatoes, spinach, tomatoes, apply 25 to 50 lbs. per acre.

7/7

For the control of imported cabbage worm on broccoli, cabbage, cauliflower, collards, kale and mustard and turnip greens, apply 15 to 25 lbs. per acre.

For the control of grape leaf folder, omnivorous leaf roller, powdery mildew on grapes, apply 25 to 50 lbs. per acre.

For the control of hornworm on tobacco and tomatoes, apply 12 to 25 lbs. per acre.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original container only. Store in a cool, dry place and avoid excess heat. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

In Case of Spill: Avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call Chemtrec (800.424.9300).

To Confine Spill: If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

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

CONTAINER DISPOSAL: ~~Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available.~~ Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

For Minor Spills, Leaks, Etc.: Follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of waste. In the event of a major spill, fire or emergency, call Chemtrec @ 1-800-424-9300 day or night.

CONDITIONS OF SALE AND WARRANTY

Conditions of sale: 1 Britz-Simplot Grower Solutions, LLC., warrants that this material conforms to the chemical description on the label and is reasonably fit for use as directed hereon. Britz-Simplot Grower Solutions, LLC., 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. 2. Critical and unforeseeable factors beyond the control of Britz-Simplot Grower Solutions, LLC., prevent it from eliminating all risk in connection with the use of chemicals. Such risks include, but are not limited to, damage to plants and crops to which the material is applied, lack of complete control and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit for the uses stated hereon and even though label directions are followed.

BRITZ-SIMPLOT GROWER SOLUTIONS, LLC
P.O. BOX 60011
FRESNO, CA 93794
1.559.884.2421

EPA REG. NO. 10951-10

NET WT. 50 LBS.

EPA EST. NC 10951-CA-1