

53883-205

8-29-2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Carroll Draper
Registration Specialist
Control Solutions, Incorporated
5903 Genoa-Red Bluff
Pasadena, TX 7507-1041

AUG 29 2007


RE: Notification of Addition of required New York Language
EPA Registration Number: 53883-205
Date of Submission: August 9, 2007

Dear Ms. Draper:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated August 9, 2007 for the product IMI 1.47% Concentrate. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,


Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 53883 - 205	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) IMI 1.47% Concentrate	PM# 01	
5. Name and Address of Applicant (Include ZIP Code) Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 <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 type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION AUG 29 2007
<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 to add required New York language. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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
 Label Container~~

~~4. Size(s) Retail Container~~

~~5. Location of Label Directions
 on label~~

~~6. Manner in Which Label is Affixed to Product
 Lithograph Paper, glued
 Stenciled Other _____~~

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Carroll Draper	Title Registration Specialist	Telephone No. (Include Area Code) 800-242-5562
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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.

2. Signature 	3. Title Registration Specialist	6. Date Application Received (Stamped)
4. Typed Name Carroll Draper	5. Date 08-09-07	

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Master Label

Optional marketing statements in brackets []

NOTIFICATION

IMI 1.47% Concentrate

AUG 29 2007

(Marketing language as a Ready-to-Spray for use on Lawns

FOR USE ON LAWNS

KILLS WHITE GRUBS, MOLE CRICKETS AND EUROPEAN CRANE FLY LARVAE

[One application kills white grubs, mole crickets and European Crane Fly Larvae all season long]

[When applied early, IMI 1.47% Concentrate kills grubs, mole crickets and European crane fly before they hatch and damage lawns]

[Ready-to-Spray..No Mixing, No Measuring]

[Treats more than 5,000 sq ft (32 oz size)]

(Marketing language as a Pour-On for use on Trees and Shrubs

FOR USE ON TREES & SHRUBS

Including listed Fruit and Nut Trees

[Protects Against Insects for Up to 12 months]

[Kills Adelgids, Aphids, Bronze Birch Borers, Leafminers, Scale and other listed pests]

[Kills insects & prevents new infestations]

[Apply to [trees] [and] [shrubs] once a year or when insects appear]

[Protection cannot be washed off by rain or water.]

[Just mix in water and pour around tree or shrub]

[Treats 32" around Trees and 5 – 2 ft. tall Shrubs (32 fl. oz.)]

For Outdoor Residential Use Only.

ACTIVE INGREDIENT:

Imidacloprid 1.47%

OTHER INGREDIENTS: 98.53%

TOTAL: 100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Back Panel Booklet for Additional Ingredients and Precautionary Statements

EPA Reg. No. 53883-205

EPA Est. No.

Net Contents:

Control Solutions, Inc.
5903 Genoa-Red Bluff
Pasadena, TX 77507

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

CAUTION

Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the Poison Control Center 800-222-1222.	
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 the 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 15-20 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.
Note to Physician: No specific antidote is available. Treat the patient symptomatically.	

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic invertebrates. Do not apply directly to lakes, streams or ponds. Do not dump rinse water into sewers or other bodies of water. This pesticide is highly toxic to bees. Do not apply IMI 1.47% Concentrate when bees are active. Apply this product only as specified on this label.

NOT FOR SALE, USE OR DISTRIBUTION IN or INTO Nassau, Suffolk, Kings or Queens Counties, New York

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. For best results, be sure to read and follow all label directions. Shake well before using.

NOTE:

- Read and follow directions when using.
- Do not spray the product into fish pools, ponds, streams, or lakes.
- Remove animal feeding dishes prior to application.
- Do not apply to fruits or vegetables used for food.

(Application instructions as a Ready-To-Spray for use on lawns –

LAWNS

General Information:

IMI 1.47% Concentrate kills White Grubs, Mole Crickets, European Crane Fly Larvae and other pests listed in the table below. IMI 1.47% Concentrate forms a protective barrier in the soil which provides control of listed pests all season long. When applied early, IMI 1.47% Concentrate kills grubs, mole crickets and European crane fly before they hatch and damage lawns. Contact your County Extension Agent for the best dates to apply in your area. IMI 1.47% Concentrate may be sprayed over soil or mulch. Remove weed barrier before applying.

Application Instructions:

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Master Label

For best results, applications should be made May through mid-August.

Ready Spray Nozzle Instructions

IMI 1.47% Concentrate is a ready-to-spray formulation. Attach the bottle to your garden hose according to the directions below. Water will mix with the **IMI 1.47% Concentrate** as you spray.

1. Connect your garden hose to the bottle. Make sure the water control valve on top of the spray nozzle is in the OFF position.
2. Turn on the water faucet. Twist the small star-shaped product-control button to align the flat portion with the lock tab. Push the button in to open.
3. To begin spraying, point nozzle toward the area to be treated and turn the water control valve to the ON position. Push the button in to open.
4. To stop spraying, turn the water control valve on the top of the spray nozzle to OFF. To close, push in the small round button opposite the star-shaped product-control button. Turn off faucet.

NOTE:

- Children and pets may re-enter the treated area after the spray has dried.
- Do not water lawn within one hour after applying.
- Avoid applying **IMI 1.47% Concentrate** to waterlogged areas, as product effectiveness may be diminished.

PESTS CONTROLLED	INDICATION OF DAMAGE TO LAWNS
Adelgids Annual bluegrass Weevil Aphids Billbugs Bluegrass Weevils Elm leaf beetle European crane fly larvae Lacebugs Leafhoppers Leafminers Mealybugs Mole crickets Sawfly larvae Thrips Whiteflies White Grubs (including larvae of Asiatic Garden Beetle, Black Turfgrass Ataenuis, Chafers, Japanese Beetle, May or June Beetle, and Oriental Beetle)	<p>European crane fly larvae often cause damage by feeding on grass roots and disrupting the soil surface.</p> <p>Mole crickets often cause extensive damage by tunneling through lawns. Some species also feed on roots. Tunneling uproots the grass so it easily dries out. Lawns turn yellow, become thin, weedy and can eventually die.</p> <p>White grubs cause extensive damage to lawns by feeding on grass roots. Grass turns yellow, then brown and dies. Grubs chew off roots so that the grass is easily pulled up in pieces in your hands. You can roll it back like a carpet to reveal the grubs. If patches of dead grass appeared in your lawn late last summer, check for grubs.</p>

End of specific application instructions as a Ready-To-Spray for use on Lawns)

(Application instructions as a Pour-On for use on Trees and Shrubs -

TREES & SHRUBS

General Information

IMI 1.47% Concentrate is for use on outdoor trees and shrubs including listed fruit and nut trees to kill Adelgids, Aphids, Bronze Birch Borers, Leafminers, Scale and other pests listed in the table below.

IMI 1.47% Concentrate quickly dissolves in water allowing the insecticide to move through the soil into the root zone. Once in the roots, the insecticide moves up through the tree or shrub providing year-long insect protection. **IMI 1.47% Concentrate** will also provide protection to new growth.

NOTE: For complete protection, the insecticide must move throughout the tree or shrub. The time it takes to do this will depend on the size of the plant that is treated (one week to three months for very large trees).

For best results, use this product in the fall as part of a preventative treatment program before insect damage occurs. **IMI 1.47% Concentrate** can be applied anytime except when the ground is saturated or frozen. These conditions will make movement of the product down into the root zone difficult. When applying this product during dry periods, generously water the tree or shrub the night before treatment.

NOTE: Trees that are already heavily infested may not survive due to the existing pest damage and the resulting stress.

For severe infestations, treat with a foliar insecticide such as CSI Rose & Flower Insect Killer, and follow with **IMI 1.47% Concentrate** as a part of a routine care program.

Keep children and pets off treated area until it has dried.

Application Instructions

IMI 1.47% Concentrate is for use to kill the pests listed in the table below on outdoor trees (including Apple, Crabapple, Loquat, Mayhaw, Oriental Pear, Pear, Pecan, and Quince) and shrubs.

How to Apply

1. Fill a bucket or watering can with 1 gallon of water (use 2 gallons of water for trees with circumference greater than 50").
2. Shake the bottle of **IMI 1.47% Concentrate** well before using
3. Carefully measure the amount of product needed and pour into the bucket of water.
4. Slowly pour the solution evenly around the tree or shrub. For best results, pour as close to the trunk or main stem as possible.
5. Fill the bucket with clean water and pour it around the trunk as well.

NOTE: Do not make more than one application per year.

Determining Amount of IMI 1.47% Concentrate to Use

Measure the distance around the tree trunk or the height of the shrub to determine the amount to use.

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Trees with 1 trunk: Use 1 oz. of IMI 1.47% Concentrate per inch of distance around the trunk. Measure the distance in inches around the tree trunk at chest height using a flexible tape measure. Multiply this number by 1 to get the number of ounces of IMI 1.47% Concentrate to apply.

Trees with 2 or more trunks: Measure the distance in inches around each tree trunk at chest height, using a flexible measuring tape, and add together. Multiply this total by 0.75 to get the required number of ounces of IMI 1.47% Concentrate to apply.

Example: A tree has 4 trunks. They measure 12, 15, 5 and 10 inches or a total of 42 inches. $42 \times 0.75 = 31.5$ ounces.

Shrubs: Use 3 oz. of IMI 1.47% Concentrate per foot of height. Measure the height of the shrub to the nearest foot. Round any inches down to the nearest foot if less than 6" and up to the nearest foot if greater than 6". Multiply this number of feet by 3 to get the number of ounces of IMI 1.47% Concentrate to apply.

PESTS CONTROLLED
Adelgids
Aphids
Black Vine Weevil Larvae
Roundheaded Borers (incl. Eucalyptus Longhorned Borers)
Flatheaded Borers (incl. Bronze Birch and Alder Borers)
Japanese Beetles (Adult)
Lacebugs
Leaf Beetles (incl. Elm Leaf Beetles and Viburnum Leaf Beetles)
Leafhoppers
Leafminers (incl. Birch Leafminers)
Mealybugs
Pine Tip Moth Larvae
Psyllids
Royal Palm Bugs
Sawfly Larvae
Scales (incl. Amored Scale [suppression] and Soft Scale)
Thrips
Whiteflies

End of specific application instructions as a Pour-On for use on Trees and Shrubs)

STORAGE AND DISPOSAL

Storage Conditions: Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet. Protect from freezing.

Disposal: Do not reuse empty container. Rinse the empty product container thoroughly and disperse the rinse water on lawn as part of the application. Place container in trash.

Important: It is best to use all of the product in accordance with label directions. If it is necessary to dispose of unused product, please call your local solid waste agency. Never place unused product down any indoor or outdoor drain.

IMPORTANT: READ BEFORE USE

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

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Master Label

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 should be followed carefully. However, because of manner of use and other factors beyond Control Solutions, Inc.'s control it is impossible for Control Solutions, 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, CONTROL SOLUTIONS, INC. 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 Control Solutions, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Control Solutions, 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 CONTROL SOLUTIONS, INC.'S ELECTION, THE REPLACEMENT OF PRODUCT.

(Approved 11-27-06)



C O N T R O L
S O L U T I O N S
i n c o r p o r a t e d

August 9, 2007

Document Processing Desk (NOTIF)
Office of Pesticide Programs
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Re: Notification per (PR) Notice 98-10, Addition of required New York Language
EPA Reg. No. 53883-205 IMI 1.47% Concentrate

Dear Sir or Madam:

Enclosed is a Notification for the addition of required New York language per (PR) Notice 98-10. See highlighted text on attached labeling.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Carroll Draper
Registration Specialist