

55206-2

11/17/2009

1/5



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

55206-2

Date of Issuance:

NOV 17 2009

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance: Unconditional

Name of Pesticide Product:

BVA SPRAY 10

Name and Address of Registrant (include ZIP Code):

B V Associates, Inc.
48845 West Road
Wixom, MI 48393
ATTN: David Vincent

5835528
676/1275
and
8858248
300/1165

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

Based on your response to the Reregistration Eligibility Decision, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

The Confidential Statement of Formula (CSF) dated July 6, 2009 is accepted and replace all CSFs previously accepted for this product. The CSF dated June 10, 2009, is not accepted due to its having been replaced.

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments in this letter.

See page 2 for required label changes.

You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this Notice or the next printing of the label whichever occurs first, must bear the new revised label. A stamped copy of the label is enclosed for your records. If you have any questions, please contact William Jacobs at 703-305-6406 or jacobs.bill@epa.gov.

Signature of Approving Official:
Meredith F. Laws, Chief
Insecticide-Rodenticide Branch
Registration Division (7505P)

Date:

NOV 17 2009

Label Changes for EPA Reg. No. 55206-2

The changes identified below must be made to the proposed label that is marked "Revised 062909" that was included in your amendment application of September 15, 2009. The label (also marked "Revised 062609") included with a resubmission for product reregistration is not accepted as it has been superseded by a more recent submission.

1. In the "**FORMULATORS ARE RESPONSIBLE ... PRODUCT**" line directly above the statement of ingredients, replace "**PRODUCT**" with "**PRODUCTS.**"
2. In the statement of ingredients, footnote the term used for the active ingredient ("Mineral Oil") with the phrase "Contains petroleum distillates".
3. In the "**FIRST AID**" box, after the sentence "Have the product container or label with you when ... treatment", add the sentence "You also may contact 1-800-xxx-xxxx for emergency medical treatment information." You are responsible for identifying and inserting an appropriate telephone number.

The "**FIRST AID**" box should be subdivided by inserting lines between the sets of bulleted items that pertain to each route of exposure ("**IF SWALLOWED:**", "**IF ON SKIN OR CLOTHING:**", "**IF IN EYES:**", and "**IF INHALED:**"), per PR Notice 2001-1.

4. Change the "**NOTE TO PHYSICIAN:**" text to read as shown below.

This product contains petroleum distillates and may pose an aspiration pneumonia hazard.

5. Restore the words "**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**" so that they appear directly below "**PRECAUTIONARY STATEMENTS**" and directly above the signal word "**CAUTION**".
6. In the "**DIRECTIONS FOR USE**" section, replace "This product is intended for formulation into end-use products for:" with "This product may only be used to formulate end-use products labeled for:". In the "Spray use" list, delete the vague expression "fruit trees" and replace "all citrus" with a list of specific types of citrus trees.
7. The addition of "kiwifruit" to the crops in the "Spray use" list proposed via your submission of September 15, 2009, is accepted.
8. In the sentence that comes immediately below the heading "**STORAGE AND DISPOSAL**" ("Do not contaminate water, food, or feed by storage **and** disposal"), replace "and" with "or".

9. Revise the “**CONTAINER DISPOSAL:**” paragraph to be consistent with 40 CFR §156 Subpart H and PR Notice 2007-4, as revised April 29, 2008. Note that distinct statements are needed depending upon the sizes of containers used and whether they are refillable. The master label must indicate the statements that are proposed to be used for each type and size range of container. As this product is for manufacturing purposes only, the statements used should not refer to application equipment. When revising this paragraph, be sure to retain text pertaining to the ultimate disposal of containers
10. The company name --BVA Oils, Inc. -- indicated on the label and in other recent correspondence for this product differs from the name B V Associates, Inc., that our records show to be linked to the company number “55206”. Our records further show that the company number “70589” is linked to BVA Oils (which has a postal address similar to that for B V Associates). If our records are reversed on this point, please inform us immediately so that we can make the needed changes. If our records are correct, you will have to change the company name on the label for this product to B V Associates or formally request to transfer the registration for this product from B V Associates to BVA Oils.
11. It is recommended that your company’s telephone number be provided underneath the company’s address.

4/5

BVA SPRAY 13

For Formulator Use Only

FORMULATORS ARE RESPONSIBLE FOR OBTAINING EPA REGISTRATION FOR THEIR END-USE PRODUCT

ACTIVE INGREDIENT:

% BY WT.

Mineral Oil *	100.0%
TOTAL	100.0%

*Highly Refined Unsulfonated Residue of Petroleum Distillate - 98% min.
 Viscosity of Oil - 74 SUS
 Weight per Gallon - 7.1 lbs.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> • 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 any liquid to the person.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • Do not give anything by mouth to an unconscious person. • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes.
IF IN EYES:	<ul style="list-style-type: none"> • Call a poison control center or doctor for treatment advice. • 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.
IF INHALED:	<ul style="list-style-type: none"> • Call a poison control center or doctor for treatment advice. • 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 further treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. NOTE TO PHYSICIAN: Contains petroleum distillate-vomiting may cause aspiration pneumonia.</p>	

PRECAUTIONARY STATEMENTS CAUTION

Avoid contact with eyes, skin, and clothing. Harmful if swallowed or inhaled. Avoid breathing of spray, mists, or vapors. Wash thoroughly with soap and water after each use. Avoid contamination of food or foodstuffs.

ACCEPTED
 With COMMENTS
 In EPA Letter Dated:

NOV 17 2009

**Under the Federal Insecticide, Fungicide
 and Rodenticide Act, As amended, for the
 pesticide Registered under EPA Reg. No:**

55206-2

EPA Reg. No. 55206-2
 EPA Est. No. 55206-MI-001
 CA Reg. No. 55206-2-AA
 FL-FC435
 License No. 8837
 FDA 21 CFR 178.3620(b)

BVA Oils, Inc.
 48845 West Road
 Wixom, MI 48393-0301
 Revised 062609

NET CONTENTS: _____ GALLON(S)

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public water unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer system without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of EPA.

DIRECTIONS FOR USE

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

This product is intended for formulation into end-use products for:

- Spray use on alfalfa, almonds, apples, apricots, avocados, bananas, barley, beans, beets, cabbage, caneberries, cauliflower, celery, cherries, Christmas trees, all citrus, corn, cotton, cranberry, cucurbits, eggplant, figs, flowers, foliage plants, fruit trees, grapes, hops, kiwifruit, nectarines, olives, ornamentals, peaches, pears, pecans, peppers, pistachios, plums, prunes, pumpkins, rice, shade trees, shrubs, sorghum, soybeans, squash, strawberries, sweet corn, tobacco, tomatoes, and walnuts.
- Mosquito larvae control: in swamps, marshes, floodwater areas, drainage areas, waste treatment, settling ponds, ditches, and other manmade depressions.

STORAGE AND DISPOSAL

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

STORAGE: Store in a cool, dry locked place out of the reach of children.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or use 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 by other approved state and local procedures.

TERMS

Seller's guarantee is limited to the terms on the label. The buyer accepts the product on these conditions. Timing and method of applications, crop conditions, weather, and mixtures with chemicals in the use of this product are beyond the control of the seller.

