

42750-164 1-2-2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN -2 2008

Mr. Morris Gaskins
Albaugh, Inc.
P.O. Box 2127
304 Janet Street, Suite H
Valdosta, GA 31604

Subject: Label Notifications for Pesticide Registration Notice 2007-4

Dear Mr. Gaskins,

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 29, 2007 for the following products:

EPA Registration Number 42750-109	Imidacloprid 1.6L AG
EPA Registration Number 42750-110	Imidacloprid 2FL AG
EPA Registration Number 42750-113	Imidacloprid 2FL GH
EPA Registration Number 42750-116	Imidacloprid 2FL TC
EPA Registration Number 42750-164	Imidacloprid 1.6 FL Tree Injection

The Registration Division (RD) has conducted reviews of these requests for their applicability under PRN 2007-4 and finds that the actions requested fall within the scope of PRN 2007-4. The labels submitted with the applications have been stamped "Notification" and will be placed in our records.

With regard to your notification application for EPA Reg. No. 42750-113, Imidacloprid 2FL GH, there are references to "Imidacloprid 2L T&O" interspersed throughout the proposed label. Per your telephone conversation with Steve Schaible, reference to this product name on the label is inadvertent and the correct product name- Imidacloprid 2FL GH- should have been cited instead. These changes must be made to the final printed label.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code to identify 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, per PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,

for Sherada W. Holgood
for Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 42750-164	2. EPA Product Manager V. Eagle	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Imidacloprid 1.6FL Tree Injection	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Albaugh Inc. P.O. Box 2127 Valdosta, GA 31604-2127 <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 checked="" 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.

NOTIFICATION
JAN - 2 2008

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 guidance in 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:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 2.5, 30, 250 bulk		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 Morris Gaskins	Title Registrations Manager	Telephone No. (Include Area Code) 229-244-3288
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 Registrations Manager	
4. Typed Name Morris Gaskins	5. Date November 29, 2007	

4/10

IMIDACLOPRID 1.6FL TREE INJECTION

For injection into trees in nurseries, greenhouses, and interior and exterior landscapes, and in private, municipal, state, and national forested areas.

ACTIVE INGREDIENT:

Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine 17.4%

INERT INGREDIENTS: 82.6%

TOTAL: 100.0%

Contains 1.6 pounds of imidacloprid per gallon.

Shake well before using.

STOP - Read the label before use

KEEP OUT OF REACH OF CHILDREN.

CAUTION

FIRST AID

IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • 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 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.
In case of emergency call CHEMTREC toll free at 1-800-424-9300. Have a product container or label with you when calling a poison control center or doctor, or going for treatment.	
Note To Physician: No specific antidote is available. Treat the patient symptomatically.	

EPA Reg. No. 42750-164

EPA Est. No. xxxxxx-xx-xxx

NET CONTENTS: 16 fluid ounces

Manufactured For:
ALBAUGH, INC.
ANKENY, IA 50021

NOTIFICATION

JAN - 2 2008

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Wear long-sleeved shirt and long pants, socks, shoes, and chemical-resistant gloves.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

1. Long-sleeved shirt and long pants
2. Chemical-resistant gloves made of any waterproof material such as, barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinyl chloride (PVC) or viton.
3. Shoes plus socks
4. Protective eye wear

Follow manufacturer's instructions for cleaning/ maintaining personal protective equipment, PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

User should:

1. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.
2. Have the product container or label with you when calling a poison control center or doctor or going for treatment.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to inter-tidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming trees and shrubs. Do not formulate this product into other end-use products.

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.

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 as to prevent contamination with

6/10

other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area. Handle and open container in a manner as to prevent spillage. If the container is leaking, invert to prevent leakage. If container is leaking or material spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away. You may contact Chemtrec at 800-424-9300 for any other assistance that may be necessary.

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: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.~~

CONTAINER DISPOSAL:

Non-refillable containers (1, 2.5, 30 & 55 gallon): Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

(non-refillable <5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. 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.

(non refillable >5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows (all sizes): Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use for disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Refillable container (250 gallon & bulk): Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

To clean the container before final disposal, empty the remaining contents from the container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing process two more times.

APPLICATION TO TREES

IMIDACLOPRID 1.6FL Tree Injection can be used to control a variety of insect pests of ornamental or forest trees. Pests controlled include aphids, whiteflies, soft scales, adelgids, leafhoppers, lace bugs, mealybugs, psyllids, leaf-feeding beetles, sawflies, borers, and leafmining flies, beetles, and wasps.

IMIDACLOPRID 1.6FL Tree Injection also can be used for suppression of thrips and armored scales. IMIDACLOPRID 1.6FL Tree Injection can be used as directed on ornamental trees in residential areas, business and office complexes, shopping complexes, multi-family residential complexes, golf courses, airports, cemeteries, parks, playgrounds, and athletic fields. IMIDACLOPRID 1.6FL Tree Injection also can be used in commercial forestry production, nurseries, greenhouses, and in state, federal, county and local recreational forests.

The active ingredient in IMIDACLOPRID 1.6FL Tree Injection has sufficient residual activity so that applications can be made preceding the attack of the trees by target pests. IMIDACLOPRID 1.6FL Tree Injection also controls existing infestations of most labeled pests; control of existing infestations of borers and other difficult-to-control pests can be achieved if the level of infestation is not excessively severe at the time of application. If the level of infestation is severe, the high label rate for the targeted pest is recommended.

Systemic activity occurs only after the active ingredient is translocated upwards in the tree. In some cases, translocation can take 10 days or longer, depending on the transpiration rate of the treated plant.

The need for an application can be based on historical monitoring of the site, previous records or experiences, current season adult trapping or other methods. For best results (i.e., to ensure uptake), application should be made when the tree is actively transpiring.

NOTE: Not for use on trees where the fruits and/or nuts are consumed. Do not apply more than once per year per tree.

Application Equipment

IMIDACLOPRID 1.6FL Tree Injection can be applied with a variety of trunk injection devices. Devices should be chemically-resistant. For all injector systems, read carefully and follow all manufacturers' directions for use.

Drilling the hole

With most injector systems, it is necessary to predrill holes prior to insertion of the applicator device. Holes should be drilled deep enough to permit transport of IMIDACLOPRID 1.6FL Tree Injection upwards in the vascular tissue.

DOSING: For microinjection, set and dispense into the injector the required dosage, and pressurize the injector as directed.

For high-volume injection, FIRST add the required amount of water to the reservoir of the injector, and then dispense the prescribed amount of IMIDACLOPRID 1.6FL Tree Injection into the reservoir.

For high-volume injection, add no more than 7 ml of IMIDACLOPRID 1.6FL Tree Injection per liter of water. While injecting, ensure that the active ingredient remains in solution. The solubility of the product in the water can depend upon the temperature, pH, and the mineral content of the water. A small amount of IMIDACLOPRID 1.6FL Tree Injection should be diluted in water, and the mixture carefully observed. If the mixture appears cloudy or if solid particles form within 5-10 minutes, a more dilute injection solution should be prepared.

RECOMMENDED APPLICATIONS	
For trees and shrubs (greater than 2" diameter and chest height). For bee-pollinated dicotyledonous trees, applications should be made post-bloom.	
PEST	DOSAGE

Adelgids Aphids Japanese beetles Lace bugs Leaf beetles (including elm and viburnum leaf beetles) Leafhoppers (including glassy-winged sharpshooter) Leafmining flies and wasps Mealybugs Psyllids Soft scales Whiteflies	0.75 – 1.5 mL (0.025 – 0.05 fl. oz.) of IMIDACLOPRID 1.6FL Tree Injection per inch of cumulative trunk diameter at chest height (54" from ground). Space injection holes approximately 6" apart, around the circumference of the tree.
Armored scales (suppression) Roundheaded borers (including Eucalyptus longhorned borer) Flatheaded borers (including bronze birch borer, alder borer, and emerald ash borer) Leafmining beetles and moths Pine tip moth larvae Royal palm bug Sawfly larvae Thrips (suppression)	1.5 – 3.0 mL (0.05 – 0.1 fl. oz.) of IMIDACLOPRID 1.6FL Tree Injection per inch of cumulative trunk diameter at chest height (54" from ground). Space injection holes approximately 6" apart, around the circumference of the tree.
For trees greater than 12" diameter, or if trees are already infested, the highest label rate specified for control of targeted pests is recommended.	
For trees larger than 24" diameter, always use the highest label rate for the targeted pest.	

U.S.D.A. RATE SPECIFICATIONS FOR ASIAN and CITRUS LONG-HORNED BEETLE PROGRAMS. FOR USE ONLY UNDER U.S.D.A. SUPERVISION. FOR USE WITH U.S.D.A. APPROVED INJECTION DEVICES.

Read and follow the manufacturers' written documentation on the proper use and maintenance of the injector you are using. The following rates are generally recommended as a function of tree diameter at breast height (DBH).

- 2 to 11 inches DBH 1.2 mL (0.04 fl oz) per diameter inch.
- 12 to 23 inches DBH 2.3 mL (0.08 fl oz) per diameter inch.
- 24 to 35 inches DBH 4.7 mL (0.16 fl oz) per diameter inch.
- 36 inches DBH and above use 7.0 mL (0.24 fl oz) per diameter inch.

GENERAL DIRECTIONS:

To determine the initial number of needed injection holes, measure the tree at breast height using a standard forestry tape measure.

1. If measuring the circumference, divide this number by six (6) to determine the number of holes needed.
2. If measuring the diameter, divide this number by two (2) to determine the number of injection holes needed.
3. Initial injector sites should be in the active sapwood, evenly spaced around the tree at the root buttress region and avoiding the root valleys.
4. If a single hole cannot accept its full dose, that dose may be divided among the other initial injection holes
5. If additional injection holes are needed they may be spaced horizontally or vertically from the initial holes.

9/10

The minimum horizontal spacing for injection sites is 3 inches. The minimum vertical spacing for injection sites is 6 inches. Preferably vertical spacing should be staggered and not aligned. Do not apply more than once per calendar year.

RESTRICTIONS

Do not use on fruit or nut trees intended for food uses.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product.

If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, because of manner of use and other factors beyond Albaugh, Inc. control it is impossible for Albaugh, Inc. to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALBAUGH, INC. LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Albaugh, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Albaugh, Inc. disclaims any liability whatsoever for special, incidental or consequential damages, resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT ALBAUGH, INC. ELECTION, THE REPLACEMENT OF PRODUCT.

CORPORATE OFFICE
1525 NE 36th Street
Ankeny, IA 50021
515.964.9444 - Office
800.247.8013 - Toll Free
515.964.7813 - Facsimile

ALBAUGH, INC.

Valdosta Office 10/10
P.O. Box 2127
304 Janet Street, Suite H
Valdosta, GA 31604
229.244.3288 - Office
229.244.5841 - Facsimile

FED-X

November 29, 2007

Document Processing Disk (NOTIF)
Office of pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

RE: Label notification for "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment"

Dear Sirs,

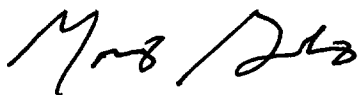
The enclosed submissions are draft labels submitted in response to Pesticide Regulation Notice 2007-4 for the following Albaugh registrations:

PRODUCT	EPA REG. NO.
Imidacloprid 1.6L AG	42750-109
Imidacloprid 2FL AG	42750-110
Imidacloprid 2FL GH	42750-113
Imidacloprid 2FL T&O	42750-115
Imidacloprid 2FL TC	42750-116
Imidacloprid 1.6 FL Tree Injection	42750-164

Changes are noted in strikeout for deleted text and underline/bold for added text.

Please call if you have any questions.

Regards,



Morris Gaskins
Registrations Manager
Albaugh, Inc.

Agri Star[®]
By Albaugh, Inc.

PREMIER SUPPLIER OF OFF-PATENT CROP PROTECTION PRODUCTS

www.albaughinc.com