

64004-4

03-04-2004

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAR 4 2004

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

Dear Ms. Strong:

Subject: Applications dated September 23, 2003 for label amendments for:
Product FROSTBAN™ C, EPA Reg. No. 64004-3
Product FROSTBAN™ D, EPA Reg. No. 64004-4

Your application for amendment of the labels of the subject products is acceptable under the Federal Insecticide, Fungicide and Rodenticide Act, as amended (FIFRA). The revisions to the labels of both products are identical and are as follows:

- In the Ingredient Statement, the words "Inert Ingredients" are changed to "Other Ingredients".
- Following the Ingredient Statement, advisory text is inserted as follows: "Read The Entire Label Before Using This Product"; "Use Only According To Label Instructions" and "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
- Addition of "(PPE)" to the heading PERSONAL PROTECTIVE EQUIPMENT
- Addition of the phrase "or a NIOSH approved respirator with any N, R, P or HE filter." to the respirator statement of the Personal Protective Equipment section
- The addition, in the GENERAL INFORMATION section, of the following: "MODE OF ACTION: Frostban™ C contains a non-frost forming strain of naturally-occurring Pseudomonas which competitively reduce or suppress the growth of frost-forming bacteria."
- Revisions, for purposes of clarification, of the STORAGE AND DISPOSAL section
- Revision of the previous "Disclaimer of Warranties" section which is renamed CONDITIONS OF SALE AND WARRANTY

CONCURRENCES

SYMBOL	7511 C	7511 C						
SURNAME	BALL	SZUHAY						
DATE	3/03/04	3-4-04						

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

A stamped accepted label for each product is enclosed.

Sincerely,



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

Enclosure

CONCURRENCES							
SYMBOL							
SURNAME							
DATE							

FROSTBAN™ D

For reduction of frost and frost damage on cherry, apple, pear, almond, peach, tomato, potato and strawberry.

Active Ingredients:	
Pseudomonas fluorescens 1629RS.....	71.0%
Other Ingredients:.....	29.0%
Total:.....	100.0%

(Contains 11.3 x 10¹⁰CFU/gm)
EPA Reg. No. 64004-4

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.

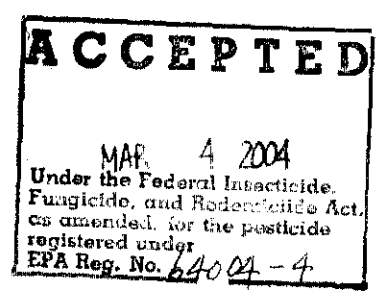
NET WEIGHT: 1.3 Lbs. (600 grams)

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	
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.	



**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™ C contains a non-frost forming strain of naturally-occurring *Pseudomonas* which competitively reduce or suppress the growth of frost-forming bacteria.

FROST PROTECTION:

For frost protection apply 5 ounces of Frostban™ D in concentrate sprays (50-150 gallons per acre) or 7 ounces in dilute sprays (200-350 gallons per acre). Use higher rates within each recommended range depending upon coverage characteristics of application equipment and plant size.

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

- Tomato, Potato – Two true-leaf expansion.
- Strawberry – First bloom initials emerging from crown.
- Almond, Peach – First bloom at about 10% fully-opened.
- Apple, Pear, Cherry – Late green tip — half inch green tip.

Repeat treatments as necessary, (total of 2-3 applications) to ensure uniform coverage to primary blossom and leaf tissue. Uniform spray coverage is required. Fill the spray tank 3/4 full of water and add recommended amount of this product to the tank. Mix thoroughly while adding the remainder of 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.

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 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.

FROSTBAN 203SPEC (0597/0803)