



WASHINGTON, D.C. 20460

MAR 06 1996

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Warren Wolf
President
Creative Sales, Inc.
P.O. Box 501
222 No. Park Ave.
Fremont, NE 68025

5490173

Dear Mr. Wolf:

Subject: Use Deletions For
Acecap 97 Systemic Insecticide Implants
EPA Reg. No. 37979-1
Federal Register Notice of November 17, 1995

The amendment referred to above, submitted in connection with registration under FIFRA, is acceptable, provided that you:

Submit one copy of your final printed labeling incorporating the following correction(s) before you release the product for shipment.

o Delete the terms, "_____ may include_" from the use site statement, "For residential use- For use on ornamental trees: Use sites may include trees growing in interior landscapes, ornamental gardens or parks, or on golf courses or lawns and grounds".

The use of such terms renders the label ambiguous as to whether the label allows use on sites that are within the scope of PR Notice 93-7.

In lieu of deleting these terms, you must add the WPS exclusionary statement described below. Refer to PR Notice 93-11, Supplement F, page 3, items A and B regarding the need for exclusionary statements. A copy of this Supplement is enclosed for your reference.

"Not for use on trees being grown for sale or other commercial use, or for commercial seed production, or for the production of timber or wood products, or for research purposes."

If, on the other hand, you intend that the product be used on sites within the scope of WPS; i.e. nurseries, you must add the appropriate WPS labeling. Refer to the instructions set forth



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

in PR Notice 93-7 for complying with the WPS labeling requirements for products applied by direct injection and revise your label accordingly.

It is understood that as stated in your phone conversation of February 28, 1996, you will be retaining the use on golf courses.

If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of this condition.

A stamped copy of the label is enclosed for your records.

Sincerely yours,



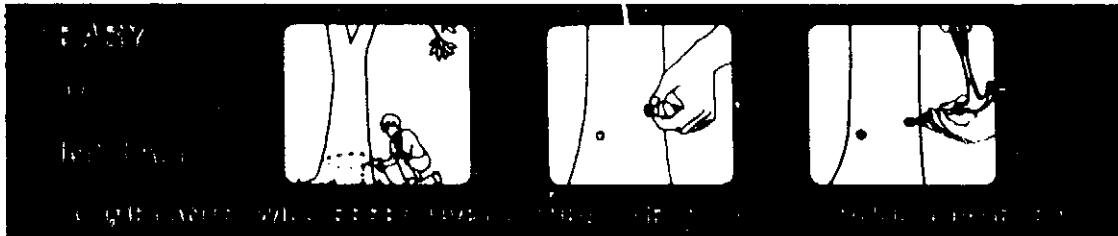
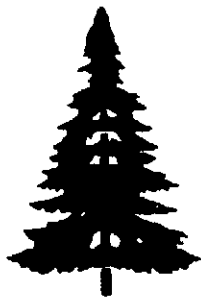
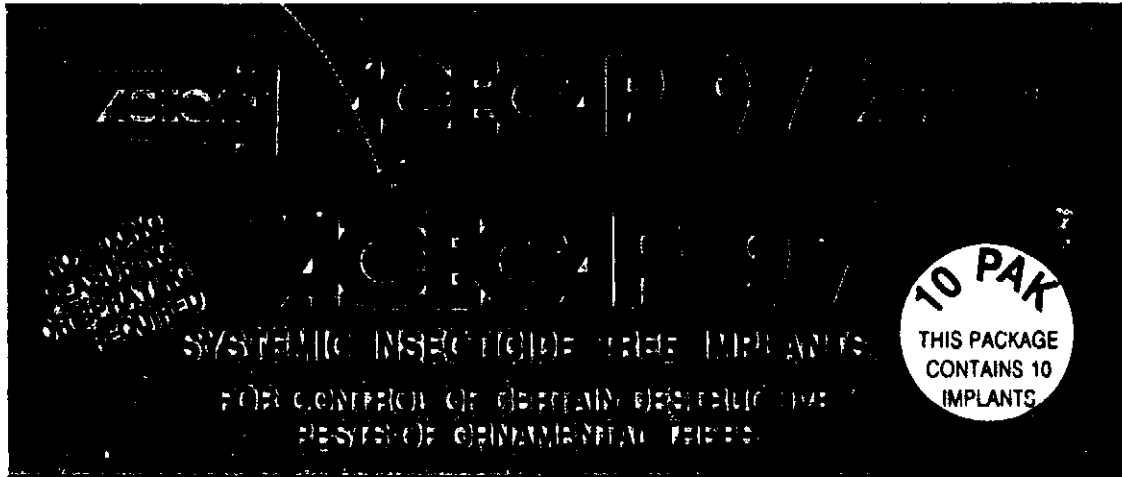
Robert A. Forrest
Product Manager (14)
Insecticide-Rodenticide Branch
Registration Division (7504C)

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ACECAP 97 Systemic Insecticide Implants

EPA Reg. No. 37979-1

Finished Label: Page 1 of 4 Pages



Production Lot No

NET CONTENTS: 8.75 GRAMS

ACTIVE INGREDIENT BY WT.
 Acephate (0, S-Dimethyl
 Acetyl-phosphoramidothioate) . . . 97%
INERT INGREDIENTS . . . 3%
TOTAL . . . 100%
 Each Cartridge contains 875 gram
 Active ingredient

**KEEP OUT OF
 REACH OF CHILDREN
 CAUTION**
 READ LABEL BEFORE USING. SEE
 BACK PANEL FOR ADDITIONAL
 PRECAUTIONARY STATEMENTS.

**ACCEPTED
 with COMMENTS
 in EPA Letter Dated**

MAR 06 1996

Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for the pesticide
 registered under EPA Reg. No.

37979-1

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ACECAP 97 Systemic Insecticide Implants

EPA Reg. No. 37979-1

Finished Label: Page 2 of 4 Pages

ACECAP 97 SYSTEMIC INSECTICIDE IMPLANTS

FOR RESIDENTIAL USE - FOR USE ON ORNAMENTAL TREES: USE SITES MAY INCLUDE TREES GROWING IN INTERIOR PLANTSCAPES, ORNAMENTAL GARDENS OR PARKS, OR ON GOLF COURSES OR LAWNS AND GROUNDS. THIS PRODUCT MAY BE USEFUL IN AN INTEGRATED PEST MANAGEMENT PROGRAM, OR WHERE FOLIAR SPRAYS OR SOIL APPLIED SYSTEMICS MAY BE OBJECTIONABLE. APPLICATION IS MADE BY IMPLANTING INTO THE TREE TRUNK BASE AS INSTRUCTED BELOW.

INSECT PESTS CONTROLLED:

Aphids, Bagworms, Bronze Birch Borer, Budworms, California Oakworm, Cankerworm (spring & fall), Casebearer, Citrus Blackfly, Eastern Tent Caterpillar, Elm Leaf Beetle Larvae, Fall Webworm, Gypsy Moth Larvae, Honeylocust Mite, Lace Bug, Leaf Folder, Leaf Miners, Mapleworm, Mimosa Webworm, Nantucket Pine Tip Moth Larvae, Pine Needleminer, Scale (crawlers), Spruce Budworm, Spruce Coneworm, Thrips, Whitefly, Zimmerman Pine Moth.

TREES TO BE TREATED (Host Plants):

Ash, Alder, Banyon, Birch, Non-Bearing Cherry, Non-Bearing Citrus, Cottonwood, Dogwood, Elm, Ficus, Flame, Hawthorn, Hemlock, Holly, Kentucky Coffeetree, Larch, Lilac, Linden, Locust, Maple, Mimosa, Oak, Non-Bearing Olive, Pines (fir & spruce), Plane, Plumeria, Poplar, Redbud, Redwood, Sycamore, Tulip, Non-Bearing Walnut, Willow. NOTE: Non-Bearing refers to trees that will not bear fruit within one year of application.

RECOMMENDED APPLICATION:

With the exception of the following insects, apply ACECAPS when insects first appear: (1) For Budworm, Zimmerman Pine Moth and Gypsy Moth apply just prior to anticipated larvae feeding. (2) For Elm Leaf Beetle Larvae apply after eggs are present or during early larvae feeding. (3) For Aphids and White Fly apply when wingless forms are first present. (4) For Spruce Coneworm apply at budswell. (5) Bronze Birch Borer - apply implants in late May, early June, when adult borers are emerging from the trunk. Insecticide controls for Bronze Birch Borer may be more effective if overall tree stress symptoms are reduced . . . i.e. fertilize the infested birch trees in spring or fall; water regularly, especially during dry periods; and mulch around the tree base to increase moisture retention and cool the tree roots.

NOTE! DO NOT implant into trees where fruit, nuts or syrup is to be used for sale or consumption. DO NOT implant into trees having less than 3 inches (7.6 cm) trunk diameter (DBH). For trees having trunk diameter of 1-1/2 inches (3.8 cm) to 3 inches (7.6 cm) use MINI-IMPLANTS. DO NOT use ACECAP Systemic Implants on trees other than those listed on this label. DO NOT use on Flowering Crabapple as foliage injury may occur.

FOR BEST RESULTS USE TOOLS AND TECHNIQUES AS RECOMMENDED IN THE APPLICATION INSTRUCTIONS INCLUDED IN EACH CARTON, AND IN EACH FULL PACKAGE.

APPLICATION RATES AND PLACEMENT

TO DETERMINE NUMBER OF IMPLANTS REQUIRED - Determine the tree diameter, multiply by 3.14 and divide by 4 (inches) or 10.16 (cm). EXAMPLE: 13 inches (33 cm) DBH x 3.14 = 40.8 inches (103.7 cm) circumference ÷ 4 (inches) or 10.16 (cm) = 10 (i.e. use 10 ACECAP implants). For trees of less than 3 inch trunk diameter, use one MINI-IMPLANT per inch DBH.

ACECAP Systemic Implants are to be implanted around the trunk base at 4 inch (10.16 cm) intervals. Using a tape measure, drill 3/8 inch (.95 cm) diameter implant holes at a 4 inch (10.16 cm) spacing, spiraling up and around the trunk base. Holes should be drilled 1-1/4 inches (3.2 cm) into the tree trunk from the cambium surface, to assure the cartridge can be implanted beneath the bark and the cambium surface. Cartridges left extending outward into the bark will still provide control, however, will delay wound closure.

Applications timed with maximum upward flow of tree sap produce the most successful results. The characteristic may vary with the tree species, geographic area, time of year, time of day, individual tree vigor, or light intensity at time of treatment. If soil moisture conditions are dry, thorough deep root watering prior to or immediately following implant treatment will enhance chemical uptake.

 Manufactured in U.S.A. by
Creative Sales, Inc.
Fremont, NE 68025 U.S.A.

Reg. U.S. Patent Nos. 3,706,161, 4,308,689, 4,342,176

ACECAP, Reg. T.M.
Creative Sales, Inc.
Insecticide Implants containing ORTHENE®
ORTHENE, Reg. T.M. of Chevron Chemical Co.
for Acephate Insecticide U.S. Patent No.
3,716,600

EPA Reg. No. 37979-1



OPEN ALONG THIS LINE

EPA Est. No. 37979-NB-1

Form No. 6-95-4

ACECAP 97 Systemic Insecticide Implants

EPA Reg. No. 37979-1

Finished Label: Page 3 of 4 Pages

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

CAUTION

Material within gelatin capsule may cause eye irritation. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin, or on clothing. Avoid breathing vapors. In case of eye contact, flush eyes with fresh water for at least 15 minutes. If irritation persists, get medical attention. If swallowed, drink a large amount of water and induce vomiting if conscious. For skin contact, wash with soap and water.

NOTE TO PHYSICIAN: Acephate is a cholinesterase inhibitor. If signs of cholinesterase inhibition occur, atropine is antidotal. 2-PAM may also be used in conjunction with atropine, but should never be used alone.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds. Keep out of lakes, ponds or streams. Do not contaminate water by cleaning of equipment or disposal of wastes.

**FOR EMERGENCY
INFORMATION CALL -
1-800-759-7739**

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. REFER TO SPECIFIC INSTRUCTIONS FOR USE.

REGARDING RETREATMENT

ACECAP Systemic Implants may be utilized in an integrated pest management program, and combined where needed, over several seasons with conventional foliar or soil applications. **DO NOT REPEAT IMPLANT TREATMENTS WHERE A TREE HAS NOT SHOWN THE ABILITY TO ADEQUATELY CALLOUS OVER THE PRIOR TREATMENT.**

STORAGE AND DISPOSAL

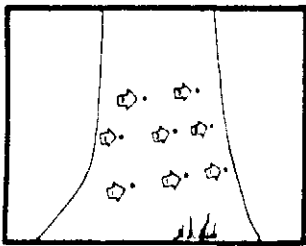
Store in a cool dry place. Protect from excessive heat. Keep foil packages sealed until ready for use. Do not re-use the plastic implant cartridges; they are designed to be implanted into and left in the tree. Do not re-use empty container or container wrappings. Wrap and place in trash collection.

CONDITIONS OF SALE

(1) Creative Sales, Inc. warrants that this material conforms to the chemical description on the label and is reasonably fit for use as directed hereon. We make no further warranty of **FITNESS** or of **MERCHANTABILITY** and no agent or representative is to do so concerning this material.

(2) Critical and unforeseeable factors beyond the manufacturer's control prevent us from eliminating all risks in connection with the use of chemicals. Such risks include, but are not limited to lack of complete control. Buyer and user acknowledge and assume all risks and liability (except those indicated under 1 above) resulting from handling, storage and use of this material.

Additional Tips



When re-treatment is necessary, place the new implants in a spiral pattern between, and above or below the previous treatment. Do not attempt to drill into and remove the cartridges implanted previously. Note the positioning of three applications.

When using ACECAPS containing systemic insecticide, the implant treatment may be combined over several seasons with a conventional spray or soil treatment insect control program. DO NOT REPEAT IMPLANT TREATMENTS WHERE TREE HAS NOT SHOWN THE ABILITY TO ADEQUATELY CLOSE OVER THE PRIOR TREATMENT.

FOLLOW CAUTIONS WHERE INDICATED

DO:

- Use proper drill bit
- Remove shavings from hole
- Recess cartridge end below the inner bark
- Carefully read the Application Timing for optimum results (see back panel)
- **ALWAYS READ & FOLLOW LABEL DIRECTIONS FOR PRODUCT BEING USED**

DO NOT enlarge the hole diameter

DO NOT use a sharp end punch

DO NOT remove previously implanted cartridges

DO NOT break plastic gelatin

DO NOT place implant too deep

Application Timing

The "effect" of systemic implants is maximized when implants are in place in the tree during the period of optimum xylem activity, to transfer the chemical from the implants into the crown of the tree. The chemicals used possess little (if any) phloem activity, therefore, it is suggested **APPLICATION BE AVOIDED AS TREES ARE GOING INTO DORMANCY!** Guidelines are offered here for optimum results.

ACECAP® SYSTEMIC INSECTICIDE

There are two key points to remember when using ACECAP Implants . . .

1. It takes 4-7 days for the insecticide to "reach" effective levels in the foliage of the tree (as little as 2 days if trees are in a healthy vegetative growth condition).

2. Maximum duration of control documented is 18 weeks, and optimum control of severe infestations is 10-12 weeks.

THEREFORE, ACECAP IMPLANTS SHOULD BE MADE JUST PRIOR TO EXPECTED INSECT ACTIVITY, OR AT EARLIEST INDICATION OF INSECT ACTIVITY! Application of ACECAPS is normally not recommended during tree dormancy (as with nutrient implants) when attempting to control targeted insect pests on the foliage; however, treatment during dormancy for certain pine seed cone insects may be advantageous.

ACECAP and MEDICAP . . . Reg. T.M.'s
Creative Sales, Inc.

APPLIC
GUIDE
ACECAP

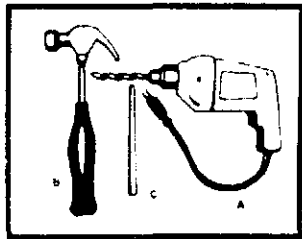
SYSTEMIC
TREE



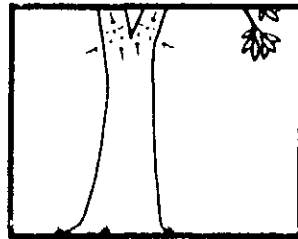
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ACECAP . . . Systemic Insect

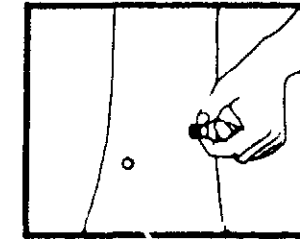
Control For Trees



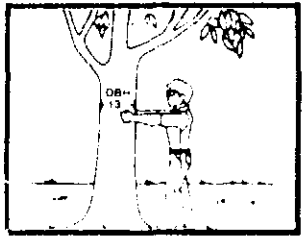
1. First select the proper tools. You will need:
A. Electric or rechargeable drill (using a sharp spiral drill bit as shown). Always refer to package in use for recommended drill bit size (i.e.) 1/4, 3/8, 1/2 inch).
B. Hammer. **C.** Flat end punch, or dowel rod. **D.** Tree Wound dressing (see #11).



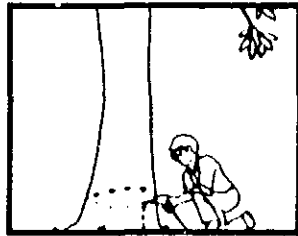
5. **NOTE:** On large trees where there is no main stem or trunk and multiple branching occurs, treat each stem as if it were a separate tree. This will assure adequate distribution of chemical throughout the tree.



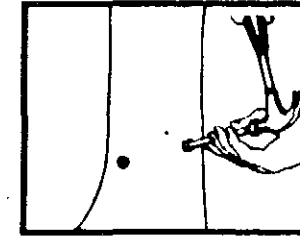
9. Place the Implant cartridge into the pre-drilled holes, simply pressing them into the tree trunk. Be sure to press the cartridges in as far as possible.



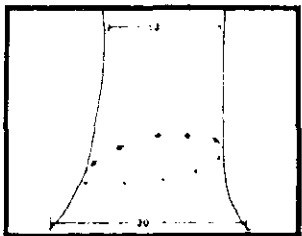
2. The number of Implants required is based on the tree trunk size at 4 ft. above the ground (commonly referred to as DBH), and the specific recommendations for the product being used. The circumference of the tree trunk (in inches at 4 ft. above the ground) can be determined by using a tape measure, or calculated from the DBH (see #3 below). In either case, after determining the circumference, divide the circumference by the recommended spacing for the product being used (i.e. 3, 4 inches), and apply the Implants evenly around the base of the tree (refer to #3 and #6).



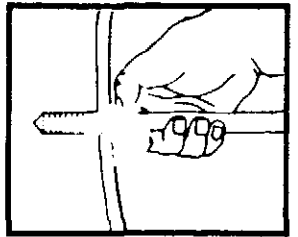
6. Next, drill the Implant holes at a uniform spacing, spiraling up and around the lower tree trunk surface. Start approximately 6 inches (15.2 cm) from the soil level. Be sure to remove drill shavings from each hole. The holes need to be deep enough to allow each Implant to be recessed just inside the inner bark. See #11 and #8 for proper drilling depth.



10. Using a hammer and a flat end punch or dowel rod, carefully drive the cartridge into the tree, recessing the large end slightly beneath the cambium surface, which is below the bark. See #11.



3. **NOTE:** If you are calculating the tree size and rate of application from the tree trunk diameter (DBH) using example shown to the left, DBH is 13 inches (33 cm) x 3.14 = 40.8 inches (103.7 cm) circumference - 4 inches (10.16 cm) implant spacing = **use 10 IMPLANTS.** If the tree base is larger than the DBH (as illustrated) be sure to place the recommended number of Implants evenly around the tree base (note #6).



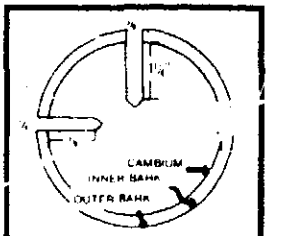
7. Using a measuring instrument (i.e. flat end of pen or pencil) as a depth gauge, insert completely in to each hole and mark the depth by placing your thumb against the outer bark. Based on Implant diam. and thickness of bark, holes should be drilled as illustrated below:



11. The cartridge head securely plugs the small wound made to the tree trunk, however on thin barked trees (i.e. birch, ficus, etc.) it is recommended that a light wound dressing be applied over the implant site. This provides further protection until the cambium closes over. Having no scientific evidence that wound dressings aid in the healing of tree bark, we might suggest that a latex paint (aerosol or brush applied) be used.



4. **NOTE:** Where lower branching occurs 4 feet or less from the ground, make certain the implants are placed directly beneath the lower branches. This will assure adequate distribution of chemical throughout the tree.



8. **NOTICE:** Hole depth is from inside the inner bark.

TREE SIZE	RECOMMENDED SIZE OF IMPLANT DIAM.	DRILL EACH HOLE DEPTH
1 1/2" - 3" (3.8 - 7.6 cm)	"Mini" 1/4" (.64 cm)	3/4" (2.23 cm)
3" and up (7.6 cm & up)	"Standard" 3/8" (.95 cm)	1 1/4" (3.2 cm)



Cross section of tree 2 years following treatment

12. The application process is now completed. Natural sap flow will "systemically" absorb the chemical and distribute it throughout the tree. The active layer of cambium will soon grow over and close the implant site. The cartridges are to be left inside the tree.

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