

0319-291

06/15/2006

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-291	2. EPA Product Manager George T. LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/Conserve SC Turf and Ornamental	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 <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 _____
<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.

**NOTIFICATION**

JUN 15 2006

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Change by notification: Home Gardens: Added "In the state of Georgia, do not apply Conserve SC to: Broccoli Raab, Chinese Cabbage (Bok Choy), Collards, Kale, Mizuna, Mustard Greens, Mustard Spinach, Rape Greens."

### Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____			

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Mike Culy, Ph.D.	Title Regulatory Manager	Telephone No. (Include Area Code) (317) 337-4581 (fax: 317-337-4649)
<b>Certification</b> 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.		6. Date Application Received <b>(Stamped)</b>
2. Signature 	3. Title Regulatory Manager	
4. Typed Name Mike Culy, Ph.D. (mculy@dow.com)	5. Date May 26, 2006	

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(Base Label):

(Logo) Dow AgroSciences LLC

**NOTIFICATION**

**JUN 15 2006**

# Conserve® SC Turf and Ornamental

## Insect Control

For control of thrips, lepidopterous larvae, foliage feeding worms, fire ants and other listed pests infesting:

- Fruiting vegetables, such as tomato, pepper and eggplant
- Cucurbits, such as cantaloupe and honeydew
- Cole crops (Brassica), such as broccoli, cabbage and cauliflower
- Leafy vegetables, such as lettuce, spinach and celery
- Tuberous vegetables, such as potatoes, sweet potatoes, yams, Jerusalem artichoke, Chinese artichoke and cassava
- Stone fruit, such as peaches, plums, cherries, nectarines, prunes and apricots
- Apple and citrus trees
- Commercial aquatic plants
- Trees and ornamentals
- Tree farms or plantations
- Turfgrass

Active Ingredient:

spinosad (including Spinosyn A and Spinosyn D) .....	11.6%
Inert Ingredients .....	88.4%
Total Ingredients .....	100.0%

Contains 1 pound of active ingredient per gallon.

U.S. Patent No. 5,496,931 and 5,362,634

### Keep Out of Reach of Children

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#### Precautionary Statements

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##### Personal Protective Equipment (PPE)

**Non-WPS Uses [Any use NOT covered by the Worker Protection Standard (40 CFR Part 170)]:**

**There are no specific PPE requirements for applicators and other handlers; however, the following is recommended as a minimum:**

- Long-sleeved shirt and long pants
- Shoes plus socks

**WPS Uses: Applicators and other handlers who handle this product for any use covered by the Worker Protection Standard (40 CFR Part 170) -- such as agricultural plants grown for sale or research purposes in nurseries, greenhouses, and sod and seed farms -- must wear:**

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- Long-sleeved shirt and long pants
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

**User Safety Recommendations**  
 Users should:  
 • Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

**Environmental Hazards**

This product is toxic to bees exposed to treatment for 3 hours following treatment. Do not apply this pesticide to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period. This product is toxic to aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or when disposing of equipment washwaters.

**Agricultural Use Requirements**  
 Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to the label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

**Refer to label booklet for Directions for Use including Storage and Disposal.**

**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994. If you wish to obtain additional product information, visit our web site at [www.dowagro.com](http://www.dowagro.com).

**Shake Well Before Use – Avoid Freezing**

EPA Reg. No. 62719-291

EPA Est. \_\_\_\_\_

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 Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A.

**Net Contents** \_\_\_\_\_

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(Label Booklet Cover):

(Logo) Dow AgroSciences LLC

# Conserve® SC Turf and Ornamental

## Insect Control

For control of thrips, lepidopterous larvae, foliage feeding worms, fire ants and other listed pests infesting:

- Fruiting vegetables, such as tomato, pepper and eggplant
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- Leafy vegetables, such as lettuce, spinach and celery
- Tuberous vegetables, such as potatoes, sweet potatoes, yams, Jerusalem artichoke, Chinese artichoke and cassava
- Stone fruit, such as peaches, plums, cherries, nectarines, prunes and apricots
- Apple and citrus trees
- Commercial aquatic plants
- Trees and ornamentals
- Tree farms or plantations
- Turfgrass

Active Ingredient:

spinosad (including Spinosyn A and Spinosyn D) .....	11.6%
Inert Ingredients .....	88.4%
Total Ingredients .....	100.0%

Contains 1 pound of active ingredient per gallon.

U.S. Patent No. 5,496,931 and 5,362,634

### Keep Out of Reach of Children

**Agricultural Use Requirements**  
Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to the label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

**Refer to inside of label booklet for additional precautionary information including Personal Protective Equipment (PPE), User Safety Recommendations, and Directions for Use including Storage and Disposal.**

**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

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**Net Contents** \_\_\_\_\_

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## Precautionary Statements

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### Personal Protective Equipment (PPE)

**Non-WPS Uses [Any use NOT covered by the Worker Protection Standard (40 CFR Part 170)]:**

**There are no specific PPE requirements for applicators and other handlers; however, the following is recommended as a minimum:**

- Long-sleeved shirt and long pants
- Shoes plus socks

**WPS Uses: Applicators and other handlers who handle this product for any use covered by the Worker Protection Standard (40 CFR Part 170) – such as agricultural plants grown for sale or research purposes in nurseries, greenhouses, and sod and seed farms – must wear:**

- Long-sleeved shirt and long pants
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

### User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

### Environmental Hazards

This product is toxic to bees exposed to treatment for 3 hours following treatment. Do not apply this pesticide to blooming, pollen-shedding or nectar-producing parts of plants if bees may forage on the plants during this time period. This product is toxic to aquatic invertebrates. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or when disposing of equipment washwaters.

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### Directions for Use

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It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

### Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your state or tribe, consult the agency responsible for pesticide regulation.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 4 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls

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- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks

### Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product 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 in nurseries, greenhouses, and on sod and seed farms.

- Adults, children, and pets should not contact treated surfaces until the spray has dried.

### Storage and Disposal

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

**Pesticide Storage:** Store in original container only. Avoid freezing. In case of leak or spill, contain material with absorbent materials and dispose as waste.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or 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 incineration, or, if allowed by state and local authorities, by burning. If burning, stay out of smoke.

### General Information

Conserve<sup>®</sup> SC Turf and Ornamental insect control, a fermentation-derived insect control agent, is recommended for control of thrips, lepidopterous larvae, foliage feeding worms, and fire ants infesting fruiting vegetables, cucurbits, cole crops (Brassica), leafy vegetables, tuberous vegetables, stone fruit, apple and citrus trees, commercial aquatic plants, trees and ornamentals, tree farms or plantations, and turfgrass. Conserve SC should be mixed with water and applied in a manner to provide complete and uniform plant coverage. Due to its unique mode of action, Conserve SC can be used in resistance management programs in rotation with many other classes of products.

### General Use Precautions

#### Integrated Pest Management (IPM) Programs

Conserve SC is recommended for IPM programs including insect control on turfgrass and ornamentals. Other than reducing the target pest species as a food source, Conserve SC does not significantly impact the natural predaceous arthropod complexes including ladybird beetles, lacewings, minute pirate bugs, and predatory mites. The feeding activities of these predatory beneficials will aid in extending natural control of other insect pests and reduce the likelihood of secondary pest outbreaks. If Conserve SC is tank mixed with an insect control product that reduces its selectivity in preserving predatory beneficials, then the full benefit of Conserve SC to the IPM program may not be realized.

#### Greenhouse Pest Resistance Avoidance Recommendations

Any insect or mite control agent may become less effective over time if target insects or mites develop resistance to its mode of action. Adherence to the following greenhouse pest resistance avoidance recommendations will help to ensure the prolonged usefulness of insect and mite control products in the greenhouse:

- Avoid use of the same active ingredient or mode of action on consecutive generations of insects or mites. However, multiple applications to reduce a single generation are acceptable. If uncertain of the generation cycle, no more than 3 consecutive applications should be used, nor should there be continuous use for more than 30 days. Consider rotating to a different active ingredient with a different mode of action or use no treatment for the next generation or 30 days if the generation cycle is not known.



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- Avoid using less than labeled rates of any insect or mite control product when applied alone or in tank mixtures.
- Applications should be targeted against early insect and mite developmental stages whenever possible.
- For guidance, consult with the state agricultural experiment station or local extension specialist for information on resistance management programs in your area.
- If possible, include multiple tactics (e.g., cultural or biological controls) when using IPM programs.

#### **Requirements for Use of Conserve SC in Greenhouses<sup>1</sup> and for Commercial Production of Herbaceous (Non-Woody) Ornamentals in Nurseries<sup>1</sup>**

- Regardless of the crop or pest being treated (excluding leafminers, spider mites and/or diamondback moths), do not apply Conserve SC more than 10 times in a 12-month period inside a greenhouse or a structure that can be altered to be closed or open. If Conserve SC is used for leafminer, spider mite and/or diamondback moth control, do not apply Conserve SC more than 6 times in a 12-month period inside a greenhouse or a structure that can be altered to be closed or open regardless if other insect pests are also being treated. It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- For areas of commercial production of herbaceous (non-woody) ornamentals in nurseries (including plant propagation beds), do not apply Conserve SC more than 10 times in a 12-month period per crop regardless of the pest being treated (excluding leafminers, spider mites and/or diamondback moths). If Conserve SC is used in areas of commercial production of herbaceous (non-woody) ornamentals in nurseries (including plant propagation beds) for leafminer, spider mite and/or diamondback moth control, do not apply Conserve SC more than 6 times in a 12-month period per crop regardless if other insect pests are also being treated.
- Because generations of a specific pest may overlap, rotate control products and never apply more than 3 consecutive applications of Conserve SC or products containing the same active ingredient or products with the same mode of action. Use only recommended label rates.
- It is recommended to make localized area treatments of ornamental plants where pest problems are anticipated or occur rather than general area-wide broadcast treatments.

<sup>1</sup> A greenhouse is defined as a structure or space enclosed with a nonporous covering inside which plants are produced. A nursery is defined as a facility engaged in the outdoor production of plants.

### **Mixing**

#### **Shake Well Before Use – Avoid Freezing**

**Mixing Conserve SC (Suspension Concentrate) Alone:** Fill the spray tank with water to about 1/2 of the required spray volume. Start agitation and add the required amount of Conserve SC. Continue agitation while mixing and filling the spray tank to the required spray volume. Maintain sufficient agitation during application to ensure uniformity of the spray mix. Do not allow water or spray mixture to back-siphon into the water source.

**Tank Mixing:** When tank mixing Conserve SC with other materials, a compatibility test (jar test) using relative proportions of tank mix ingredients should be conducted prior to mixing ingredients in the spray tank. Vigorous, continuous agitation during mixing, filling, and throughout application is needed for all tank mixes. Sparger pipe or mechanical agitators generally provide the most effective agitation in spray tanks. To prevent foaming in the spray tank, avoid stirring or splashing air into the spray mixture.

**Mixing Order for Tank Mixes:** Fill the spray tank with water to 1/4 to 1/3 of the required spray volume. Start agitation. Add different formulation types in the order indicated below, allowing time for complete dispersion and mixing after addition of each product. Allow extra dispersion and mixing time for water dispersible granules and dry flowable products. Dry and flowable formulations may be premixed with water (slurried) and added to the spray tank through a 20-35 mesh screen. This procedure assures good initial dispersion of these formulation types.

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Add different formulation types in the following order:

1. Water dispersible granules and dry flowables
2. Wettable powders
3. Conserve SC and other suspension concentrates

Maintain agitation and fill spray tank to 3/4 of total spray volume. Then add:

4. Emulsifiable concentrates and water-based solutions
5. Spray adjuvants

Finish filling the spray tank. Maintain continuous agitation during mixing, final filling, and throughout application. If spraying and agitation must be stopped before the spray tank is empty, the materials may settle to the bottom. Settled materials must be resuspended before spraying is resumed. A sparger pipe or mechanical agitator is particularly useful for this purpose.

**Precautions:**

- Adults, children, and pets should not contact treated surfaces until the spray has dried.
- Do not treat pets.
- Do not treat vegetable gardens.
- Regardless of the crop or pest being treated (excluding leafminers, spider mites and/or diamondback moths), do not apply Conserve SC more than 10 times in a 12-month period inside a greenhouse or a structure that can be altered to be closed or open. If Conserve SC is used for leafminer, spider mite and/or diamondback moth control, do not apply Conserve SC more than 6 times in a 12-month period inside a greenhouse or a structure that can be altered to be closed or open regardless if other insect pests are also being treated. It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- For areas of commercial production of herbaceous (non-woody) ornamentals in nurseries (including plant propagation beds), do not apply Conserve SC more than 10 times in a 12 month period per crop regardless of the pest being treated (excluding leafminers, spider mites and/or diamondback moths). If Conserve SC is used in areas of commercial production of herbaceous (non-woody) ornamentals in nurseries (including plant propagation beds) for leafminer, spider mite and/or diamondback moth control, do not apply Conserve SC more than 6 times in a 12-month period per crop regardless if other insect pests are also being treated. It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- Do not graze livestock in treated areas.
- Do not feed treated grass cuttings (hay) or seed screenings to livestock or use hay for livestock bedding.
- Do not apply directly to fish pools and other bodies of water.
- **Chemigation:** Do not apply through any type of irrigation equipment.

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**Approved Uses**

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**Commercial Aquatic Plant Production**

Conserve® SC Turf and Ornamental insect control is recommended for control of China mark moth larvae infesting aquatic ornamental plants grown in commercial production facilities. This recommended use is restricted to commercial facilities that utilize fully contained above or in-ground pools or containers for the purpose of commercial production of aquatic ornamental plants.

**Application Timing and Rate:** Prepare a spray mixture containing 0.12 fl oz (3.5 mL) of Conserve SC per gallon of water. Apply the spray mixture to aquatic foliage at a rate not to exceed 1 gallon of spray mixture per 100 sq ft of water surface area using suitable hand or power-operated application spray equipment. Apply when China mark moth larvae are present. Applications at 2-week intervals 2-3 times per year have been shown to be effective when larvae are present.

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**Phytotoxicity:** Conserve SC has been tested alone on a wide variety of herbaceous and woody ornamental plants without phytotoxic symptoms. However, because it is not possible to test all possible tank mix combinations (including adjuvants) and ornamental plant species, varieties, and cultivars, and because environmental factors and varietal and plant stage of growth may affect phytotoxic expression, it is recommended that a small group of test plants be treated at the anticipated use rate of Conserve SC either alone or in tank mix combinations and observed for at least 5 to 7 days to determine phytotoxicity before treating large numbers of those plants. **Note:** The professional user assumes responsibility for determining if Conserve SC is safe to treated plants when applied either alone or in tank mixtures under commercial growing conditions.

**Restrictions:**

- Do not apply this product to aquatic environments (such as ponds; landscape pools or containers or ponds; lakes, rivers or streams) other than fully contained commercial production pools or containers.
- Do not reapply within less than 7 days.
- If Conserve SC treated water needs to be discharged due to cleaning, repairing, or other reasons, discharge is allowed only onto land. Do not discharge Conserve SC treated water from commercial production pools or containers into surface water.

**Fire Ants – Mound Application in Turfgrass and Ornamentals, in Greenhouses, and in Other Outdoor Areas**

Recommended Dilution Rate	
Conserve SC per 1 gallon	Conserve SC per 10 gallons
0.1 fl oz (3 ml) <sup>††</sup>	1 fl oz (30 ml) <sup>††</sup>

<sup>††</sup> ml = milliliters, 1ml = 1cc (cubic centimeter)

**Specific Use Recommendations:**

**Fire ants, such as red imported:** Apply diluted Conserve SC to individual fire ant mounds as a drench application. Use 1 to 2 gallons per mound depending on the mound size. For mounds less than 8 inches in diameter, use 1 gallon of dilution per mound. Use a higher volume, up to 2 gallons, on mounds 8 inches or larger in diameter. Apply approximately 10% of the dilution volume around the perimeter of the mound out to about 12 inches and pour the remaining volume directly on the mound. Do not disturb mounds prior to application. If possible, make application following a recent rainfall. For best results, apply in cool weather, 65 to 85°F, or in early morning or late evening hours. Treat new mounds as they appear. Pressurized sprays should not be used as they may disturb the ants and cause migration, reducing control.

**Home Gardens**

In the state of Georgia, do not apply Conserve SC to: Broccoli Raab, Chinese Cabbage (Bok Choy), Collards, Kale, Mizuna, Mustard Greens, Mustard Spinach, Rape Greens.

Add the required amount of Conserve SC to the recommended amount of water, mix thoroughly, and apply uniformly to plant foliage to point of runoff. It is recommended to mix only as much spray as needed for a single treatment. Do not use kitchen utensils for measuring. Keep measuring utensils with product and away from children.

Unit of Measure <sup>†</sup>	Amount of Conserve SC to Use per 100 Gallons of Spray
Fluid Ounces (fl oz)	8 fl oz
Milliliters (ml)	240 ml
Tablespoons (Tbs)	16 Tbs

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Teaspoons (tsp)	48 tsp
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† Conversion factors: 1 fl oz = 30 ml = 2 tablespoons (Tbs) = 6 teaspoons (tsp) (1 teaspoon = 1/3 tablespoon)

Apply when listed pests are present. Repeat applications may be made as indicated in the table below.

Crops	Pests Controlled	Maximum Number of Applications per Season	Minimum Days to Wait before Reapplying	Minimum Days to Wait from Last Application to Harvest
<b>Apple trees</b>	leafminers leafrollers	6	10	7
<b>Citrus trees</b> , including, but not limited to: grapefruit, lemons, limes, oranges, and tangerines	katydids leafminers thrips worms (caterpillars)	6	6	1
<b>Cole crops (Brassica vegetables)</b> , including, but not limited to: broccoli, broccoli raab, brussels sprouts, cauliflower, cavalo, Chinese broccoli, cabbage, Chinese cabbage (bok choy), Chinese cabbage (napa), Chinese mustard cabbage (gai choy), collards, kale, kohlrabi, mizuna, mustard greens, mustard spinach, and rape greens	leafminers worms (caterpillars)	6	4	1
<b>Cucurbits</b> , including, but not limited to: cucumber, edible gourds, muskmelons (cantaloupe, honeydew, etc.), pumpkin, summer and winter squash, and watermelon	leafminers thrips worms (caterpillars)	6	5	All except cucumber, 3 days Cucumber, 1 day
<b>Fruiting vegetables</b> , including, but not limited to: eggplant, ground cherry, pepino, pepper, tomatillo, and tomato	Colorado potato beetle leafminers thrips worms (caterpillars)	6	4	1
<b>Leafy vegetables</b> , including, but not limited to: arugula, celery, chervil, corn salad, cress, dandelion, dock, edible chrysanthemum, endive, fennel, garden purslane, head and leaf lettuce, parsley, radicchio, rhubarb, spinach, and Swiss chard	leafminers worms (caterpillars)	6	4	1
<b>Stone fruit</b> , including, but not limited to: apricots, cherries, nectarines, peaches, plums, and prunes	borers fruit flies leafminers leafrollers worms (caterpillars)	6	7	Cherry, plum and prune, 7 days Peach, nectarine and apricot, 14 days
<b>Succulent beans and peas</b> ,	borers leafminers	6	5	3

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including, but not limited to: blackeyed pea, garbanzo bean, garden pea, lima bean, snap bean, and snow pea	thrips worms (caterpillars)			
<b>Sweet corn</b>	corn borers worms (caterpillars), including earworm	6	3	1
<b>Tuberous and corm vegetables,</b> including, but not limited to: Cassava, chayote root, Chinese artichoke, ginger, Jerusalem artichoke, potatoes, sweet potatoes, tumeric, and yams	Colorado potato beetle corn borers leafminers thrips worms (caterpillars)	6	7	7

### Ornamentals (Herbaceous and Woody) Growing Outdoors, in Nurseries (Including Conifer Seed Orchards), or in Greenhouses

Use Conserve® SC Turf and Ornamental insect control to control insect pests listed in the following table. Dilute Conserve SC in water and apply using suitable hand or power-operated application equipment (such as, but not limited to, portable pump-up, backpack, hydraulic, boom) in a manner to provide complete and uniform plant coverage. Attempt to penetrate dense foliage, but avoid over-spraying to the point of excessive runoff. Uniform coverage of both upper and lower leaf surfaces is critical for effective insect control.

Conserve SC may be used up to a maximum labeled rate of 0.2 fl oz per gallon (22 fl oz per 100 gallons) per application on trees and ornamentals as a general treatment regardless of the target insect pest. Use recommended pest specific rates when a single insect pest or group of insect pests within a rate category is the only intended target. **Except for greenhouses and structures that can be altered to be closed or open, do not reapply within less than 7 days.**

Conserve SC may be tank mixed with other insect control products if broader spectrum insect control is required. When using tank mixtures, also follow all label directions of the mixing partner(s).

Use of Conserve SC in lath and shadehouses is permitted.

**Phytotoxicity:** Conserve SC has been tested alone on a wide variety of herbaceous and woody ornamental plants without phytotoxic symptoms. However, because it is not possible to test all possible tank mix combinations (including adjuvants) and ornamental plant species, varieties, and cultivars, and because environmental factors and varietal and plant stage of growth may affect phytotoxic expression, it is recommended that a small group of test plants be treated at the anticipated use rate of Conserve SC either alone or in tank mix combinations and observed for at least 5 to 7 days to determine phytotoxicity before treating large numbers of those plants. **Note:** The professional user assumes responsibility for determining if Conserve SC is safe to treated plants when applied either alone or in tank mixtures under commercial growing conditions.

Research has demonstrated that some spotting of Saintpaulia (African violet) flowers may occur.

Pests †	Conserve SC fl oz/gallon	Conserve SC fl oz/100 gallons
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chrysomelid leaf feeding beetles, such as: elm leaf (1) viburnum leaf (larvae) willow leaf (1) lepidopterous larvae, such as: azalea caterpillar bagworm beet armyworm cabbage looper California oakworm cankerworm diamondback moth E. tent caterpillar fall webworm Florida fern caterpillar geranium budworm gypsy moth oblique banded leafroller oleander caterpillar orange striped oakworm spruce budworm tussock moths (hickory, whitemarked) W. tent caterpillar yellownecked caterpillar (2) sawfly larvae, such as: European pine pear redheaded pine shore fly thrips (exposed) in greenhouse settings, such as: (3) Cuban laurel western flower	0.06 (2 ml/gallon) <sup>††</sup>	6 (177 ml/100 gallons) <sup>††</sup>
dipterous gall midges pinyon spindlegall thrips (exposed) in outdoor settings, such as: Cuban laurel western flower (3)	0.1 (3 ml/gallon)	11 (325 ml/100 gallons)
dipterous leafminers, such as: serpentine (4) Nantucket pine tip moth lewis mites spider mites, such as: spruce two-spotted (5) (See 5 below for mite suppression/control expectations)	0.2 (6 ml/gallon)	22 (651 ml/100 gallons)

† Numbers in parentheses refer to Specific Use Recommendations below.

†† ml = milliliters, 1ml = 1cc (cubic centimeter)

**Specific Use Recommendations (for pest control in the greenhouse or nursery, also refer to Greenhouse Pest Resistance Avoidance Recommendations):**

1. **Elm leaf beetle and willow leaf beetle** (adults and larvae): For effective control, apply in the spring or early summer when feeding is observed.
2. For effective control of the following lepidopterous larvae:

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- **Bagworms:** Apply when bags are small and larvae are actively feeding.
  - **Beet armyworms:** Apply when larvae are small.
  - **Tent caterpillars and fall webworms:** Apply early when webs are first observed and direct the spray into the web and surrounding foliage within at least 3 feet of the nest.
  - **Gypsy moth larvae:** Apply when larvae are small and all eggs have hatched.
  - **Spruce budworms:** Apply when larvae are exposed and actively feeding.
3. **Exposed thrips (Cuban laurel and western flower):** For effective control, apply early at first signs of infestation and repeat until infestation is controlled.
  4. **Serpentine leafminers:** For effective control, apply early when stippling or mining of leaves is first observed and repeat until infestation is controlled. Three sequential applications at 7-day intervals can maximize control. Addition of a nonionic spray adjuvant such as DYNE-AMIC spray adjuvant at 0.1% v/v in greenhouse settings (see Phytotoxicity above) has been shown to enhance control of leafminers (follow surfactant manufacturer's label recommendations).
  5. **Spruce spider mites and two-spotted spider mites:** Apply when spider mites are first observed prior to webbing and before mite populations have become severe. Reapply after 7-10 days (3-5 days in greenhouses and structures that can be altered to be closed or open) to contact newly hatched nymphs and repeat until infestation is managed. **Uniform coverage of both upper and lower leaf surfaces is critical.**

**Note:** Control of spider mites with Conserve SC in certain research trials has been variable. The variability between these evaluations is not well understood but may be due to late application timing when mite populations and webbing were severe, poor spray coverage of both the upper and lower leaf surfaces, or interaction of the leaf surface with residues of Conserve SC. Addition of a nonionic spray adjuvant such as Activate Plus, DYNE-AMIC, Joint Venture, Phase, and Thoroughbred at 0.1% v/v in greenhouse settings and at label rates in outdoor settings (see Phytotoxicity above) has been shown to improve spray coverage and enhance control of spider mites (follow surfactant manufacturer's label recommendations).

## Tree Farms or Plantations

### Conifers, Including Christmas Trees, and Deciduous Trees

Pests	Conserve SC (fl oz/acre)
lepidopterous larvae, such as:	4 - 16
bagworm	
cone moth	
coneworm	
fall webworm	
gypsy moth	
hemlock looper	
jackpine budworm	
pine tip moth	
redhumped caterpillar	
spruce budworm	
tent caterpillar	
tussock moths	
sawfly larvae, such as:	
European pine	
pear	
redheaded pine	

### Specific Use Directions:

**Application Timing:** Time applications to reach larvae when small or just hatching. Repeat application as necessary to maintain control. Consult with your Dow AgroSciences representative, state agricultural

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experiment station, certified pest control advisor, or extension specialist for information on application timing for specific pests in your area.

**Application Rates:** The rate of Conserve SC per acre will depend on tree size and severity of infestation. Use a higher rate in the rate range for large trees or heavy infestations. Apply in sufficient volume to ensure thorough coverage.

**Restrictions:** Do not apply more than 58 fl oz of Conserve SC (0.45 lb a.i. spinosad) per acre per year.

## Turfgrass

Use Conserve® SC Turf and Ornamental insect control to control insect pests listed in the following table. Dilute Conserve SC in water and apply using suitable hand or power-operated application equipment (such as, but not limited to, portable pump-up, backpack, hydraulic, boom, turf "spray gun"). Conserve SC may be used up to a maximum labeled rate of 1.2 fl oz per 1000 sq ft (52 fl oz per acre) per application on turfgrass as a general treatment regardless of the target insect pest. Use recommended pest specific rates when a single insect pest or group of insect pests within a rate category is the only intended target. **Do not reapply within less than 7 days.**

Conserve SC may be tank mixed with other insect control products if broader spectrum insect control is required. When using tank mixtures, also follow all label directions of the mixing partner(s).

Pests†	Conserve SC fl oz/1000 sq ft	Conserve SC fl oz/acre
armyworms-small larvae such as: fall armyworm (1) sod webworms (including tropical) (2)	0.25 (7 ml/1000 sq ft) **	10 (296 ml/acre) **
cutworms-small larva -such as: black cutworm variegated cutworm (1,2)	0.8 (24 ml/1000 sq ft)	35 (1035 ml/acre)
annual bluegrass weevil armyworms-large larvae such as: fall armyworm (1) black turfgrass ataenius (adults) cutworms-large larvae such as: black cutworm variegated cutworm (1,2) fleas, such as: cat flea (3)	1.2 (35 ml/1000 sq ft)	52 (1538 ml/acre)

†Numbers in parentheses refer to Specific Use Recommendations below.

\*\*ml = milliliters, 1 ml = 1 cc (cubic centimeter)

### Specific Use Recommendations:

- Fall armyworm and black cutworm larvae:** The lower rate may be used for control of light infestations of small larvae (less than 3/4 of an inch for armyworms, an inch or less for cutworms); the higher rate should be used for control of heavy infestations and large larvae (3/4 of an inch or larger for armyworms, larger than an inch for cutworms). Applications for **fall armyworms** during the early morning or late afternoon can maximize control. Watering or mowing of the treated area should be delayed for 12 to 24 hours after treatment.
- Black cutworm, sod webworm, and tropical sod webworm larvae:** Applications during the late afternoon or early evening can maximize control. Watering or mowing of the treated area should be delayed for 12 to 24 hours after treatment.
- Control of **cat fleas** may be provided by direct contact of adults and larvae with the dilute spray prior to drying. A second application at 7-14 days is recommended to control adults that have emerged from



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pupae that may have been present during the initial treatment. Thorough spray coverage is necessary for outside areas frequented by pets. **Do not treat pets with Conserve SC.**

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### **Terms and Conditions of Use**

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If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies.

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### **Warranty Disclaimer**

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Dow AgroSciences warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. Dow AgroSciences **MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

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### **Inherent Risks of Use**

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It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Dow AgroSciences or the seller. All such risks shall be assumed by buyer.

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### **Limitation of Remedies**

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The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Dow AgroSciences' election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

Dow AgroSciences shall not be liable for losses or damages resulting from handling or use of this product unless Dow AgroSciences is promptly notified of such loss or damage in writing. In no case shall Dow AgroSciences be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Dow AgroSciences or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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EPA-accepted: 03/17/05

308/2E  
May 26, 2006



Document Processing Desk (NOTIF)  
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Arlington, VA 22202

CONSERVE SC TURF AND ORNAMENTAL (A.I. SPINOSAD)  
EPA REGISTRATION NUMBER: 62719-291  
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10

Enclosed please find labeling for the notification action of Conserve<sup>®</sup> SC Turf and Ornamental insect control. The following change has been made by notification:

1. Home Gardens: Added "In the state of Georgia, do not apply Conserve SC to: Broccoli Raab, Chinese Cabbage (Bok Choy), Collards, Kale, Mizuna, Mustard Greens, Mustard Spinach, Rape Greens."

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 U.S.C. 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.

**Contents of Submission**

- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Conserve SC (T6P/Conserve SC Turf and Ornamental/Notif/05-26-06) (16 Pages plus Registration Notes) (5 Copies)

If you require further information, please contact Cindy Loy, Regulatory Specialist at (317) 337-4655 or Alice Watters, Registration Assistant for this product, at (317) 337-5364.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Loy".

Mike Culy, Ph.D.  
Regulatory Leader  
Regulatory Success – Americas  
(317) 337-4581  
(317) 337-4649 (FAX)

Enclosures