

62719-304

8-9-2002

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060. Approval expires 05-31-98



United States Environmental Protection Agency Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number 286625

Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-304	2. EPA Product Manager George T. LaRocca	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/Conserve* Fire Ant Bait	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	NOTIFICATION AUG 9 - 2002
<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.	

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

- Added National Organic Program designation as spinosad has been classified as an organic substance by the USDA National Organic Standards Board.
- Storage and Disposal: Per PR Notice 2001-6, modified disposal statement. (edits shown)

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	Metal Plastic Glass Paper Other (Specify)		
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
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"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product		Lithograph Paper glued 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 A. Sterett Robertson		Title Regulatory Manager		Telephone No. (Include Area Code) (317) 337-4384	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowing false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					8. Date Application Received (Stamped)
2. Signature 		3. Title Regulatory Manager			
4. Typed Name A. Sterett Robertson		5. Date July 31, 2002			
*Trademark of Dow AgroSciences LLC					

Conserve*

Fire Ant Bait

EPA Reg. No. 62719-304

Registration Notes:

Information for Preparation of Product Labeling: (DO NOT include the boxed text in submission letter-for internal use ONLY)

- Regulatory Contact for Questions: Cindy Loy
- Label Status (New or Amendment of Existing Label): Notification
- Logo Created and Available: Yes
- Specimen Label Revision Notes Complete: N/A
- Additional Graphics Required or Available (e.g., DANGER/POISON): Not required
- Priority for Artwork Development (Urgent/Default/No Sooner Than): Urgent
- Priority for Specimen Label (Immediate/Other (Specify)): N/A

Source label text based on EPA accepted copy dated September 27, 2001.

Changes by notification:

1. Added National Organic Program designation as spinosad has been classified as an organic substance by the USDA National Organic Standards Board.
2. Storage and Disposal: Per PR Notice 2001-6, modified disposal statement. (edits shown)

*Trademark of Dow AgroSciences LLC

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(front panel)

Conserve* Fire Ant Bait

[icon] OUTDOOR USE ONLY
READY TO USE
Easy to Use
No Mixing Required/Necessary
Use Straight from the Bag (Bottle, Container)

Mound or Broadcast Treatments
No Watering Necessary

Kills Fire Ants
Kills the Queen(s)
Kills the Mound
Controls the Mound
Controls the Colony
Plus Helps Stop New Mounds from Forming
No Mound Movement
Controls Mounds You See *plus* Those You Don't
Effective Kill of Fire Ants

Dead Ants in 24 Hours
Controls Fire Ants for up to 2 Months
Fire Ants Find/Pick Up Bait in Minutes
Long Lasting Control

Treats (depends on package size) Mounds

No Odor
Odor-Free
Contains Conserve*

NOTIFICATION
AUG 9 - 2002

NOP

The ingredients in this product meet the requirements of the USDA National Organic Program.

Active Ingredient:	
spinosad †	0.015%
Other Ingredients	99.985%
Total	100.000%

† A mixture of Spinosyn A & Spinosyn D

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

KEEP OUT OF REACH OF CHILDREN CAUTION PRECAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

Harmful if swallowed.

Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Wash thoroughly with soap and water after handling.

FIRST AID

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor or going for treatment

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic invertebrates. Do not apply directly to any body of water. Do not put product or rinse water down any drain.

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

[phone icon] **Questions, Comments or Medical Information**
call 1-800-XXX-XXXX www._____

EPA Reg. No. 62719-304

EPA Est. _____

*Trademark of Dow AgroSciences LLC
Dow AgroSciences LLC • Indianapolis, IN 46268 USA
[Editor's note: substitute name and address of supplemental distributor.]

Insect Control

Net Contents XXX

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(back panel)

Product Facts Treats X Sq Ft <i>[Depends on package size]</i> Treats X Mounds <i>[Depends on package size]</i>	
KILLS	Fire Ants
PESTS/INSECTS/BUGS	
WHERE TO USE	<ul style="list-style-type: none"> • On Lawns • Perimeter of Home • Around Ornamental Plants (Flowers, Shrubs & Trees) • In Home Gardens (1 Acre or Less)
<i>[phone icon]</i> Questions, Comments or Medical Information call 1-800-XXX-XXXX www._____	

DIRECTIONS FOR USE

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

AMOUNT TO USE
<ul style="list-style-type: none"> • Mounds: 4 Tbs for each mound[†] • Broadcast Application: 1/2 - 3/4 cup for each 1,000 sq ft

Tbs = Tablespoon

[†] For mounds greater than 15 inches in diameter use 6 Tbs per mound.

Do not use kitchen utensils for measuring. Keep measuring utensils with pest control products and away from children.

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FOR BEST RESULTS	
HOW TO APPLY [optional illustration]	<ul style="list-style-type: none"> • Mounds: Sprinkle bait evenly over and around each mound in a 4-ft diameter circle. Apply gently to avoid disturbing ants. • Broadcast Application: Use a hand held or ground driven rotary broadcast spreader. [Editor's note: subregistrant can specify spreaders and settings.]
MOW [optional illustration /mower]	<ul style="list-style-type: none"> • Avoid mowing 1 day before and after application.
WATER/RAINFALL [optional illustration /hose]	<ul style="list-style-type: none"> • Do not water-in bait. • Do not water within 6 hours of a mound or 24 hours of a broadcast application. • If rain occurs within 6 hours of mound application or 24 hours of broadcast application, adequate foraging of the bait may not occur and retreatment may be necessary.
WHEN TO APPLY [optional illustration]	<ul style="list-style-type: none"> • Apply when ants are active (usually when temperatures are greater than 60°F). • The best time to apply is in the cooler morning and late evening when fire ant foraging is at its peak. • Mounds will usually be eliminated/destroyed in 3 to 14 days. Extremely large mounds may require a repeat application. • Make a broadcast application every other month during the warm months to keep fire ants from establishing/starting/forming new mounds.

HOW IT WORKS

Conserve fire ant bait* is attractive and deadly to fire ants. Fire ants quickly find/pick up this bait, take it back to the mound, and feed it to the entire colony including the queen(s). Ants start dying in 24-36 hours with mound/colony destruction in 3 to 14 days. Broadcast applications may take longer.

Fire ant colonies are started by newly mated queen(s) that fly into an area, burrow into the ground and begin laying eggs. Several flights are common during the summer, often shortly after rain. It takes several weeks for new mounds to appear. Combining mound and broadcast applications eliminates/controls visible mounds and helps prevent new mounds from forming.

STORAGE AND DISPOSAL

STORAGE: Store in a cool dry place out of the reach of children and domestic animals. Store in original container only.

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 or 1-800-992-5994 for disposal instructions. Never place unused product down any indoor or outdoor drain. [Editor's Note: Supplemental distributor will insert own toll free number.]

Do not reuse container. Wrap container in newspaper and put in trash.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer and Inherent Risks of Use 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 and Inherent Risks of Use.

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Warranty Disclaimer

Seller 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. SELLER MAKES NO EXPRESS NOR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Lack of performance, or other unintended consequences may occur due to such factors as use of the product contrary to label instructions (including adverse conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as extreme weather conditions), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

*Trademark of Dow AgroSciences LLC
EPA Accepted: 09/27/2001

308/2E
July 31, 2002



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U. S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

CONSERVE FIRE ANT BAIT (A.I. SPINOSAD)
EPA REGISTRATION NUMBER: 62719-304
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-6

Enclosed please find labeling of notification action for Conserve* Fire Ant Bait insect control based on EPA accepted copy dated September 27, 2001. The following changes are being made via this notification action:

1. Added National Organic Program designation as spinosad has been classified as an organic substance by the USDA National Organic Standards Board.
2. Storage and Disposal: Per PR Notice 2001-6, modified disposal statement. (edits shown)

Notification of label change relative to PR Notice 2001-6. This notification is consistent with the guidance in PR Notice 2001-6 and the requirements of EPA's regulations at 40 CFR 156.10 and 40 CFR 152.46, and no other changes have been made to 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 guidance of PR Notice 2001-6 and the requirements of 40 CFR 156.10 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 (OPP No. 286625)
- Label entitled Conserve Fire Ant Bait (T6P/Conserve Fire Ant Bait/Notification/07-31-02)
(5 Page plus Registration Notes) (5 Copies)

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

Sincerely,

A handwritten signature in cursive script that reads "A. Sterett Robinson".

A. Sterett Robinson
Regulatory Leader
Regulatory Success – Americas
(317) 337-4384
(317) 337-4649 (FAX)

ASR/akh
Enclosures