

02-26-2004

FEB 26 2004

Lisa J. Strong
Regulatory Consultant, Frost Technology Corporation
P.O. Box 198, Lathrop CA 95330

Dear Ms. Strong:

Subject: Application for amendment of Certified Statement of Formula
dated January 12, 2004
Application for amendment of label dated August 26, 2003
Product: FROSTBAN™ B, EPA Reg. No. 64004-2

Your applications for amendment of the Certified Statement of Formula and of the label of subject product are acceptable under the Federal Insecticide, Fungicide and Rodenticide Act, as amended (FIFRA).

The revision to the Certified Statement of Formula (CSF) relates to a correction of upper and lower Certified Limits in Column 14 from those shown in the previously submitted CSF dated November 1, 2002.

The revisions to the label are as follows:

- In the Ingredient Statement, the word "inert" is changed to "other" and the terms "Total" and "100%" are added.
- The statement is added: "FROSTBAN™ is a registered trademark of Frost Technology Corporation".
- The following advisory statements are added below the Ingredient Statement: "Read the Entire Label Before Using this Product"; "Use only according To Label Instructions."; "NOTICE: Before using this product, read the entire Precautionary Statements, Conditions of Sale and Warranty, Directions for Use, Use Restrictions and Storage and Disposal Instructions. If Conditions of Sale and Warranty are not acceptable, return the product unopened within thirty days of purchase to the place of purchase."
- An appropriate revision of the First Aid section and the addition of a HOT LINE NUMBER
- Addition of "(PPE)" to the heading PERSONAL PROTECTIVE EQUIPMENT
- Under the section GENERAL INFORMATION, relocation of the following statement from the DILUTION RATES section to the section under the heading "Application and Mixing instructions": "Spray solution should be used within 48 hours of mixing. Standard municipal chlorinated water does not significantly reduce viability."

Revisions, for purposes of clarification, in the STORAGE AND DISPOSAL section

Revisions of the previous "Disclaimer of Warranties" section which is renamed

CONDITIONS OF SALE AND WARRANTY

SYMBOL							
SURNAME							
DATE							

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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Please return to the Agency three (3) final printed labels for the product before shipment.

A stamped accepted label for the product is enclosed.

Sincerely,

Dennis Szuhay, Chief
Microbial Products Branch
Biopesticides and Pollution
Prevention Division (7511C)

Enclosure

CONCURRENCES							
SYMBOL	7511C	7511C					
SURNAME	BALL	SZUHAY					
DATE	2/25/04	2-26-04					

FROSTBAN™ B

For reduction of frost and frost damage on cherry, apple, pear, almond, peach, tomato, potato and strawberry. Aids in fire blight and fruit russeting suppression on apple and pear.

Active Ingredient:	
Pseudomonas fluorescens A506.....	71.0%
Other Ingredients:.....	29.0%
Total:	100.0%

(Contains 1 x 10¹⁰CFU/gm)

EPA Reg. No. 64004-2

EPA Est. No. 72976-FL-1

FROSTBAN™ is a registered trademark of Frost Technology Corporation.

Read The Entire Label Before Using This Product.

Use Only According To Label Instructions.

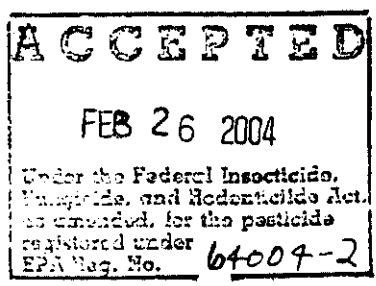
NOTICE: Before using this product, read the entire Precautionary Statements, Conditions of Sale and Warranty, Directions for Use, Use Restrictions and Storage and Disposal Instructions. If Conditions of Sale and Warranty are not acceptable, return the product unopened within thirty days of purchase to the place of purchase.

NET WEIGHT: 10.5 Oz. (300 grams)

Manufactured For:
FROST TECHNOLOGY CORPORATION
P. O. Box 198, Lathrop, CA 95330

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Pesticide Information Center at 1-800-858-7378 for emergency medical treatment information.</p>	



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

CAUTION: Avoid contact with eyes, skin or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks
- Dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C) or a NIOSH approved respirator with any N, R, P or HE filter.

Follow manufacturer's instructions for cleaning and 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: (1) Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet; (2) Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing; (3) Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Keep out of lakes, ponds or streams. Do not contaminate water 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.

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 APPLY THROUGH ANY TYPE OF IRRIGATION SYSTEM.

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), notification to workers 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.

GENERAL INFORMATION

MODE OF ACTION: Frostban™ B contains a non-frost forming strain on naturally-occurring Pseudomonas which competitively reduce or suppress the growth of frost-forming and fire blight inducing bacteria on plant leaves, blossoms, and fruit. Aids in reduction of fruit russetting caused by russet inducing bacteria.

DILUTION RATES:

Use the following dilution rates when applying Frostban™ B. Use the coverage characteristics of the application equipment and plant size to determine the volume of water.

- CONCENTRATE: 50-100 GALLONS PER ACRE
- DILUTE: 200-350 GALLONS PER ACRE

FROST PROTECTION:

For frost protection apply 5.3 oz. (150 grams) in concentrate sprays or 7 oz. (200 grams) as a dilute.

Application and Mixing Instructions: For best results, make initial spray when plants are:

Tomato, Potato – Two true-leaf expansion.

Strawberry – First bloom initials emerging from crown.

Almond, Apricots, Blueberries, Peach, Nectarine – First bloom at about 10% fully-opened.

Apple, Pear, Cherry – Late green tip — half inch green tip.

Repeat treatments as necessary, with a total of 2-3 applications. Uniform application to blossom and leaf tissue is essential. Fill the spray tank $\frac{3}{4}$ full of water and add recommended amount of Frostban™ B to the tank. Mix thoroughly while adding the remainder of the water. Agitate as necessary to maintain suspension. Spray solution should be used within 48 hours of mixing. Standard municipal chlorinated water does not significantly reduce viability.

FIRE BLIGHT AND FRUIT RUSSETING REDUCTION:

Frostban™ B should be used in an integrated fire blight suppression program. Frostban™ B improves suppression with any existing antibiotic spray program. As an aid in the suppression of fire blight and fruit russeting in pears and apples, select one of the application methods below. When applied as a concentrate spray, using either method, better control is obtained when using a minimum of 100 gallons of water per acre.

Method 1: Apply 5.3 oz. (150 grams) as a concentrate or 7 oz. (200 grams) as a dilute spray. The first application should be made at early bloom followed by a second application at first petal fall — full bloom, and a third application at "rattail" bloom for pear, or post petal fall for apples.

Method 2: Apply 2.6 oz. (75 grams) as a concentrate or 3.5 oz. (100 grams) as a dilute spray. Apply to alternate rows with the first application at early bloom followed by a second application to the untreated rows, one week later. Make the third and fourth applications using the same rates, applied to alternating rows at first petal fall — full bloom. For the final two applications, use the same rates and method for the final applications and apply at "rattail" bloom for pear or post petal fall for apples.

Compatibility: Do not tank mix with copper-based compounds. Frostban™ B is compatible with streptomycin, Rovral®, Benlate®, and other crop protection products. If the mixture has not been used before, it is recommended that small test areas be treated before undertaking large-scale application. Allow at least 5 days between the application of Frostban™ B and Terramycin® application.

Copper sprays or copper dust applications are incompatible with the performance of this product.

BUNCH ROT REDUCTION — GRAPES:

Use as an aid to control bunch rot caused by species of *Acetobacter* bacteria (sour rot) in combination with *Aspergillus niger* and *Botrytis cinerea*. Apply 5.3 oz. (150 grams) per acre at bloom and again prior to bunch closure.

STORAGE AND DISPOSAL

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

STORAGE: Store the container in the freezer, unopened, until ready to apply.

SPILL: In case of spill, sweep up material and dispose of material according to "pesticide disposal" directions listed below.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product that cannot be used may be disposed of on site or at an approved waste disposal facility. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law.

CONTAINER DISPOSAL: Completely empty bag into application equipment. Then dispose of bag in a sanitary landfill, by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

CONDITIONS OF SALE AND WARRANTY

Frost Technology Corporation warrants that the product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions under normal conditions of use. FROST TECHNOLOGY CORPORATION MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES EITHER OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE. Handling, storage and use of the product by Buyer or User are beyond the control of Frost Technology Corporation and Seller. Risks such as crop injury, ineffectiveness or other unintended consequences resulting from, but not limited to, weather or soil conditions, presence of other materials, disease, pest, drift to other crops or property or failure to follow label directions will be assumed by the Buyer or User. In no case will Frost Technology Corporation or Seller be held liable for consequential, special or indirect damages resulting from the handling, storage or use of this product.