5914	· /		2-20-20	04			
120	United State Inmental Prote 00 Pennsylvania A Vashington, DC 2	tes ection Agence venue, N.W. 0460-0001	-		Amen Other	tration dment	proved, OMB No. 2070-0060. OPP Identifier Number
		pplication fo	or Pesticide -				
1. Company/Product Num	oer A Reg. No. 59144	4	2. EPA Pro	duct Manag arilyn Ma		3. P	roposed Classification
4. Company/ Product (Nar			PM #	arnyn wie			- I
Malath	nion 50% Insect S	pray					None Restricted
5. Name and Address of A Gro Tec, Inc. c/o RegWest Compa		Code)) my proc			ance with FIFRA Section entical in composition and
30856 Rocky Road Greeley, CO 80631-9	9375		EPA Reg.	No			
D c.	heck if this is a new ad	dress	Product N	ame			
		S	ection – II				
Amendment - Explain	below.	····	🗖 Final p	rinted label	ls in resp	onse to Agen	cy INOTIFICATION
-	onse to Agency letter d	ated		o" Applicat		-	
Notification – Explain t	- •			- Explain b			DEC 2 0 2004
Explanation: Use ad		ssary, (For Section					
Iabeling or the confident	tial statement of formu ther understand that if	la of this product. this notification is r to enforcement acl	I understand that it i not consistent with th	s a violatio e terms of	n of 18 L PR Notic	I.S.C. Sec. 1 e 98-10 and	r changes have been made to 001 to willfully make any false 40 CFR § 152.46 this product
1. Material This Product V	Will Be Packaged In:	<u> </u>					
Child Resistant Packaging	Unit Packaging		Water Soluble Pack	aging		2. Type of C	ontainer
Yes*	🗖 Yes		🗖 Yes			Metal Plastic	
No No	D No		D No	<u> </u>		Glass	
*Certification must be submitted	If "Yes" Unit Packaging Wgt.	No. Per Container	If "Yes" Packaging Wgt.	No. Pe Contai	iner	Paper Other (S	Specify):
3. Location of Net Contents	Information	4. Size(s) Retail	Container		5. Lo	cation of Lab	el Directions
🗖 Label	Container					On Label On Labeling A	ccompanying Product
6. Manner in Which Label i	s Affixed to Product	_	lograph	Stend			
······································			per glued	Othe	er		
1 Contract Daint (Com	loto itome directly be		ection - IV	harman	tod if =-	corean: 40	process this application)
1. Contact Point (Comp Name	nete items urectly be	Title		ue contact			lude Area Coue)
Kim Davis, CC, A	PC, Manager	Con	sultant/Agent				1 / kim@regwest.com
I certify that the state accurate and complete inishable by fine or i Signature	e. I acknowledge	that any knowir	rm and all attac ngly false or misl cable law.				6. Date Application Received (Stamped)
<u> </u>	\leq			tant/Age	ent		- I
4. Typed Name	\leq	5. Dat		tant/Age	ent		

EPA Form 8570-1 (Rev. 8-94) Previous editions are obso
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59144-1 New Label: Page 1 of 5 09/29/04 SAL + 12/15/04 NOTIF

NOTIFICATION

DEC 2 0 2004

Malathion 50% Insect Spray

Makes up to 189 Gallons Spray {quart size}

For Home and Garden Pest Control

Emulsifiable [Spray] Concentrate

Provides Quick Kill Upon Direct Contact with Listed Pests [Provides Quick Kill On Contact* *Upon direct contact with listed pests]

Protects Flowers, Fruits, Shrubs & Vegetables

Controls Spider Mites, Mealy Bugs, Leafhoppers and Japanese Beetles

For Flowers & Shrubs For Fruits & Vegetables

[For] Ornamental and Fruit Tree Insect Control Flower Gardens Home Vegetable Gardens Home Greenhouse Plants

Active Ingredient:

Malathion (CAS No. 121-75-5)		50%
Other Ingredients*	· · · · · · · · · · · · · · · · · · ·	<u>50%</u>
*Contains petroleum distillates	Total	

Keep Out of Reach of Children WARNING

See back [end of] booklet for additional precautionary statements.

Net Contents: _____ fl. oz. (___ ml)

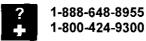
{Booklet}

PEEL HERE

for use, storage and disposal directions [Close booklet here] {Sunshine Graphic} OUTDOOR USE

- For Flowers & Shrubs
- For Fruits & Vegetables
- Provides Quick Kill on Contact* *Upon direct contact with listed pests
- Provides quick kill upon direct contact with listed pests
- For flowers, shrubs, fruits and vegetables
- Use on fruits and vegetables up to one week or less before harvest (see specific days inside of label)

PRODUCT USAGE				
Kills Insects	Aphids, Mealybugs, Scale, Bagworms, Spider Mites, Leafhoppers, Japanese Beetles and other listed insects			
Use On	Flowers, shrubs, fruits and vegetables			
Amount to Use	2 tsp. per gallon of water for vegetables, 1 to 2 tsp. per gallon of water for fruits, and 2 to 4 tsp. per gallon of water for flowers, shrubs and ornamentals (see specific rates inside of label)			



GRO TEC, INC. P.O. Box 290

Madison, GA 30650

www.penningtonseed.com [www.eliminator-infor.com]

EPA Reg. No. 59144-1

EPA Est. 59144-GA-1

[Subscript used is first letter of run code on container]

DIRECTIONS FOR USE

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

Not for use on plants being grown for sale or other commercial use, for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climactic modification and being grown in home ornamental gardens or on lawns and grounds. Do not apply this product through any type of irrigation system.

Fruit Insect Control

To protect most fruit set a regular spray schedule at 10 to 14 day intervals after the trees have bloomed and the small fruit has formed. For best results consult your local Agricultural Extension Service for spray schedules and proper timing of applications.

Apples: To control Aphids, Bud Moth, Forbes Scale, Codling Moth, Plum Curculio, Red Banded Leafrollers and Spider Mites, mix 2 teaspoons in 1 gallon of water. Make two or more applications for mites and one or more for aphids spaced at 7 to 10 day intervals or as schedule indicates for a cover spray. Do not apply later than 3 days before harvest. This product may injure Cortland and McIntosh varieties in summer sprays.

Cherries: For Black Cherry Aphids and Fruit Tree Leafrollers, mix 1 teaspoon in 1 gallon of water and thoroughly spray trees. Do not apply later than 3 days before harvest. May injure foliage in some varieties. Test spray, as for grapes, before application.

Grapes: For Leafhoppers, Spider Mites and Mealy Bugs, mix 1 teaspoon in 1 gallon of water. Do not apply later than 3 days before harvest. May cause injury to foliage of certain varieties. As a test, spray several leaves of the plant first and observe later. If no damage occurs it is safe to apply.

Peaches: For Spider Mites, Oriental Fruit Moth and Plum Curculio, mix 2 teaspoons in 1 gallon of water. Spray when damage is first seen or anticipated. Do not apply later than 7 days before harvest.

Pears: To control Codling Moth, Fruit Trees Leafrollers, Pear Psylla, Plum Curculio and Red Banded Leafrollers, use 2 teaspoons per gallon of water. Do not apply later than 1 day before harvest. May injure Bosc pears under certain conditions in the Northeastern states.

Pecans: Follow a suggested spray schedule from your University Extension Service to control Spider Mites, Aphids, Pecan Nut Casebearer and Pecan Phylloxera. Mix 2 teaspoons in 1 gallon of water and apply with a pressure sprayer. Treat when insects are first seen or their damage is anticipated. Contract a licensed commercial spray service to spray large trees.

Strawberries: For control of Spider Mites and Aphids, mix 1 teaspoon in 1 gallon of water. Treat when insects first appear. Do not apply later than 3 days before harvest. **Note:** Do not apply when fruit is in bloom and bees are present. For best results, plan on a regular spray application to fruit at 1-2 week intervals through the growing season.

For Use in the Home Greenhouse*

The following food plants grown in a home greenhouse may be treated for Aphids and Spider Mites when observing the pre-harvest spray interval as listed after the crop: **Beans** – 1 day; **Cucumber** – 1 day; **Eggplant** – 3 days; **Head Lettuce**

- 7 days; **Onion** - 3 days; **Pepper** - 3 days; and **Tomatoes** - 1 day. *This product is not registered for use in the home greenhouse in the State of California.

Observe proper ventilation procedures and treat plants in early morning during cool temperatures. Mix 2 teaspoons of this product in 1 gallon of water and thoroughly treat all portions of the plant. Certain vegetables (such as cucumbers) may be injured if sprayed when humidity and temperature are high (> 80°F). Test spray a leaf or two and observe at a later time before applying to entire crop; otherwise treat only when greenhouse temperatures are moderate at 70° to 75° F.

Home Citrus Insect Control*

For use on Grapefruit, Kumquats, Lemons, Limes, Oranges and Tangerines for control of Black Scale, California Scale, Citricola Scale, Soft Scale and Yellow Scale, mix 1 to 1½ teaspoons per gallon of water. For control of Florida Red and Purple Scale and the Mediterranean Fruit Fly use 2 teaspoons per gallon of water. For Thrips and Aphids use 1½ teaspoons per gallon of water. This spray will also suppress Spider Mites that may be present. Apply as a thorough coverage spray on fruit and the upper and lower sides of leaves and twigs when insects are present or their damage is anticipated. Do not apply when trees are in bloom or within 7 days of harvest. *This product is not registered for use for home citrus control in the State of California.

Outdoor Ornamental Insect Control

Where to Use: May be used on a wide variety of Flowers, Shade Trees and Shrubs for the insects listed below. Due to possible plant injury, do not use on the following plants: Ferns, Hickory, Viburnum, Lantana, Crassula, Cannarti Juniper, Boston Ferns, Pteris Ferns, Maidenhair Ferns, Petunia, Small Leaf Spirea, White Pine or Maples.

How to Use: Mix the proper amount in a hose-end sprayer designed for use on shrubs, or a hand pressure or pump sprayer. Thoroughly spray all portions of the plant including the underside of leaves, stems and buds. Repeat as needed for control.

How to Mix: For all insects other than Pine Needle or Wax Scale use 2 teaspoons per gallon of water. For Pine Needle and Wax Scale use 4 teaspoons per gallon of water. Treat when insects are first seen and/or their damage is first noticed. Repeat as needed for control.

Aphids	Scale Insects:
Bagworms	Azalea Scale
Birch Leaf Miner	Black Scale Crawlers
Boxwood Leaf Miner	Euonymous Scale
European Pine Shoot Moth	Fletcher Scale*
Four-lined Leaf Bug	Florida Scale*
Japanese Beetle Adult	Juniper Scale*
Lace Bugs	Magnolia Scale
Whiteflies	•

Scale Insects (continued): Monterey Pine Scale Oyster Shell Scale* Pine Leaf Scale Pine Needle Scale Scurfy Scale Soft Brown Scale Wax Scale** Mealybugs Oak Kermes* Potato Leafhopper Rose Leafhopper Spider Mites Tarnished Plant Bug Tent Caterpillar Thrips (exposed stages)

*Apply when Scale Crawlers have settled on the foliage.

**Apply in spring when crawlers are active. Repeat in 1 or 2 full coverage applications at 10-day intervals.

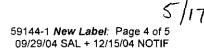
Vegetable Garden Insect Control

How to Spray: Mix the proper amount in a hose-end garden type sprayer or a hand-held garden pressure sprayer. Thoroughly mix and apply to all portions of the plant (undersides of leaves, stems, buds and developing fruit). Do not spray blooms.

When to Use: Treat in the spring and/or when insects are first seen or their damage is noticed. Do not spray later than the number of day(s) as shown in the chart for the "Preharvest Spray Interval" column; otherwise repeat as needed. Do not apply to wet vine crops.

How to mix: Mix 2 teaspoons per gallon of water.

Vegetable	Insect Pest(s)	Preharvest Spray Interval
Beans	Aphids, Spider Mites, Cucumber Beetles, Leafhoppers	1 day
Celery	Aphids, Spider Mites	7 days
Cucumbers, Squash, Melons	Aphids, Spider Mites, Cucumber Beetles, Leafhoppers	1 day
Cabbage, Broccoli, Mustard, Turnips,	Aphids, Imported Cabbage Worm, Cabbage Looper,	7 days
Head Lettuce	Leafhoppers	}



Vegetable	Insect Pest(s)	Preharvest Spray Interval	
Eggplant	Aphids, Spider Mites	3 days	
Onions	Exposed Thrips	3 days	
Peppers	Aphids	3 days	
Potatoes	Aphids, Leafhoppers, Mealy bugs	0 day	
Radishes	Aphids	7 days	
Tomatoes	Aphids, Spider Mites	1 day	

Conversions: 1 tsp./gal. = 1 pt./100 gallons; 2 tsp./gal = 2 pts./100 gals.

{For household/domestic use product packaged in containers greater than 1 gallon:}

Storage and Disposal

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

Storage: Store in original container in a cool, dry (preferably locked) storage area inaccessible to children and pets. **Disposal: If empty:** Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

{For household/domestic use product in containers of 1 gallon or less:}

[Storage and Disposal]

Storage: Store in original container in a cool, dry (preferably locked) storage area inaccessible to children and pets. **Disposal: If empty:** Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

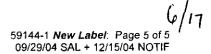
WARNING: Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear (safety glasses). Harmful if swallowed. Avoid breathing spray mist or vapors. Avoid contact with skin. Thoroughly wash with soap and water after use. Remove contaminated clothing and wash before reuse. Avoid contamination of feed and foodstuffs. Do not treat areas frequented by children and do not allow children in treated areas until the spray has dried. Use only with adequate ventilation. After using this product in greenhouses thoroughly ventilate before occupying enclosed spaces. Do not allow contact with treated surfaces until sprays have dried. Do not apply this product in such a manner as to directly or through drift expose workers or other persons. Unprotected persons must vacate the area being treated.

	First Aid
lf in Eyes	 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.
If Swallowed	 Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
If on Skin or Clothing	 Take off contaminated clothing. Immediately rinse skin with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.
lf Inhaled	 Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
	ian: Malathion upon exposure may cause cholinesterase inhibition. Atropine is antidotal. Product c solvent that may present an aspiration hazard. Gastric lavage is indicated if product was swallowed.
Have the produc may also contact	t container or label with you when calling a poison control center or doctor, or going for treatment. [You t 1-800-424-9300 for emergency medical treatment information.]

{Note: The first aid statements' grid format will be used if label space permits; otherwise a paragraph format will be used.}

Environmental Hazards

This pesticide is toxic to fish, aquatic invertebrates and aquatic life stages of amphibians. Do not apply directly to water. Drift and runoff may be hazardous to aquatic organisms in areas near the application site. Do not contaminate water



when disposing of equipment washwaters. This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

Physical or Chemical Hazards

Do not use, pour, spill or store near heat or open flame.

Warranty and Disclaimer: This product conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use. Manufacturer is not responsible for the use of this product contrary to the label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to the manufacturer and/or seller, and buyer assumes the risk of any such use. {Code}

For More Information Call: 1-888-648-9855 In Case of Emergency Call: 1880-424-9300

Pat. 4488922

[] Denotes alternate/optional language

{ } Denotes language that does not appear on the market labeling

282-01 Front UPC 0 21496 26016 ELIMINATOR Malathion 50% Spray 16 FL OZ (473 ml) Concentrate

Packaging Spec No _____ Label Spec No _____ NOTIFICATION

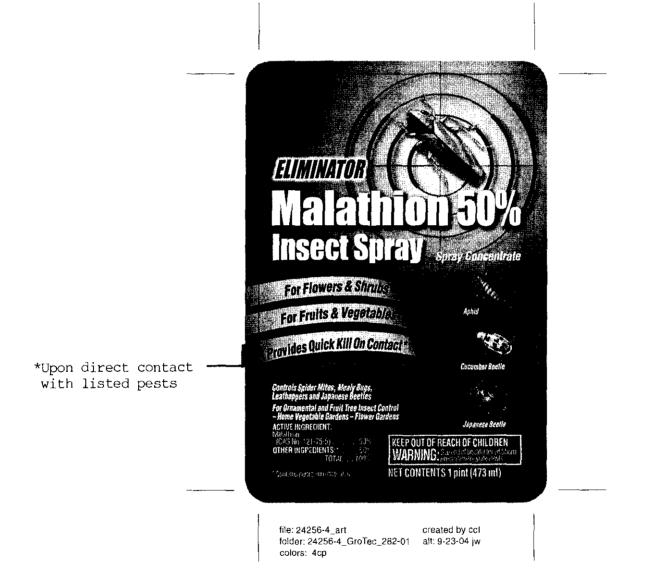
DEC 2 0 2004

Cyan	7/1 ^{Black}
Magenta	Eliminator Red (100M/100Y) Match to PMS 485
Yellow	Eliminator Yellow (5M/100Y) Match to PMS 109

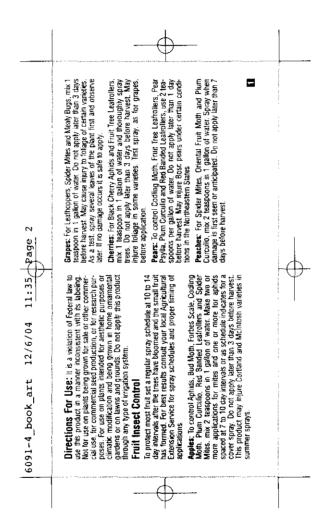
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Strawberries: For control of Spider Mites and Aphids, mix 1 teaspoon in 1 gallon of water. Treat when insects first appear. Do not apply kater than 3 days before harvest. MOTE: Do not apply when fruit is in bloom and bees are present. For best results, plan on a regular spiray application to fruit at 1 to 2 week intervals through the growing session.

Pecans: Follow a suggested spray schedule from your University Extension Service to control Spider Miles, Aphids, Pecan Nut Casebearer and Pecan Phylloxera, Mix 2 teaspoons in 1 gallon of water and apply with a pressure sprayer. Treat when insects are first seen or their damage is anticipated Contact a licensed commercial spray service to spray large trees.

Outdoor Ornamental Insect Control

Where To Use: May be used on a wide variety of Flowers. Shade Trees and Shrubs for the insects listed below. Due to possible plant miyry, do not use on the following plants: Ferns, Hickory, Viburnum, Lantana. Crassula, Cannarti Juniper, Boston Ferns. Pteris Ferns, Maidenhair Ferns, Petunia, Small Leaf Spirea. White Pine or Maples How To Use: Mix the proper amount in a hose-end sprayer designed for use on shrubs, or a hand pressure or pump sprayer. Theroughly spray all portons of the plant including the underside of leaves, stems and buds. Repeat as needed for control.

How To Mix: For all insects other than Pine Needle or Wax Scale use 2 teaspoons per gallon of water. For Pine Needle and Wax Scale use 4 teaspoons per gallon of water. Treat when insects are first seen ant/or their damage is first noticed. Repeat as needed for control.

Aphids. Bagworms, Birch Leaf Miner, Boxwood Leaf Miner, European Pine Shoot Moth, Four-lined Leaf Bug, Japanese Beetle Adukt. Lace Bugs, Mealybugs, Oak Kermes*, Potato Leafhopper, Rose Leafhopper, Spider Mites, Tarnished Plant Bug, Tent Caterpilar. Thrips (exposed stages), Scale Insects: Oyster Shell Scale*, Euronymous Scale. Scurty Scale Azalea Scale. Magnolia Scale. Pine Leaf Scale, Fietcher Scale*, Florida Scale*, Juniger Scale*, Black Scale Crawlers. Soft Brown Scale. Monterey Pine Scale, Pine Needle Scale. Wax Scale**, "Apply when Scale Crawlers have settled on the foliage." "Apply when Scale Crawlers are active. Repeat in 1 or 2 full coverage applications at 10-day intervals.

6091-4_book_art 12/6/04 11:35 Page 4

Vegetable Garden Insect Control

How To Spray: Mix the proper amount in a hose-end garden type sprayer or a hand-held garden pressure sprayer. Thoroughly mix and apply to all portions of the plant (undersides of leaves, stems, buds and developing fruit). Do not spray bhoms.

When To Use: Treat in the spring and/or when insects are first seen or their damage is noticed. Do not spray later than the number of day(s) as shown in the chart for the "Preharvest Spray Interval" column; otherwise repeat as needed. Do not apply to wet vine crops.

How To Mix: Mix 2 teaspoons per gallon of water.

Vegetable	Insect Pests	Prenarvest Spray Interval
Beans	Aphids, Spider Mites, Cucumber Beetles, Leafhoppers	1 day
Celery	Aphids. Spider Mites	7 days
Cucumbers, Squash, Melons	Aphids, Spider Mites, Cucumber Beetles, Leathoppers	1 day
Cabbage, Broccoli, Mustard, Turnips, Head Lettuce	Aphids, Imported Cabbage Worm, Cabbage Looper. Leathoppers	7 days

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6091-4_book_art 12/6/04 11:35 Page 5

Vegetable Garden Insect Control (Continued)

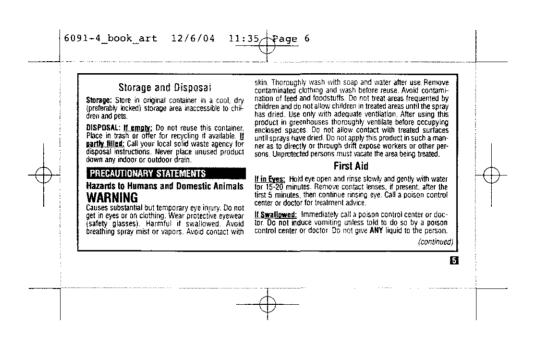
Vegetable	Insect Pests	Preharvest Spray interval	
Eggplant	Aphids, Spider Mites	3 days	
Onions	Exposed Thrips	3 days	
Peppers	Aphids	3 days	
Potatoes	Aphids. Leafhoppers. Mealy bugs	0 day	
Radishes	Aphids	7 days	
Tomatoes	Aphids. Spider Mites	1 day	

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Conversions: 1 tsp /gal=1 pt/100 gallons; 2 tsp /gal=2 pts /100 gallons

www.eliminator-info.com

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6091-4_book_art 12/6/04 11:35 Page 7 calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical First Aid (continued) If Swallowed (continued): Do not give anything by treatment information. How the second s Environmental Hazards This pesticide is toxic to fish, aquatic invertebrates and aquatic This pesticide is toxic to fish, aquatic invertebrates and aquatic ifle stages of amphibians. Do not apply directly to water. Drift and runoff may be hazardous to aquatic organisms in areas near the application site. Do not contaminate water when disposing of equipment washwaters. This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area. tor for treatment advice. tor for treatment advice. If **Inhaled**: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give arti-ficial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice. **Physical or Chemical Hazards** Note To Physician: Malathion upon exposure may cause cholinesterase inhibition. Alropine is antido-Do not use, pour, spill or store near heat or open flame. tal. Product contains aromatic solvent that may present an aspiration hazard. Gastric lavage is indicated if product was swallowed. Have the product container or label with you when Ū.

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6091-4_book_art 12/6/04 11:35_Page 8 WARRANT AND DISCLAIMER: This product conforms to fit chemical description and is reasonably fit for the purpose stared on the abole when used in acrortance with directions under normal conditions, or under conductions, or under contrary to the latel instructions, or under conditions, or under conductions, or under contrary to seller, and buyer assumes the risk of any such use. (092904:EA). PA: 446822

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24257-3/base/art 24257-3/gro tec/malathion 50% Prints red 485, yellow 109, black Created: by cust. 11-11-99 db Alt: 11-05-04 cf



December 15, 2004

Ms. Sherada Hobgood Document Processing Desk – *NOTIF* Office of Pesticide Programs – *7504C* **U.S. Environmental Protection Agency** 1801 South Bell Street Crystal Mall #2, Room 266A Arlington, VA 22202-4501

Dear Ms. Hobgood:

Subject: Gro Tec, Inc. Malathion 50% Insect Spray EPA Reg. No. 59144-1

On behalf of its client *Gro Tec, Inc.*, RegWest Company, LCC is submitting the attached materials as notification of a label revision for subject product. RegWest Company will act as sole agent in this endeavor.

`ttached are the following documents:

- 1. Application for Pesticide: Other
- 2. One Reference Label (illustrates the changes)
- 3. Two New Labels (incorporate the changes)
- 4. Two market labels

Please note the market labels do not contain all approved label verbiage.

All label revisions are illustrated on the **Reference Label**. We are primarily adding/revising the selling/marketing copy and moving the 'storage and disposal' directions to the end of the *Directions for Use* section.

Please contact me at (970) 353-0611 or kim@regwest.com if you have any questions concerning this notification.

Regards, RegWest Company, LLC

Kim Davis, CC, APC, Manager Consultant/Agent

Attachments

pc: CPI - Hacker, S.

