

10951-17

8/17/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

August 17, 2010

Masuo Robinson
Authorized Agent for
Britz-Simplot Grower Solutions, LLC
c/o Robinson Associates
583 Canyon Rd.
Redwood City, CA 94062

RE: Product Name: Britz BT Dust
EPA Reg. No: 10951-17
Application resubmitted for Notification Dated: August 11, 2010

Proposed Notification:

- Label change per PR Notice 2007-4

Dear Mr. Robinson:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticides Registration Notice (PRN) 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 as "Notification, received and accepted" and will be placed accordingly in our records.

Questions concerning this action should be directed to Renae Whitaker (703) 347-0136 or email at whitaker.renae@epa.gov.

Sincerely,

Sheryl K. Reilly

Sheryl K. Reilly, Ph.D., Chief
Microbial Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

CONCURRENCES

SYMBOL ▼	7511P						
SURNAME ▼	Whitaker						
DATE ▼	8/17/10						

	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 10951-17	2. EPA Product Manager Sheryl Reilly	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Britz BT Dust	PM#	
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: <div style="text-align: center; font-size: 1.2em; font-weight: bold;">Notification Accepted</div> EPA Reg. No. _____ Date: <u>8/17/10</u> Product Name _____

Section - II

reviewer: Whitaker

<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.)

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 checked="" type="checkbox"/> Lithograph Paper, glued 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 August 11, 2010	



August 11, 2010

Ms. Renae Whitaker
Microbial Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington DC 20460-0001

Subject: Revised Label per PR Notice 2007-4.

Britz BT Dust,
EPA Reg. No. 10951-17

Dear Ms. Whitaker:

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 August 11, 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,

Two handwritten signatures are present. The first is a cursive signature that appears to read 'Masuo Robinson'. The second is a more stylized signature, possibly belonging to another representative of Britz-Simplot Grower Solutions, LLC.

Masuo Robinson
Agent for Britz-Simplot Grower Solutions, LLC

attachments

cc: Tim Brown, BSGS

notif epa 17-2

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

BRITZ BT DUST

Notification Accepted

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

Date: 8/17/10

Reviewer: Whitaker

ACTIVE INGREDIENT:

Bacillus thuringiensis. subsp. *kurstaki* strain ABTS-351 solids, spores, and insecticidal toxins * 01.94%

INERT INGREDIENTS..... 98.06%

TOTAL:..... 100.00%

*0.48 billion Cabbage Looper Units per pound product or 1066 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.
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	

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION: Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material, and shoes plus socks. 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. 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.

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

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 wash waters.

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 4 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, and shoes plus socks.

Britz BT 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 Dust. After eating Britz BT 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 Dust is exempt from tolerance requirements, and may be applied at 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.

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

RECOMMENDATIONS

CROP	PEST	LBS. PER ACRE
Broccoli	Cabbage looper	20-30
	Imported cabbageworm	20-30
Cabbage	Cabbage looper	20-30
	Imported cabbageworm	20-30
Cauliflower	Cabbage looper	20-30
	Imported cabbageworm	20-30
Celery	Cabbage looper	20-30
Collards	Cabbage looper	20-30
	Imported cabbageworm	20-30

Cotton	Tobacco budworm Cotton bollworm Cabbage looper	25-60
Grapes	Grape leaf folder	20-30

Start treating as soon as possible after hatching and before larvae are protected by leaf folds. Apply by ground equipment to obtain through coverage of leaf surfaces. For the control of omnivorous leaf roller and grape leaf folder with a scheduled program of 4 to 6 applications, apply 12.5 to 25 lbs. per acre for each application.

CROP	PEST	LBS. PER ACRE
Grapes (CA)	Omnivorous leaf roller	20-30
Kale	Cabbage looper Imported cabbageworm	20-30 20-30
Lettuce	Cabbage looper	20-30
Melons	Cabbage looper	20-30
Mustard greens	Cabbage looper Imported cabbageworm	20-30 20-30
Potatoes	Cabbage looper	20-30
Spinach	Cabbage looper	20-30
Tomatoes	Cabbage looper Tomato hornworm	20-30 20-30
Turnip greens	Imported cabbageworm	20-30

STORAGE AND DISPOSAL STATEMENTS

Do not contaminate water, food or feed by storage or 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 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. Buyer and user acknowledge and assume all risks and liability (except those assumed by Britz-Simplot Grower Solutions, LLC., under 1 above) resulting from handling, storage, and use of this material.

BRITZ-SIMPLOT GROWER SOLUTIONS, LLC

P.O. BOX 60011
FRESNO, CA 93794
1.559.884.2421

EPA REG. NO. 10951-17

EPA EST. NO. 10951-CA-1

NET WT _____ LBS.



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