

62637-13

08/02/2010

1/6

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

D 4299961	345
S 869315	1155

AUG 02 2010

Amy Plato Roberts
 Technology Sciences Group, Inc.
 Agent for Becker Microbial Products, Inc.
 1150 18th Street, NW, Suite 1000
 Washington, DC 20036

Re: EPA Reg. No. 62637-13
 BMP 144 (400 G)
 Fast Track Formulation Amendment Request
 Your Correspondence of August 27, 2009; March 9, 2010; and
 June 8, 2010

Dear Ms. Roberts:

On the behalf of your client, Becker Microbial Products, Inc., you resent on March 9, 2010 a fast track amendment request originally dated August 27, 2009. The request involved the addition of a second alternate formulation for the subject product. In response to our request (personal communication, D. Greenway to A. Roberts; May 25, 2010), a Final Printed Label representative of the last accepted label of March 5, 2008 was submitted on June 8, 2010.

During our evaluation of the proposed additional alternate formulation, deficiencies were identified in the March 5, 2008 label. A revised label, transmitted electronically on June 9, 2010, was submitted for review.

The "Alternate Formulation 2," dated August 27, 2009, is acceptable.

The June 9, 2010 label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided that you:

I. **Submit and/or cite all data required for registration/reregistration of your product**

SYMBOL		under FIFRA section 3(c)(5) when the Agency requires all registrants of similar			
SURNAME		products to submit such data.	7511 P	7511 P	
DATE			Greenway	Phil	

8/2/10 8/2/10

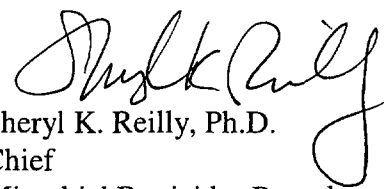
- 2. Submit two (2) copies of your final printed labeling before you release the product for shipment. Final printed labeling means the label or labeling of the product when distributed or sold. Clearly legible reproductions or photo reductions will be accepted for unusual labels, such as those silk-screened directly onto containers or large bags, or drum labels.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

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

If you have questions regarding your application or this letter, please contact me or Denise Greenway, of my staff (via greenway.denise@epa.gov or (703) 308-8263).

Sincerely,



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

Enclosure

DGreenway/308-8263/7-30-2010/62637-13fasttrack/BtiStrain BMP

BMP 144 (400 G)

(Alternate Brand Name: AQUABAC® (400 G))

ACTIVE INGREDIENT:

Bacillus thuringiensis subspecies *israelensis* Strain BMP 144 solids, spores and insecticidal toxins* 5.71%

OTHER INGREDIENTS:..... 94.29%

TOTAL:..... 100.00%

* Equivalent to 400 International Toxic Units (ITU/mg) (0.182 Billion ITU / pound). Potency units should not be used to adjust rates beyond those specified in the Directions for Use Section.

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.
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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-222-1222 for emergency medical treatment information.	
See back panel for additional precautionary statements and directions for use.	

EPA Reg. No.: 62637-13
EPA Establishment No.: XXXXX-XX-XX

Net Contents: XX
Batch Code: XX

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

ACCEPTED

AUG 02 2010
Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for
the pesticide registered under
EPA Reg. No. 62637-13

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS - CAUTION: Harmful if inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash 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.

USER SAFETY RECOMMENDATIONS: Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS: Do not contaminate water when disposing of equipment washwaters. Do not apply to treated, finished drinking water reservoirs or drinking water receptacles.

DIRECTIONS FOR USE

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

Non-Agricultural Use Requirements

The requirements in this box apply to uses that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Keep unprotected persons out of the treated areas until sprays have dried.

(BMP 144 (400 G) is a highly selective microbial insecticide effective against mosquitoes in a variety of habitats.) Apply BMP 144 (400 G) to any water sites except treated, finished water reservoirs or drinking water receptacles. (BMP 144 (400 G) can be applied to areas that contain aquatic life, fish and plants. BMP 144 (400 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*
Pools, ponds, flood water, pastures, ditches, rice fields, brackish water, light to moderate populations	1.25 - 5 lbs/acre
Catch basins, tidal water, salt marshes, storm water retention areas, mangrove swamps, moderate pollution or organic content	5 - 8 lbs/acre

SPECIFIC APPLICATION INSTRUCTIONS:

Apply 1.25 - 5 pounds of pellets per acre with conventional aircraft or ground equipment. Use higher application rates in heavily polluted water, when mosquito populations are high, when larvae are nearly grown or in forth instar, and when aquatic or covering vegetation is dense. Most treatments require no more than 5 pounds / acre. Apply only against mosquito larvae not

pupae.

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

* Allow 24 hours for control. Under certain conditions, such as catch basins, sewage waste lagoons, high pollution or organic content, heavy vegetative cover and high mosquito populations, double the above application rates.

Do not apply this product through any type of irrigation system.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place.

Pesticide Disposal: Wastes resulting from use of this product may 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 or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

NOTICE TO USER

Seller makes no warranty express or implied, of merchantability, fitness or otherwise concerning the use of this product other than as indicated on the label. User assumes all risks of use, storage or handling not in strict accordance with label instructions.

(Optional Text) In case of emergency endangering life and property involving this product, call collect, day or night, (954) 345-9321.

OPTIONAL LABEL CLAIMS

- Biolarvicide.
- Biological Mosquito Control.
- Mosquito Biolarvicide Pellet.
- Highly selective microbial larvicide.
- A (highly selective) microbial insecticide effective against mosquitoes in a variety of habitats.
- Easy to use.
- Ready to 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).
- Kills (mosquitoes) (developing mosquitoes) (mosquito larvae) (before they hatch) including those which may (can) transmit heartworm disease to dogs and cats.