



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 9, 2016

Dr. James L. Kunstman, VP, Regulatory Services
Acme Dormant Oil Spray
PBI/Gordon Corporation
1217 W. 12th Street, P.O. Box 014090
Kansas City, Missouri 64101-0090

Subject: Label Notification per PRN 2007-4 – Label Notification Requesting Approval for
Minor Formatting Changes and Addition of Advertising Claims.
Product Name: Acme® Dormant Oil Spray
EPA Registration Number: 33955-458
Application Date: 04/21/2016
Decision Number: 517347

Dear Dr. Kunstman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and finds that the action requested falls within the scope of PRN-2007-4.

The label submitted with the application has been 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 non-refillable containers. The code may appear either on the label (and can be added by non-notification via PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Katelynn E. King at 703-347-0193 or by email at king.katelynn@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken".

Richard Gebken
Product Manager 10
Invertebrate & Vertebrate Branch 2
Office of Pesticide Programs

ACME® DORMANT OIL SPRAY

EPA Reg. No. 33955-458

NOTIFICATION

33955-458

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

06/09/2016

This product is for outdoor residential use only.

ACTIVE INGREDIENT:

Mineral Oil* (CAS #64742-55-8) 97.0%

INERT **OTHER** INGREDIENTS: 3.0%

TOTAL 100.0%

*Contains petroleum distillates

KEEP OUT OF REACH OF CHILDREN

CAUTION

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

[Note to Reviewer: This information was moved from the appendix]

See [attached booklet][back panel][side panel][inside pages] for complete Precautionary Statements and Directions for Use, including First Aid and Storage and Disposal.

Net Contents: _____

EPA Est. No. _____

Company Name and Address:

PBI/Gordon Corporation

1217 West 12th Street

Kansas City, Missouri 64101



PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed. Harmful if inhaled. Avoid breathing vapor or spray mist. Wear water-proof gloves while using or handling this product. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse. Wash the outside of gloves before removing.

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.

First Aid

If swallowed:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Do not induce vomiting unless told to 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 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 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 for treatment advice.
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 treatment advice.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You also may contact 1-877-800-5556 for emergency medical treatment information.	
NOTE TO PHYSICIAN: This product contains petroleum distillates and may pose an aspiration pneumonia hazard.	

Environmental Hazards

This product is toxic to fish. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters, or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid runoff to bodies of water or drainage systems.

DIRECTIONS FOR USE

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

This product may only be used in residential yards and gardens to treat the types of plants listed in the use table on this label. Keep other persons and pets out of treatment area while product is being applied. Do not enter or allow others to enter treated areas until sprays have dried.

This product is a refined miscible oil for winter control of certain insects. Apply in dormant period before buds open - late winter or early spring. Do not apply when spray will freeze to limbs as injury may result from the excess deposit. Remove all loose bark prior to spraying. Scales may be protected by these "shingles". Spray to wet all twigs, limbs, and the trunk. Measure dosage to be used carefully. Add to water, and mix thoroughly. Do not use mixture after standing without stirring.

SHADE TREES & SHRUBS: (Including conifers, deciduous varieties, evergreens & woody ornamentals.)	APPLICATION RATE	Hose-end sprayers; Dial settings, Oz.	TIME OF APPLICATION (Stage of Development)	USE PRECAUTIONS	Aids Control of: SCALE, INSECTS, & MITES
Apple, Pear, Peach, Cherry, Plum, Grapes	1/2 cup (4 fl.oz.) of product per 1 gal. of water	4 oz	Dormant		European red mite & eggs, clover mite & eggs, pear leaf blister mite, pear psylla, San Jose scale, lecanium scale, eggs of aphids, mealybugs, scruffy scale, pine needle scale, juniper scale, oyster shell scale, Forbes' scale, golden oak scale, terrapin scale, cottony maple scale & rose scale.
Oak, Elm, Willow, Basswood (Linden)	1/2 cup (4 fl.oz.) of product per 1 gal. of water	4 oz	Dormant	Do not use on maple, mountain ash, and beech.	
Lilac, Rose, Flowering Quince, Cotoneaster, Hawthorn	1 cup (8 fl.oz.) of product per 3 gals. of water	3 oz	Dormant		
Evergreen (needle-type): Fir, spruce, pine, yew, and arborvitae are quite sensitive to oils. Colorado blue spruce may be discolored. Be extremely careful not to overspray.	1 cup (8 fl.oz.) of product per 3 gals. of water	3 oz	Dormant	Do not exceed this dosage. Apply just before new spring growth starts. Do not use on broadleaf evergreens.	

HOSE END SPRAYERS:

For hose-end sprayers with dilution:

Measure the required amount of oil into the jar according to the number of gallons of spray to be used. Fill jar to proper mark with water. Stir until white cream emulsion forms. Attach to sprayer head and apply. Do not use after standing over a few minutes without re-mixing.

For hose-end sprayers without dilution:

- Use hose-end sprayers such as the Ortho® Dial-N-Spray® or the Gilmour® Dial-A-Mix® Sprayer. Do not add water to the sprayer jar.
- Set the dial to 3 oz. or 4 oz. as described.
- Spray to wet all foliage. Target the undersides of the leaves and try to penetrate dense foliage with the spray droplets.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep from freezing. Store in original container in a locked storage area inaccessible to children or pets.

CONTAINER DISPOSAL: **If empty:** Nonrefillable Container. Do not reuse or refill this container. Offer container for recycling, if available. If recycling is not available, place container in trash. **If partially filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

LIMITED WARRANTY AND DISCLAIMER

FOR USE ONLY AS DIRECTED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. If these terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full. The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere.

APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Contents: _____
- EPA Est. No. _____

21. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- Aids Control of Scale and Mite Eggs on Fruit Trees Listed on this label, Shade Trees, Roses and Shrubs.
- Winter control of listed insects
- Use on listed fruit trees, shade trees, roses and shrubs
- Makes up to 8 gallons of spray solution
- ORTHO® Dial'N Spray Hose-End Sprayer is a registered trademark of Monsanto Company
- GILMOUR® Dial-A-Mix® Lawn and Garden Sprayer is a registered trademark of the Gilmour Manufacturing Company

[Back Panel]

Getting Started

Where To Use: Fruit trees, shade trees, ornamentals, shrubs, and other listed species.

When To Use: Apply in dormant period before buds open – late winter or early spring

How Much To Use:

	Application Rates	
	Fruit Trees	Roses
Amount of Water to Add to	1 gallon	3 gallons

Sprayer		
Amount of Product to Add to Sprayer	4 fl.oz.	8 fl.oz.

Telephone Icon

Computer Icon

For questions or comments call toll-free 1-800-821-7925 Mon. – Fri. 8:00 a.m. – 4:30 p.m. CST or visit our website at www.pbigordon.com [www.GordonsUSA.com]

DOCUMENT CONTROL INFORMATION

- 1. Unique Label Identifier:** 033955-00458.20160421.notif-proposed-highlighted
- 2. Reason for Issue:** ad claims; minor reformatting