

62719-506

05/04/2005

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Antimicrobials Division (7510C)  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20460

EPA Reg. Number:

62719-506

Date of Issuance:

05/04/05

NOTICE OF PESTICIDE:

- Registration
- Reregistration

Term of Issuance:

Conditional

Name of Pesticide Product:

Conserve Fly Bait PCO

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Dow AgroSciences LLC  
9330 Zionsville Road  
Indianapolis, IN 46268-1054

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Make the following labeling changes before you release the product for shipment:  
Revise the EPA Registration Number to read: "EPA Registration No. 62719-506"

Signature of Approving Official:

*for*

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

Date:

May 04, 2005

3. Submit to the Agency within 6 months of this product registration, raw data in the form of data sheets, as a component of each efficacy study.
4. Delete the following marketing claims from the labeling:
  - ***"The unique approach to fly control."*** - There are similar registered products.
  - ***"Advanced"*** from the statement "Advanced Bait formula with Z-9 tricosene". - Misleading. You may replace "Advanced" with "New".
  - ***"Attracts and kills female flies"***. - Misleading.
  - ***"Deadly"*** - - Misleading.
  - ***"Low odor"***.
5. Delete or submit/cite confirmatory/supporting data for the following marketing claims:
  - ***"Unique particle composition reduces dust."***
6. Delete the claim ***"Attracts and kills resistant house flies"***. To support this claim, provide the pesticide (active ingredient -a.i) resistant strains against which this product is known to be effective. The users need to have this information, so that they may better implement a resistance management strategy. Submit the public literature to which you have referred as confirmation of the active listed on the revised label.
7. Delete the separate marketing claims ***"Derived from a naturally occurring organism"***, ***"Fermented from a naturally occurring organism"*** and ***"Sourced from a naturally occurring organism"***. These are considered direct/implied safety claims. You may include a complete statement such as "Spinosad is biologically derived from the fermentation of saccharopolyspora spinosa, a naturally occurring soil organism".
8. Delete ***"contains the bittering agent bitrex"***, located beneath the ingredient statement. If you intend to list or identify the inerts, you must list all the inert ingredients.
9. Under General Use Precautions:
  - Fourth bullet: Qualify animals by adding livestock (i.e., revise statement to read ***"livestock animals and pets . . . , etc."***).
  - Last bullet: Revise statement to read: ***"Except for station or hang-board/card placement, do not use in food/feed areas of food handling establishments, restaurants, or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms, but excluding areas where foods may be prepared or held."***

***Can be used in non-food/non-feed areas of food handling establishments such as garbage rooms, lavatories, floor drains (to sewers), entries, vestibules and hallways, offices, locker rooms, machine rooms, basements, boiler rooms, garages, utility rooms, mop closets and storage rooms (after canning or bottling)"***.
10. Submit to the Agency, data on one year storage stability testing (830.6317), conducted concurrently with the corrosion characteristics study (830-6320) at 0, 3, 6, 9 and 12 months of warehouse storage.

11. Provide verification/justification for the claim "*For use in and around USDA-inspected meat and poultry plants*".
12. Submit two (2) copies of the revised final printed label bearing the above stated revisions prior to releasing this product for sale.

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

A copy of the accepted label is enclosed for your records. If you have any questions concerning this action, please contact Dr. B. A. Akinlosotu at (703) 605-0653.

Enclosure

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(front panel)

# Conserve<sup>®</sup> Fly Bait PCO

**Granular Fly Control**  
**[Alt. Naturalyte<sup>®</sup> Fly Control]**

For control of the adult common housefly outdoors around dog kennels, garbage cans and dumpsters, outdoor latrines, dumps, incinerators, compost areas, parks, picnic areas, fairs and camps, zoos, markets, cafes, restaurants, fast food establishments, bakeries, commissaries, supermarkets, warehouses, industrial plants, meat and poultry processing plants, beverage processing plants, canneries and food processing plants, non-commercial animal housing (e.g., on hobby farms) including poultry houses, pig pens, livestock barns, livestock pens, horse stables, stables or other animal handling or feeding facilities.

[Optional marketing claims that may be included on front panel of label.]

- Ready to use
- Use straight from the bag [bottle, container]
- Contains spinosad
- Flexible application methods
- Broadcast application
- Bait station or tray application
- Hang-board or card application
- Paint on application
- Spray on application
- Contains the fly attracting pheromone, Z-9 tricosene
- Unique particle composition reduces dust
- The unique approach to fly reduction and control
- With pheromone attractant, special fly bait and deadly fly killer
- Follow all label directions
- Derived from a naturally occurring organism
- Fermented from a naturally occurring organism
- Sourced from a naturally occurring organism
- Advanced bait formula with Z-9 tricosene
- Kills both sexes of flies
- Contains adult fly sex attractant
- Attracts and kills female flies
- Attracts and kills house flies
- Flies feed and die
- Attracts and kills resistant house flies
- 1 ounce treats 125 sq ft
- Yellow color [red color]
- No chemical odor
- Low odor
- With a pheromone fly attractant
- Flies feed on the bait and die
- Flies ingest a lethal dose of bait and die
- For use in and around USDA-inspected meat and poultry plants
- For use in and around food processing plants
- For use in and around food establishments
- Contains the bittering agent, Bitrex<sup>™</sup>

**Active Ingredient:**

spinosad (a mixture of spinosyn A and spinosyn D) .....	0.50%
(Z)-9-tricosene (Pheromone) .....	0.04%
Other Ingredients †† .....	99.46%
Total .....	100.00%

† Contains the bittering agent, Bitrex<sup>™</sup>  
 U.S. Patent No. 5,362,634 and 5,496,931

**ACCEPTED  
 with COMMENTS  
 In EPA Letter Dated:  
 MAY 14 2005**

**Under the Federal Insecticide,  
 Fungicide, and Rodenticide Act,  
 as amended, for the pesticide  
 registered under EPA Reg. No.  
 62719-606**

**Keep Out Of Reach Of Children**

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**Precautionary Statements**

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**User Safety Recommendations**

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- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Use of waterproof gloves is recommended when handling this product to avoid staining of skin or clothing.

**Environmental Hazards**

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.

**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. 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).

EPA Reg. No. 62719-XXX

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

®Trademark of Dow AgroSciences LLC  
Dow AgroSciences LLC • Indianapolis, IN 46268 USA

**Net Weight \_\_ lb**

(back panel)

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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 entire label before using.

### Storage and Disposal

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

**Pesticide Storage:** Store in original container, tightly closed in a secure place. Keep out of the reach of children and domestic animals. In case of leak or spill, contain material and dispose as waste.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site according to label directions or at an approved waste disposal facility.

**Container Disposal:** Triple rinse empty container. Then dispose of empty bag/container in a sanitary landfill, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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### General Information

Conserve® Fly Bait PCO granular [Naturalyte®] fly control is intended for control of the adult common housefly outdoors around the following: dog kennels, garbage cans and dumpsters, outdoor latrines, dumps, incinerators, compost areas, parks, picnic areas, fairs and camps, zoos, markets, cafes, restaurants, fast food establishments, bakeries, commissaries, supermarkets, warehouses, industrial plants, meat and poultry processing plants, beverage processing plants, canneries and food processing plants, non-commercial animal housing (e.g., on hobby farms) including poultry houses, pig pens, livestock barns, livestock pens, horse stables, stables, or other animal handling or feeding facilities. Conserve Fly Bait PCO can also be used indoors, but only in areas where children, animals or pets cannot come in contact with or ingest the granules. See specific use instructions and practices below. This product's active ingredient, spinosad, is biologically derived from the fermentation of *Saccharopolyspora spinosa*, a naturally occurring soil organism.

### General Use Precautions

- Conserve Fly Bait PCO contains the bittering agent, Bitrex™, an intensely bitter substance intended to prevent inadvertent consumption by humans. Conserve Fly Bait PCO also contains a fluorescent yellow [red] pigment that makes the bait more attractive to flies. Use of waterproof gloves is recommended when handling Conserve Fly Bait PCO to avoid staining of skin or clothing.
- Keep in original container and store out of direct sunlight in a cool and dry location. To preserve effectiveness, reseal container immediately after measuring and using the product.
- Do not allow Conserve Fly Bait PCO to contact food, feedstuffs, and water. Protect exposed food, feedstuffs, and water, where necessary, to avoid contamination.
- Apply Conserve Fly Bait PCO only in locations inaccessible to children, animals and pets where bait granules cannot be picked up or where animals and pets cannot lick surfaces on which the bait has been placed.
- Conserve Fly Bait PCO bait stations or trays and hang-boards/cards must be located at least 4 feet above the ground.
- Do not feed garbage treated with Conserve Fly Bait PCO to animals.
- Except for station or hang-board/card placement, do not use Conserve Fly Bait PCO in edible product areas of food processing plants, restaurants, or other areas where food is commercially prepared or processed or in serving areas while food is exposed (use in inedible areas only).

### Insecticide Resistance Management

Due to its unique mode of action, Conserve Fly Bait PCO can be used in resistance management programs in rotation with many other classes of products. However, experience has shown that the overuse of effective insecticides can lead to a build up of fly tolerance to virtually any insecticide.

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To preserve the effectiveness of Conserve Fly Bait PCO as an adult housefly pest control product, it is recommended to carefully monitor the adult fly population and target early infestations.

The following actions are required:

- Do not use less than the recommended dose rate of 1 lb of Conserve Fly Bait PCO per 2000 sq ft of floor area of the infested building or use site.
- Do not apply Conserve Fly Bait PCO more than 5 times during a 12-month period. Applications are to be spaced out over time using a rotation program with 1 to 2 other bait products and/or, if necessary, with 1 to 2 different control products such as space or surface sprays, all of which contain different active ingredients. Follow label instructions for rotation bait and space or surface spray products.

### **Integrated Pest Management**

Whenever possible, the following Integrated Pest Management practices are recommended:

- Monitor routinely to determine the need for control measures
- Use screens or barriers to prevent flies from migrating
- Remove manure and garbage whenever possible

### **Application Rate and Placement**

Apply Conserve Fly Bait PCO at the rate of 1 lb of bait per 2000 sq ft of the total floor area of the infested building or use site. Regardless of application method used, it is important to place the required amount of Conserve Fly Bait PCO only in/on infested areas where flies are observed to be resting or feeding.

### **Application Timing**

Start baiting early before the population of adult flies has reached an unacceptable level. A knockdown space or surface spray product may be used to rapidly control an initially high adult fly population. Remove manure and garbage where possible.

**Re-application:** Applied bait that is kept dry, clean, unfouled, and out of direct sunlight should continue to provide fly control for at least 3 to 5 weeks. Rotate Conserve Fly Bait AF as required under the Insecticide Resistance Management section using the application methods below.

### **Bait Application Methods**

One or a combination of the following bait presentation methods may be used:

**Scatter Bait:** Scatter Conserve Fly Bait PCO evenly outdoors around dog kennels and other use sites on surfaces where flies are observed to be resting or feeding such as, but not limited to, windowsills, tops of walls, edges or walkways, floor, ground, etc. Do not put into piles. Conserve Fly Bait PCO can also be used in areas where children and animals will not come into contact with the material.

**Station/Tray Bait:** Spread Conserve Fly Bait PCO evenly onto the station or tray in a thin uniform layer, avoiding heaps. To optimize bait distribution, it is recommended to hang or place 8 to 10 stations or trays per 2000 sq ft of floor space or other use site in areas where flies are observed to be resting or feeding. Do not put into piles. Stations or trays must be located at least 4 feet above the ground.

**Hang-Board/Card Bait:** For hang-board/card application, lightly moisten one side of the board/card with beaten eggs, beer, cola, or starch-based wallpaper glue. While still wet, sprinkle Conserve Fly Bait PCO onto the card to ensure adherence of the granules using 3.5 oz of bait per 10 sq ft of hang-board/card. Allow the surface to dry and then shake off any non-adhered granules. An alternative application method for applying Conserve Fly Bait PCO to hang-boards/cards is to use the paint or spray on methods described below. Use a total of 50 sq ft of hang-boards/cards per 2000 sq ft of area. To optimize bait

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distribution, it is recommended to hang or place 8 to 10 individual boards/cards per 2000 sq ft of floor space or use site where flies are observed to be resting or feeding (up to 25 may be used depending upon the size of the board/card). Hang-boards/cards must be located at least 4 feet above the ground.

**Paint On Bait:** In a bucket mix 1 lb of Conserve Fly Bait PCO into 1/2 to 1 qt of warm water and stir vigorously until granules are completely dissolved. Use a paintbrush or roller to apply the dilution to surfaces where flies are observed to be resting or feeding. Treated areas may be continuous or made up of separate spot treatments. The finished dilution is sufficient for an area of 2000 sq ft of floor space or use site. **Conserve Fly Bait PCO contains a fluorescent yellow [red] pigment. Do not apply to surfaces where yellow [red] discoloration cannot be tolerated.**

**Spray On Bait:** In a bucket mix 1 lb of Conserve Fly Bait PCO into 1 qt of warm water and stir vigorously until granules are completely dissolved. Do not attempt to mix the granules and water in the spray equipment. Pour the mixture into a sprayer (such as, but not limited to, pump up compression, etc.) only after all the granules have completely dissolved. Apply the dilution to surfaces where flies are observed to be resting or feeding. Treated areas may be continuous or made up of separate spot treatments. The finished dilution is sufficient for an area of 2000 sq ft of floor space or use site.

Prepare only enough for use and apply immediately. Shake the mixture prior to and during application. Thoroughly rinse spray equipment, including hose and nozzle, immediately after application to avoid clogging of spray equipment from build-up of dry residues. **Conserve Fly Bait PCO contains a fluorescent yellow [red] pigment. Do not apply to surfaces where yellow [red] discoloration cannot be tolerated.**

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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. 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.



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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: \_\_/\_\_/\_\_