

40230-2

9/17/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 17 2009

AgBioChem, Inc.
% Olav Messerschmidt
OMC AG Consulting
828 Tanglewood Lane
East Lansing, MI 48823

Subject: GALLEX
EPA Reg. No. 40230-2
Your amendment dated March 24, 2009
EPA Decision Number 414654

Dear Mr. Messerschmidt:

The revised amended label referred to above, submitted September 10, 2009 in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable.

One copy of the label stamped "Accepted" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label before the product is released for shipment.

Note: Should you wish to retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance. As an alternative, you may refer consumers to the company's phone number or e:mail address.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Waller".

Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505P)

Enclosure

GALLEX

CROWN GALL ERADICANT PAINT

A ready-to-use flowable emulsion for control of crown gall, burr and olive knot bacterial diseases on certain fruit and nut trees, vines, ornamentals. Apply to non-edible organs only.

Active Ingredients:

2,4-xylenol.....	0.463%
meta-cresol.....	0.466%
Other Ingredients.....	<u>99.071%</u>
<i>Contains petroleum distillates</i>	100.000%

KEEP OUT OF REACH OF CHILDREN

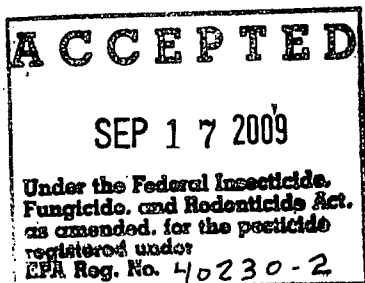
WARNING – AVISO

FIRST AID	
Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted con detalle. (If you do not understand the label, find someone to explain it to you in detail.)	
If Swallowed:	If swallowed: 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 <i>any</i> 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. • 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:	Move person to fresh air.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. For emergency information on Gallex, call the National Pesticides Information Center at 1-800-858-7378, 6:30 AM to 4:30 PM Pacific time (PT), seven days a week. During other times, call the poison control center at 1-800-222-1222. Note to Physician: Contains petroleum distillate. Vomiting may cause aspiration pneumonia.	

EPA Reg. No. 40230-2
EPA Est. No. 11656-CA-2

Net Contents: ½ Gallon (1.9 Liters)
Lot No.
U.S. PATENT NO. 3,288,670

Manufactured in U.S.A. by
AgBioChem, Inc.
3 Fleetwood Court
Orinda, CA 94563
(530) 586-1561
www.agbiochem.com



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), notification to workers, and restricted-entry interval. The requirements in this box 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:

- Long-sleeved shirt and long pants
- Socks and shoes
- Chemical-resistant gloves such as rubber
- Protective eyewear

For: Disease

Crown gall (*Agrobacterium tumefaciens*)

Olive knot (*Pseudomonas savastanoi*)

Burr Knot (aerial tumor)

Plants (in field or greenhouse)

Almond, Apple, Apricot, Blueberry, Cherry, Filbert, Grape, Nectarine, Peach, Pear, Pecan, Plum, Poplar, Prune, Walnut, & Ornamentals (e.g. Roses, Euonymus, Willow)

Olive, Oleander

Apple

General: GALLEX selectively penetrates and kills gall cells, but does not harm healthy bark tissue.

Pretreatment Preparation: Make first treatment when rain is unlikely for several days. Remove soil from around underground galls by careful digging or by hosing away with compressed water or air. Avoid wounding of plant. Cut off major portion of all galls larger than a baseball and allow to dry 1 or more days before treatment.

Application: Shake well before using. DO NOT DILUTE

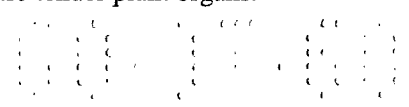
Paint onto gall and cut surfaces plus 1/2 inch of surrounding healthy bark. Achieve thorough coverage by working GALLEX into cracks and crevices with brush. Allow treated galls below ground level to dry 1 or more days before replacing soil. Examine after 4 to 6 months and re-treat if live galls are found.

Time of Application: Can be used anytime when rain is unlikely for several days. Generally one application will give control. Re-treatment may be necessary.

Compatibility: Do not mix or combine GALLEX with other pesticides.

Precaution: Complete girdling of the trunk by galls significantly affects the water conducting capacity of the tree. To prevent sudden loss of water movement, do not treat more than half of the galled trunk at any one time. Treat remaining diseased tissue 4 to 6 months later when examination of initial treatment is made. GALLEX may injure tender plant organs.

Do not use fruit, nuts for food or feed purposes.



STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: store in a cool, dry place and in such a manner to prevent cross contamination with other pesticides, fertilizers, food and feed. Store in original container and out of the reach of children, preferably in a locked storage area. Keep container closed when not in use.

Pesticide Disposal: To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

Container Disposal: Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

WARRANTY

NOTICE: To the extent consistent with applicable law, neither Manufacturer nor Seller makes any warranty, express or implied concerning the use, effects of, or results from use of this product, other than as indicated on this label. To the extent consistent with applicable law, buyer assumes all risks of use, storage and handling of this material not in strict accordance with directions contained on label.

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