

62719-498

12/21/2005

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 21 2005

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A. Sterett Robertson
Registration Manager
Dow Agro Sciences, L.L.C.
9330 Zionsville Road
Indianapolis, Indiana 46268-1054

Subject: Amendment - Update Label - Add sites - Delete Aquatic Hazard Statement
GF-120 Fruit Fly Bait
EPA Registration Number 62719-359
GF- 120 NF Nautralyte Fruit Fly Bait
EPA Registration Number 62719-498
Your Letter of October 21, 2003

Dear Mr. Robertson:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Reinstate the aquatic hazard statement.
"This product is toxic to aquatic invertebrates".

Spinosad is categorized as highly toxic to mollusks on an acute basis. The Eastern oyster EC₅₀ is 0.3 ppm (MRID 43571203) for the TGAI. EFED does not have toxicity data on these aquatic invertebrates using GF-120 and thus can only rely on data for the technical product. You may submit studies using GF-120 to show the product is non-toxic to aquatic invertebrates. Otherwise, the label statements will continue to be based on the results of toxicity studies done with the technical.

Enclosed is a copy of the review of the data submitted.

If you have any questions in regard to this letter please feel free to contact me at 703-305-6100.

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Sincerely,



George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505C)

enclosure

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[Container Label]

(Logo) Dow AgroSciences

GF-120* NF Naturalyte* Fruit Fly Bait

For selective attractance and control of multiple species of tephritid fruit flies infesting various tree, fruit, nut, vine and vegetable crops and ornamentals, and on non-crop vegetation which may serve as resting sites.

Active Ingredients:

spinosad (a mixture of spinosyn A and spinosyn D) 0.02%

Inert ingredients: includes water, sugars and plant proteins and extracts 99.98%

Total 100.00%

Ready to use formulation.

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



For Organic Production



Listed by the Organic Materials Review Institute (OMRI) for use in organic production.

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.)

Precautionary Statements

Hazards to Humans and Domestic Animals

Harmful If Swallowed

Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

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

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washable, 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.

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

DEC 21 2005

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

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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. You may also contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

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 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.

AVOID FREEZING

EPA Reg. No. 62719-498

EPA Est. _____

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

Insecticidal Bait

Net Contents __ gal

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[Label Booklet]

(Logo) Dow AgroSciences

GF-120* NF Naturalyte* Fruit Fly Bait

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Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to 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) and 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.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5334. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

AVOID FREEZING

EPA Reg. No. 62719-498

EPA Est. _____

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

Insecticidal Bait

Net Contents __ gal

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Precautionary Statements

Hazards to Humans and Domestic Animals**CAUTION****Harmful If Swallowed**

Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators and other handlers 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.

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. You may also contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

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.

Directions for Use

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.

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.

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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 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
- Waterproof gloves
- 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 on farms, forests, nurseries, or greenhouses.

Entry Restrictions for Non-WPS Uses: There are no specific entry requirements following application of this product when applied by government agencies in area-wide eradication and prevention programs.

Storage and Disposal

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

Pesticide Storage: Store in original container only. 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 according to label use directions 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 burned, stay out of smoke.

General Information

GF-120* NF Naturalyte* Fruit Fly Bait attracts and controls multiple species of tephritid fruit flies infesting various tree, fruit, nut, vine and vegetable crops and ornamentals, and on non-crop vegetation which may serve as resting sites. Aerial or ground applications in production agriculture or directed ground applications to individual plants are permitted. Do not make aerial applications in immediate proximity of residential, commercial, government, institutional or other structures where people may be present including, but not limited to, homes, apartments, offices, churches, schools, and businesses. Aerial applicators should evaluate conditions existing at the time of application and make appropriate adjustments to reduce drift. In urban areas, however, use is limited to directed ground applications.

Chemigation: Do not apply through any type of irrigation equipment.

GF-120 NF may be used on the following crops, ornamentals and on non-crop vegetation which may serve as resting sites for adult flies:

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Asparagus

Bushberry including, but not limited to: blueberry, currant, elderberry, gooseberry, huckleberry, juneberry, salal, and lingonberry

Caneberry including, but not limited to: blackberry, loganberry, red raspberry, and black raspberry

Cereal Grains including, but not limited to: barley, buckwheat, grain amaranth, milo, oats, pearl millet, proso millet, rye, sorghum, triticale, and wheat

Citrus including, but not limited to: oranges, grapefruit, lemons, limes, kumquat, and tangerines

Cole Crops including, but not limited to: broccoli, Brussels sprouts, cabbage, Chinese cabbage (bok choy, napa, etc.), cauliflower, Cavalo, collards, kale, kohlrabi, mustard greens, mustard spinach, Chinese mustard cabbage (gai choy), and rape greens

Corn (field, popcorn, sweet and seed) and teosinte

Cotton**Cranberry**

Cucurbit Crops including, but not limited to: cucumber, squash, muskmelons (cantaloupe, honeydew, etc.) pumpkin, and watermelons

Fig

Fruiting Vegetable Crops and Okra including, but not limited to: eggplant, okra, pepper, and tomato

Grape

Herbs including, but not limited to: basil, chervil (dried), chive, cilantro (leaf), dillweed, parsley (dried), sage, tarragon, and thyme

Leafy Vegetables and Leaves of Root and Tuber and Legume Vegetables including, but not limited to: head and leaf lettuce, celery, arugula, beets, chervil, corn salad, edible chrysanthemum, cilantro, cress, dandelion, endive, fennel, garden peas, parsley, radicchio, rhubarb, spinach, turnip greens, and watercress

Ornamentals and Non-Crop Foliage: along field edges and adjacent to treated areas that may serve as a resting sites for adult flies.

Peanut

Pome Fruits including, but not limited to: apples, pears, crabapple, loquat, quince, and mayhaw

Potatoes and Tuberous and Corm Vegetables including, but not limited to: cassava, chayote root, Chinese artichoke, Jerusalem artichoke, potatoes, sweet potatoes, and yams

Root Vegetables including, but not limited to: black salsify, carrot, celeriac, chicory, edible burdock, ginseng, horseradish, parship, radish, oriental radish, rutabaga, salsify, skirret, Spanish salsify, turnip, turnip-rooted chervil, and turnip-rooted parsley

Soybean



Pests Controlled or Suppressed	fl oz/acre	liters/hectare	fl oz/tree	ml/tree
tephritid fruit flies (including but not limited to): apple maggot Caribbean fruit fly cherry fruit fly Mediterranean fruit fly melon fly Mexican fruit fly olive fly Oriental fruit fly walnut husk fly	10 - 20	0.8 - 1.6	1 - 3	30 - 90

*Choose rate based on pest pressure and amount of foliage needed to cover.

Amount of Final Spray Solution for Different Rates and Dilution Ratios:

Rates of GF-120 NF per Acre					
Dilution Ratio GF-120 NF:water	10 fl oz/acre	12 fl oz/acre	15 fl oz/acre	18 fl oz/acre	20 fl oz/acre
1:1.5	25	30	37.5	45	50
1:2	30	36	45	54	60
1:3	40	48	60	72	80
1:4	50	60	75	90	100
1:5	60	72	90	108	120

*Entries in the table are the amount of final diluted spray solution per acre

Terms and Conditions of Use

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.

Dow AgroSciences acknowledges that this product may be misbranded if one or more of its ingredients, active and/or inert, is reclassified as non-organic and/or removed from the United States Department of Agriculture (USDA) National List of approved substances for use in organic production and handling. If one or more of the ingredients in this pesticide product are so reclassified and/or removed (delisted) from the National List, Dow AgroSciences will take appropriate remedial measures with respect to the labeling for this product.

Warranty Disclaimer

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.**

Inherent Risks of Use

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

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.

*Trademark of Dow AgroSciences LLC
EPA Accepted: __/__/__

