

62637-3

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Ms. Amy Plato Roberts
 Agent for Becker Microbial Products, Incorporated
 Technology Sciences Group, Incorporated
 712 Fifth Street, Suite A
 Davis, CA 95616

MAR 11 2011

Re: Becker Microbial Products, Incorporated; BMP 144 (200 G)
 EPA Registration No. 62637-3
 Minor Label ("Fast Track") Amendment
 Submissions dated 10/28/2010, 03/09/2011, and 03/10/2011
 Decision No. 441847

Dear Ms. Roberts:

The Environmental Protection Agency (EPA) has reviewed your request to amend the subject product registration, which included the following changes to the product label:

- 1) Removal of an advisory statement associated with the Ingredient Statement ("Potency units should not be used to adjust rates beyond those specified in the Directions for Use section.") given the potential conflict with mandatory instructions (both sublabels).
- 2) Correction of minor formatting inconsistencies and typographical errors (both sublabels).
- 3) Modification to some of the Hazards to Humans and Domestic Animals and Environmental Hazards statements to comport with information presented in Chapter 7, Section III(D) and Chapter 8, Section III(B) of the Label Review Manual, respectively (both sublabels).
- 4) Removal of User Safety Recommendations as this label contains no uses that fall under the purview of the Worker Protection Standard (both sublabels).
- 5) Clarification of the following statements under Specific Application Instructions (changes emphasized) (sublabel A only):

"Uniformly apply BMP 144 (200 G) in conventional aerial and ground application equipment, or by hand using a seed spreader or other calibrated application equipment."

"Use a seven- to fourteen-day interval between applications, except in cases of heavy insect pressure when shorter intervals are needed."

CONCURRENCES

SYMBOL	7511P	7511P	7511P					
SURNAME	KAUSCH	Reynolds	Philly					
DATE	03/10/2011	3/10/11	3/11/11					

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- 6) Addition of basic spray drift language for aerial applications (sublabel A only).
- 7) Addition of the following statement to the Container Handling section of the Storage and Disposal instructions (sublabel A only): "If burned, stay out of smoke."
- 8) Addition of a phrase ("To the extent consistent with applicable law") to certain statements in the Notice to User section (both sublabels).
- 9) Removal of a contact number ("(800) 759-1602"), that is no longer in operation (sublabel A only).
- 10) Removal of a claim ("Concentrated Formula") from the Optional Label Claims.
- 11) Removal of all label text specific to a distributor (EPA Company Number 75154).

Additionally, on October 22, 2010, you submitted a notification request (Decision No. 442616) to EPA, asking specifically to add the label claim, (5/8 Mesh) (10/14 Mesh), to allow reference to the size of the granule created during the formulation process.

All the changes referred to above (including the one change requested by notification, which is now considered to be part of this label amendment), submitted in connection with registration under section 3(c)(5) of the Federal Insecticide, Fungicide, and Rodenticide Act, are acceptable provided that you submit two (2) copies of your final printed labeling before you release the product for shipment. Refer to the A-79 enclosure for a further description of a final printed label.

Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions. If you have any questions regarding this letter, please contact Ms. Jeannine Kausch by telephone (703-347-8920) or email (kausch.jeannine@epa.gov).

A stamped copy of the label is enclosed for your records.

Sincerely,



Sheryl K. Reilly, Ph.D., Chief
Microbial Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)

Enclosures (2):
-BMP 144 (200 G) Accepted Label
-A-79 Enclosure

BMP 144 (200 G)

(Alternate Brand Name: AQUABAC® (200 G))

Sublabel A: Commercial Use
Sublabel B: Residential Use
Optional Label Claims

ACTIVE INGREDIENT:

Bacillus thuringiensis subspecies *israelensis* Strain BMP 144 solids, spores and insecticidal toxins*2.86%

OTHER INGREDIENTS:97.14%

TOTAL:100.00%

* Equivalent to 7,000 International Toxic Units (ITU/mg) (0.091 Billion ITU / pound). Note: The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

EPA Reg. No.: 62637-3

EPA Establishment No.: XXXXX-XX-XX

Manufactured (for) (by):

BECKER MICROBIAL PRODUCTS, INC.

11146 N.W. 69th Place

Parkland, FL 33076

ACCEPTED

MAR 11 2011

Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for
the pesticide registered under
EPA Reg. No. 62637-3

BMP 144 (200 G); EPA Reg. No. 62637-3

Label version (13) dated March 10, 2011

Label amendment (FAST TRACK) to modify a direction for use statement

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Sublabel A: Commercial Use

BMP 144 (200 G)

(Alternate Brand Name: **AQUABAC® (200 G)**)

ACTIVE INGREDIENT:

Bacillus thuringiensis subspecies *israelensis* Strain BMP 144 solids, spores and insecticidal toxins*2.86%

OTHER INGREDIENTS:97.14%

TOTAL:100.00%

* Equivalent to 7,000 International Toxic Units (ITU/mg) (0.091 Billion ITU / pound). Note: The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
If inhaled	<ul style="list-style-type: none">• 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 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 – 20 minutes.• Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
See back panel for additional precautionary statements and directions for use.	

EPA Reg. No.: 62637-3
EPA Establishment No.: XXXXX-XX-XX

Net Weight: XX
Batch Code: XX

Manufactured (for) (by):
BECKER MICROBIAL PRODUCTS, INC.
11146 N.W. 69th Place
Parkland, FL 33076

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS - CAUTION: Harmful if inhaled or absorbed through skin. Avoid breathing dust. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse. Mixers / loaders and applicators not in enclosed cabs or aircraft must wear a dust / mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

ENVIRONMENTAL HAZARDS: Do not contaminate water when disposing of equipment washwaters or rinsate. Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

DIRECTIONS FOR USE

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

(BMP 144 (200 G) is a highly selective microbial insecticide effective against mosquitoes in a variety of habitats.) Apply BMP 144 (200 G) to any water sites except treated, finished water reservoirs or drinking water receptacles when the water is intended for human consumption. (BMP 144 (200 G) can be applied to areas that contain aquatic life, fish and plants. BMP 144 (200 G) can be applied to areas used by or in contact with humans, animals, horses, livestock, pets, birds or wildlife.)

MOSQUITOES:

Habitat	Rate Required for Control*
Flood water, roadside ditches, irrigation ditches, rice fields, pastures, woodland pools, snowmelt pools, tidal water, salt marshes, catch basins, storm water retention areas, lakes, golf course ponds, irrigation ponds, ornamental zoo ponds, ornamental ponds, ponds, water gardens, greenhouses, nurseries, standing water.	2.5 - 10.0 lbs/acre*

(For small volume applications -)
(Sprinkle 1 teaspoon per 25 square feet.)
(Sprinkle 1 tablespoon per 75 square feet.)
(Sprinkle ¼ cup per 300 square feet.)
(Sprinkle 1 cup per 1200 square feet.)
(Sprinkle ½ pound per 2178 square feet.)
(Sprinkle 1 pound per 4356 square feet.)

*When late third and early fourth instar larvae predominate, larval populations are high, or water is heavily polluted and/or algae are prevalent, use 10-20 lbs/acre.

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SPECIFIC APPLICATION INSTRUCTIONS:

Uniformly apply BMP 144 (200 G) in conventional aerial and ground application equipment, or by hand using a seed spreader or other calibrated application equipment. Use a seven- to fourteen-day interval between applications, except in cases of heavy insect pressure when shorter intervals are needed. Longer periods of mosquito population suppression can result where sufficient numbers of non-target aquatic invertebrate parasites and predators are present, since these invertebrates are not affected by BMP 144 (200 G) and contribute to mosquito population reduction.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment- and weather-related factors determines the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal: Wastes resulting from use of this product must be disposed of on site or at an approved waste disposal facility.

Container Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration. Do not burn, unless allowed by state and local ordinances. If burned, stay out of smoke

NOTICE TO USER

To the extent consistent with applicable law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on this label. To the extent consistent with applicable law, user assumes all risks of use, storage or handling not in strict accordance with label instructions.

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Sublabel B: Residential Use

BMP 144 (200 G)

(Alternate Brand Name: AQUABAC® (200 G))

ACTIVE INGREDIENT:

Bacillus thuringiensis subspecies *israelensis* Strain BMP 144 solids, spores and insecticidal toxins*2.86%

OTHER INGREDIENTS:97.14%

TOTAL:100.00%

* Equivalent to 7,000 International Toxic Units (ITU/mg) (0.091 Billion ITU / pound). Note: The percent active ingredient does not indicate product performance and potency measurements are not federally standardized.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See (back panel) (side panel) (insert label) for precautionary statements and directions for use.

EPA Reg. No.: 62637-3

EPA Establishment No.: XXXXX-XX-XX

Manufactured (for) (by):

BECKER MICROBIAL PRODUCTS, INC.

11146 N.W. 69th Place

Parkland, FL 33076

Net Weight: XX

Batch Code: XX

BMP 144 (200 G); EPA Reg. No. 62637-3

Label version (13) dated March 10, 2011

Label amendment (FAST TRACK) to modify a direction for use statement

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FIRST AID	
If inhaled	<ul style="list-style-type: none"> • 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 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 – 20 minutes. • Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS - CAUTION: Harmful if inhaled or absorbed through skin. Avoid breathing dust. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.
ENVIRONMENTAL HAZARDS: Do not contaminate water when disposing of equipment washwaters or rinsate. Do not apply directly to treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption.

DIRECTIONS FOR USE

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

(Product Information:) BMP 144 (200 G) is a highly selective microbial insecticide effective against mosquitoes in a variety of habitats. Apply BMP 144 (200 G) to containerized standing water or any private water sites except treated, finished drinking water reservoirs or drinking water receptacles when the water is intended for human consumption or state waters. BMP 144 (200 G) can be applied to areas that contain aquatic life, fish and plants. BMP 144 (200 G) can be applied to areas used by or in contact with humans, animals, horses, livestock, pets, birds or wildlife.

Treatment Areas (For Use In):

Bird baths	Roof gutters	Lakes
Statuary	Drains	Buckets
Old tires	Stock tanks	Plastic covers
Flower pots	Pool covers	Plant trays
Tree holes	Abandoned swimming pools	Planters
Water gardens (features)	Unused swimming pools or spas	Garbage cans
Ornamental fountains	Other water holding receptacles	Wheelbarrows
Fountains	Standing water	Hollow trees
Urns	Ponds	Flood water
Rain barrels	Lagoons	

Any location where water collects and remains for periods of time. Other areas where standing water accumulates.

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How to Apply:

Directions for bulk granule:

- Treats up to 8712 square feet.

Specific Directions:

- (Sprinkle 1 teaspoon per 25 square feet.)
- (Sprinkle 1 tablespoon per 75 square feet.)
- (Sprinkle ¼ cup per 300 square feet.)
- (Sprinkle 1 cup per 1200 square feet.)
- (Sprinkle ½ pound per 2178 square feet.)
- (Sprinkle 1 pound per 4356 square feet.)

Uniformly apply BMP 144 (200 G) at seven- to fourteen-day intervals between applications. Longer periods of mosquito population suppression can result where sufficient numbers of non-target aquatic invertebrate parasites and predators are present, since these invertebrates are not affected by BMP 144 (200 G) and contribute to mosquito population reduction.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal and Container Handling: Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash and offer for recycling if available. **If partly filled:** Call your local solid waste agency or (800) 858-7378 (National Pesticide Information Center) for disposal instructions. Never place unused product down any indoor or outdoor drain.

NOTICE TO USER

To the extent consistent with applicable law, seller makes no warranty, express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on this label. To the extent consistent with applicable law, user assumes all risks of use, storage or handling not in strict accordance with label instructions.

OPTIONAL LABEL CLAIMS

- Biolarvicide.
- Biological Mosquito Control.
- Mosquito Biolarvicide Granule.
- *Highly selective microbial larvicide.*
- A (highly selective) microbial insecticide effective against mosquitoes in a variety of habitats.
- Easy to use.
- (Use) (Apply) in standing water (where mosquitoes may breed); see label for specific use sites. (Claim for Sublabel A – Commercial Use).
- (Use) (Apply) in containerized or private standing water (where mosquitoes may breed); see label for specific use sites. (Claim for Sublabel B – Residential Use).
- Effective year-round when mosquito larvae are present.
- Controls mosquitoes.
- Controls mosquito larvae (in standing water) (within 24 hours) (in 24 hours).
- Quickly controls mosquito larvae in (within) 24 hours.
- When ingested by mosquito larvae, (product name) prevents mosquitoes from becoming (developing into) breeding, biting adults.
- When ingested by mosquito larvae, (product name) prevents the development of adults.
- When ingested by mosquito larvae, (product name) prevents emergence of breeding, biting adults.
- Kills mosquito larvae upon ingestion of Bt toxins.
- Kills mosquito larvae upon ingestion by destroying the cellular lining of the insect digestive tract.
- Kills (mosquitoes) (developing mosquitoes) (mosquito larvae) (before they hatch), including those which may (can) transmit (carry) West Nile virus (and encephalitis) (and equine encephalitis).
- Kills (mosquitoes) (developing mosquitoes) (mosquito larvae) before they become breeding, biting adults, including those which may (can) transmit (carry) West Nile Virus (and encephalitis) (and equine encephalitis).

BMP 144 (200 G); EPA Reg. No. 62637-3

Label version (12) dated March 9, 2011

Label amendment (FAST TRACK) to modify a direction for use statement

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- Kills (mosquitoes) (developing mosquitoes) (mosquito larvae) (before they hatch), including those which may (can) transmit heartworm disease to dogs and cats.
 - (5/8 Mesh) (10/14 Mesh)