



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Kenneth D. Racke, Ph.D.
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268-1054

JAN 29 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated December 8, 2009 for:

EPA Registration 62719-507

Conserve Fly Bait RTL

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

2011

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

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

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-507	2. EPA Product Manager Kimberly Nesci	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/Conserve Fly Bait RTL	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 JAN 29 2010
<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.)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula for 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 the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. 50 lb	No. per container 1	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lb		5. Location of Label Directions <input checked="" type="checkbox"/> On label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> 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 Kenneth D. Racke, Ph.D.	Title Regulatory Manager	Telephone No. (Include Area Code) (317) 337-4654 (fax: 317-337-4649)
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 knowingly false or misleading statement may be punishable by fine or imprisonment both under applicable law.		6. Date Application Received (Stamped) _____ _____ _____ _____
2. Signature 	3. Title Regulatory Manager	
4. Typed Name Kenneth D. Racke, Ph.D. (kracke@dow.com)	5. Date December 8, 2009	

30911

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



308/2E
December 8, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

CONSERVE FLY BAIT RTL (A.I. SPINOSAD)
EPA REGISTRATION NUMBER: 62719-507
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 2007-4

Enclosed please find labeling for the notification action of Conserve[®] Fly Bait RTL granular fly control. The following change has been made by notification:

1. Storage and Disposal: Revised section per PR Notice 2007-4.

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula for 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 the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

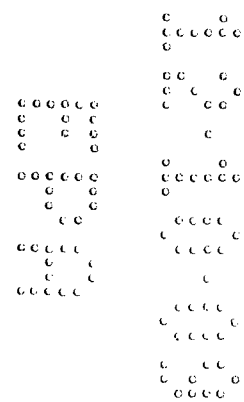
Contents of Submission

- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Conserve Fly Bait RTL (T6P/Conserve Fly Bait RTL/MSTR Notif/12-08-09) (7 Pages plus Registration Notes) (1 Copy)

If you require further information, please contact Cindy Loy, Regulatory Specialist at (317) 337-4655.

Sincerely,

Kenneth D. Racke, Ph.D.
Regulatory Leader
(317) 337-4654
(317) 337-4649 (FAX)



Enclosures

509/11

(Base label):

NOTIFICATION

JAN 29 2010

Conserve[®] Fly Bait RTL

Granular Fly Control

For control of houseflies outdoors around houses, garbage cans, garbage collection points, outdoor latrines, pet kennels, compost areas, 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.

- Ready to use
- Use straight from the bag [bottle] [container]
- Contains spinosad
- Flexible application methods
- Broadcast application
- Bait station [device] application
- Hang-board [device] application
- Hang-card [device] application
- Contains the fly attracting pheromone, Z-9 tricosene
- With pheromone attractant, special fly bait and fly killer
- Spinosad is biologically derived from the fermentation of saccharopolyspora spinosa, a naturally occurring soil organism
- Bait formula with Z-9 tricosene
- Kills both sexes of flies
- Contains adult fly sex attractant
- Attracts and kills house flies
- Flies feed and die
- Attracts and kills resistant house flies
- 1 ounce treats 125 sq ft
- X device(s) treats X sq ft
- With a pheromone fly attractant
- Flies feed on the bait and die
- Flies ingest a lethal dose of bait and die
- Contains Bitrex™

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%

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

Keep Out Of Reach Of Children

[Include the following statements only if sold in granule form.]

Precautionary Statements

User Safety Recommendations

- 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.

[Include the following statement if sold as a bait station or hang-board/card device]

Do not tamper with child resistant feature of bait station [device] or hang-board/card bait [device].

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 or rinsate.

6011

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.

Container Handling: Nonrefillable container. Do not reuse or refill this container.

If empty: 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.

Refer to label booklet for Directions for Use.

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.

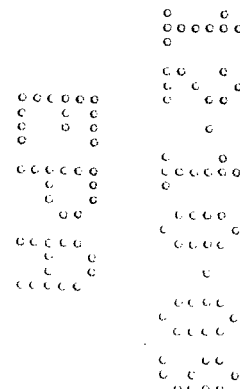
EPA Reg. No. 62719-507

EPA Est. _____

®Trademark of Dow AgroSciences LLC

**Produced for
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268**

Net Weight ___



7 of 11

(Label booklet cover):

Conserve® Fly Bait RTL

Granular Fly Control

For control of houseflies outdoors around houses, garbage cans, garbage collection points, outdoor latrines, pet kennels, compost areas, 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.

- Ready to use
- Use straight from the bag [bottle] [container]
- Contains spinosad
- Flexible application methods
- Broadcast application
- Bait station [device] application
- Hang-board [device] application
- Hang-card [device] application
- Contains the fly attracting pheromone, Z-9 tricosene
- With pheromone attractant, special fly bait and fly killer
- Spinosad is biologically derived from the fermentation of saccharopolyspora spinosa, a naturally occurring soil organism
- Bait formula with Z-9 tricosene
- Kills both sexes of flies
- Contains adult fly sex attractant
- Attracts and kills house flies
- Flies feed and die
- Attracts and kills resistant house flies
- 1 ounce treats 125 sq ft
- X device(s) treats X sq ft
- With a pheromone fly attractant
- Flies feed on the bait and die
- Flies ingest a lethal dose of bait and die
- Contains Bitrex™

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%

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

Keep Out Of Reach Of Children

Refer to inside of label booklet for additional precautionary information including Directions for Use.

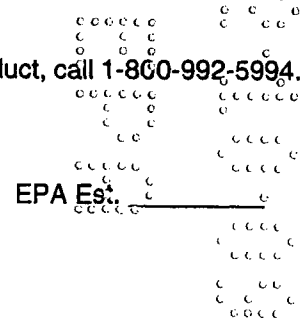
Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

Agricultural Chemical: Do not ship or store with food, feeds, drugs, or clothing.

EPA Reg. No. 62719-507

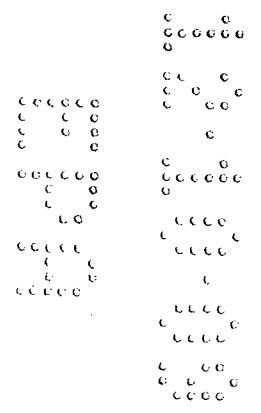
®Trademark of Dow AgroSciences LLC
Produced for



80411

Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

Net Weight __



9011

(Page 1 through end):

[Include the following statements only if sold in granule form.]

Precautionary Statements

User Safety Recommendations

- 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.

[Include the following statement if sold as a bait station or hang-board/card device]

Do not tamper with child resistant feature of bait station [device] or hang-board/card bait [device].

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 or rinsate.

Directions for Use

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.

Container Handling: Nonrefillable container. Do not reuse or refill this container.

If empty: 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.

General Information

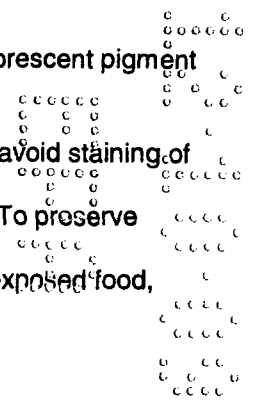
Conserve® Fly Bait RTL granular fly control is intended for control of houseflies outdoors around houses, garbage cans, garbage collection points, outdoor latrines, pet kennels, compost areas, non-commercial animal housing (e.g., on hobby farms) including poultry houses, pig pens, livestock barns, livestock pens, horse stables, stables, or other animal handling or feeding facilities. Conserve Fly Bait RTL 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 precautions 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 RTL contains Bitrex™. Conserve Fly Bait RTL also contains a fluorescent pigment that makes the bait more attractive to flies.

[Include the following four (4) statements only if product is sold in granule form]

- Use of waterproof gloves is recommended when handling Conserve Fly Bait RTL 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 RTL to contact food, feedstuffs, and water. Protect exposed food, feedstuffs, and water, where necessary, to avoid contamination.
- Do not allow pets to feed on garbage treated with Conserve Fly Bait RTL.



100911

- Apply Conserve Fly Bait RTL only in locations inaccessible to children, livestock 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.

Application Timing

Re-application: Re-apply [Install new bait station device or hang-board/card bait device] when bait [device] is no longer effective in controlling flies.

Bait Application Methods

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

Scatter Bait: Scatter Conserve Fly Bait RTL evenly outdoors around garbage cans, garbage collection points, outdoor latrines, and compost areas where flies are observed to be resting or feeding. Scatter uniformly at the rate of 1 oz per 125 sq ft of area. Do not put into piles. **Note:** Do not use scatter bait application method inside the house, or in areas where children, animals or pets could come in contact with the granules.

[**Editor's note:** Bait to be provided in child-resistant/spill-proof bait station delivery device designed by supplemental distributor. Bait station devices will be designed to deliver in total approximately 1 oz of bait per 125 sq ft of open house floor space or other use site through use of one or multiple station devices.]

Station Bait [Station Delivery Device]: Place a minimum of 1 [station delivery device] per XXX sq ft of open house floor space or other use site in areas where flies are observed to be resting or feeding. Additional stations [delivery devices] may be used in large rooms or areas separated by hallways, doors, or screens.

[**Editor's note:** Bait to be provided in child-resistant hang-board/card delivery device designed by supplemental distributor. Hang-board or card devices will be designed to deliver in total approximately 1 oz of bait per 125 sq ft of open house floor space or other use site through use of one or multiple hang-board or card devices.]

Hang-Board/Card Bait [Hang-Board/Card Delivery Device]: Place a minimum of 1 [hang-board/card delivery device] per XXX sq ft of open house floor space or other use site in areas where flies are observed to be resting or feeding. Additional [hang-board/card delivery devices] may be used in large rooms or areas separated by hallways, doors, or screens.

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.

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. TO THE EXTENT PERMITTED BY LAW, 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. 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

