

64962-1

01/30/2008

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

January 30, 2008

Mr. Lawrence McLeroy  
Earth Science Laboratories, Inc.  
113 S.E. 22<sup>nd</sup> St., Suite 1  
Bentonville, AR 72712

Subject: Notification for Alternate Brand Name – AgriTec 2  
EarthTec  
EPA Reg. No. 64962-1  
Your Application Dated January 10, 2008

Dear Ms. Sellers

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated January 10, 2008 for the products mentioned above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The labels submitted with the application have been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249.

Sincerely,  
*Rachel C. Halloman*  
Linda Arrington *for*  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs



United States  
Environmental Protection Agency  
Washington, DC 20460

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

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 64962-1	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EarthTec	PM#	
5. Name and Address of Applicant (Include ZIP Code) Earth Science Laboratories, Inc. 113 SE 22nd Street, Suite 1, Bentonville, AR 72712 <input checked="" 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. 64962-1 <b>NOTIFICATION</b> Product Name AgriTec 2 <b>JAN 30 2008</b>	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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.)

Alternative brand name of "AgriTec 2" will be used as a water treatment additive. This notification is consistent with 40 CFR 152.46 and PR Notice 95-2 allowing registrants to add alternate brand names. 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...(see attached page)

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input 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 checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted	If "Yes" Unit Packaging wgt. 2.5 gal	No. per container 2	If "Yes" Package wgt	Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 2.5 gal.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input checked="" type="checkbox"/> Other <u>SCREEN LABEL</u>		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Lawrence McLeroy	Title Director of Tech., R & D	Telephone No. (Include Area Code) 479-271-7321
2. Signature 		6. Date Application Received (Stamped)
3. Title Director of Technology, Research & Devel		
4. Typed Name Lawrence McLeroy		5. Date January 10, 2008
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 or both under applicable law.		



clean water for the planet

Earth Science Laboratories, Inc.  
113 S.E. 22nd St., Suite 1  
Bentonville, Arkansas 72712

Phone 800.257.9283  
Fax 479.271.7693  
www.earthsciencelabs.com

January 10, 2008

**Document Processing Desk  
(MOTIF) or (AMEND) Office of  
Pesticide Programs (7504C)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave.  
N.W. Washington D.C. 20460**

Re: Notification Changes to an Alternative Brand Label from Master Label 64962-1

Earth Science Laboratories, Inc. is requesting an alternative brand label. The alternative brand name is AgriTec 2. Information for the label will comply with the master label EarthTec 1. This alternate brand name label has these changes:

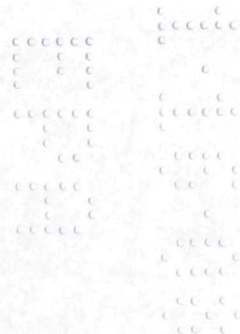
- Name on label is AgriTec 2
- Specific Directions will apply to lakes, ponds, reservoirs, canals, lagoons, aquaculture systems and irrigation systems
- Other language on the label is the same as the approved language on the "Master Label" EarthTec 1. Some of the boxes have been rearranged to fit the size of the label and containers, but all language requirements are in places approved by PR-Notice 98-10

Enclosed is a copy of the Master Label, EPA form 8570-1, explanation letter of changes to alternative label, and three (3) AgriTec 2 labels.

Sincerely,

Lawrence McLeroy  
Director of Technology, Research and Development

Enc.



## NOTIFICATION

JAN 30 2008

### LIMITED WARRANTY AND LIMITATION OF REMEDIES

Seller warrants that the product conforms to the chemical description and is reasonably fit for the purpose stated on the label for use under normal conditions, but makes no other warranties of FITNESS OR MERCHANTABILITY expressed or implied, or any other warranty if the product is used contrary to the label instructions, or under abnormal conditions or under conditions not foreseeable to the seller. In no case shall the seller be liable for more than the cost of this product to the buyer and will in no event be liable for any consequential, special or indirect damages connected with the use or handling of this product. This product is offered and the buyer or user accepts it subject to the foregoing terms which may not be varied.

Manufactured by: Earth Science Laboratories, Inc.  
113 SE 22nd Street, Suite 1  
Bentonville, AR 72712  
Phone: 800-257-9283 1/08



# Agritec2™

ALGICIDE/  
BACTERICIDE for lakes, ponds, reservoirs, canals, lagoons,  
aquaculture systems and irrigation systems



Certified to  
NSF/ANSI 60

#### ACTIVE INGREDIENTS:

Copper Sulfate Pentahydrate*	19.8%*
Inert Ingredients	80.2%
Total	100.0%

\*Metallic Copper Equivalent Equal 5%

THIS PRODUCT WEIGHS 9.9 LBS PER GALLON

MFG. BY: Earth Science Laboratories, Inc.  
113 SE 22nd Street, Suite 1  
Bentonville, AR 72712  
Phone: 800-257-9283

EPA REGISTRATION NO.: 64962-1

EPA ESTABLISHMENT NO.: 64962-NB-001

NET CONTENTS:  
2.5 GAL. / 9.46 L

9.9 lb per gallon / 1.188 kg/L

LOT NUMBER

## KEEP OUT OF REACH OF CHILDREN DANGER • PELIGRO

If you do not understand this label, find someone to explain it to you in detail.  
Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.

### 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.

**IF IN EYES:** Hold eye open and rinse slowly and gently with water for 20 minutes. Remove contact lenses, if present, after first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for advice.

**NOTE TO PHYSICIAN:** Probable mucosal damage may contraindicate the use of gastric lavage.

**IF ON SKIN OR CLOTHING:** Take off contaminated clothing. Rinse skin immediately with plenty of soap and water for 15-20 minutes. Call a poison control center or doctor for treatment.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

SEE ADDITIONAL PRECAUTIONARY STATEMENTS

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

# DANGER

Corrosive. Causes irreversible eye damage. Do not get in eyes or on clothing. Avoid contact with skin. Wear protective eyewear (goggles, face shield or safety glasses). Harmful if swallowed, inhaled or absorbed through skin. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

### ENVIRONMENTAL HAZARDS

**Fish and Aquatic Organisms:** This product is toxic to fish. Direct application of copper sulfate to water may cause a significant reduction in populations of aquatic invertebrates, plants and fish. Do not treat more than one-half of a lake or pond at one time to avoid depletion of oxygen from decaying vegetation. Allow 1 to 2 weeks between treatments for oxygen levels to recover. Trout and other species of fish may be killed at application rates recommended on this label, especially in soft or acidic waters. Do not contaminate water when disposing of equipment wash waters. (See Disposal Instructions). Consult your local State Fish and Game Agency before applying this product to public waters. Permits may be required before treating such waters.

**Endangered Species Restrictions:** It is a violation of federal laws to use any pesticide in a manner that results in the death of an endangered species or adverse modification of their habitat. The use of this product may pose a hazard to certain federally designated endangered species known to occur in specific areas within the following counties:

STATE	SPECIES	BULLETIN NO.	COUNTY
California	Solano Grass	EPAVES-85-13	Solano
Tennessee	Slackwater Darter	EPAVES-85-04	Lawrence Wayne Hancock
	Freshwater Mussels	EPAVES-85-07	Claiborne Hawkins Sullivan
Alabama	Slackwater Darter	EPAVES-85-05	Lauderdale Limestone Madison
Virginia	Freshwater Mussels	EPAVES-85-06	Grayson Smyth Scott Washington Lee

**PLEASE NOTE:** Before using this product in the above counties you must obtain the EPA bulletin specific to your area. This bulletin identifies areas within these counties where the use of this pesticide is prohibited unless specified otherwise. The EPA bulletin is available from either your County Agricultural Extension Agent, the Endangered Species Specialist in your State Wildlife Agency headquarters or the appropriate Regional Office of the U.S. Fish and Wildlife Service.

**THIS BULLETIN MUST BE REVIEWED PRIOR TO PESTICIDE USE.**

### FOR CHEMICAL EMERGENCY

Call INFOTRAC 1-800-535-5053  
Non-Flammable Do Not Freeze.

### PERSONAL PROTECTIVE EQUIPMENT:

Applicators and other handlers must wear:

- Long-sleeved shirt
- Long pants
- Chemical-resistant gloves made of any waterproof material  
Chemical Resistance Category A
- Protective eyewear
- Shoes plus socks

Maintain this clothing separately from other laundry and wash with detergent and hot water, or according to manufacturer's label. If these items become drenched with this product's concentrate, discard the clothing and do not reuse.

### GENERAL INFORMATION

AGRITEC is an innovative formulation used for suppression of bacteria and toxic gases in sewage lagoons, feedlot run-off pits, animal confinement facilities and other ponds containing organic matter, algae, and in some uses bacteria. AGRITEC may also be used to control algae and suppress bacterial growth in irrigation reservoirs, ponds, aquaculture ponds, biological fish ponds or systems and in chemigation systems. AGRITEC inhibits or suppresses the growth of bacteria. When used as directed on this label, it is a bactericide.

### APPLICATION AND HANDLING EQUIPMENT

Application, handling or storage equipment MUST consist of either fiberglass, PVC, polypropylene, viton, most plastics or stainless steel. Never use mild steel, nylon, aluminum, brass or copper around full strength AGRITEC.

Always rinse equipment free and clean of AGRITEC each night with plenty of fresh, clean water.

Always store AGRITEC above 32 degrees F. Freezing may cause product separation. Seller makes no warranty for product which has been frozen. Apply over entire area of lagoon or mix thoroughly until completely dispersed with sewage. Use formulas for calculating water volume and flow rates. To find the capacity of water storage containment in gallons, multiply the water volume in cubic feet times 7.5.

**NOTE:** 1 cfs/hr = 27,000 gallons 1 acre foot = 326,000 gallons

### STORAGE AND DISPOSAL

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

**Pesticide Storage:** Store in a safe place away from pets and keep out of the reach of children. Store away from excessive heat. AGRITEC will freeze. Always keep container closed. Store AGRITEC in its original container only. Keep away from galvanized pipe and any nylon storage or handling equipment.

**Pesticide Disposal:** Pesticide wastes are acutely hazardous. Improper disposal of excess AGRITEC, spray mixture or rinseate is a violation of federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

In the event of spill, neutralize with limestone or baking soda before disposal. May deteriorate concrete.

**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.

### 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 requirement specific to your state and tribe, consult the agency responsible for pesticide regulation.

### GENERAL BACTERIA CONTROL

Application rates may vary depending on amounts of organic matter (sewage) in lagoons and pits. Application should be done by pouring AGRITEC directly from the container into the pit or lagoon. Several application points speed up

dispersal. Use one gallon of full strength AGRITEC in 60,000 gallons (8,000 cubic feet) of sewage. For easiest results disperse AGRITEC evenly throughout sewage. Bacteria and odors should be noticeably reduced in 1-2 weeks. Repeat application when odor reoccurs.

**Feedlot Run-Off Lagoons:** Add a portion of the required dosage of AGRITEC at several locations around the lagoon to speed dispersal of the product. A minimum of two applications per year (spring and fall) is recommended. Additional applications may be required as needed when the lagoon is pumped.

**Animal Confinement Pits:** If pits are located under the confinement buildings, add AGRITEC directly to these pits. If the pits are outside, add AGRITEC to the transfer line to the pit.

**Other Organic Sludges:** AGRITEC must be thoroughly mixed with sludge. Apply at the rate of one gallon AGRITEC in 30,000 gallons of sludge.

### GENERAL ALGAE CONTROL

For algae control, apply in the late spring or early summer when algae first appear. The dosages are variable and depend upon algae species, water hardness, water temperature, amount of algae present, as well as whether water is clear, turbid, flowing or static. Preferably, the water should be clear with temperature above 60° F (15.6° C). Higher dosages are required at lower water temperatures, higher algae concentrations and for hard waters. Application should be done by pouring AGRITEC directly from the container into the lakes, ponds, reservoirs or irrigation canals. Several application points speed up dispersal. Static water requires less chemical for algae control than does flowing water. Use higher dosages for chara, nitella and filamentous algae (pond scum) and lower dosages for planktonic algae. If there is uncertainty about the dosage begin with a lower dosage and increase until control is achieved or until the maximum allowable level has been reached.

Treatment of algae can result in oxygen loss from the decomposition of dead algae. This loss can cause fish suffocation. If the algae cover more than one-third of the total water area, treat in sections. Treat one-half of the water area in a single operation and wait for 10 to 14 days between treatments. Begin treatment along the shore and proceed outward in bands to allow fish to move into untreated areas. In regions where ponds freeze in winter, treatment should be done 6 to 8 weeks before expected freeze to prevent masses of decaying algae under an ice cover.

**To Control Algae or Bacteria in Non-Sprinkler, Non-Drip Irrigation Conveyance Systems and Chemigation Systems, Ditches, Canals and Similar Irrigation Conveyances:** For continuous addition, add one pint AGRITEC for each 7,500-300,000 gallons. For conveyance systems longer than 30 miles, it is recommended that the above dosage be dispersed among the injection points every 30 miles. However, do not exceed the total dose of one gallon AGRITEC in 60,000 gallons (1 ppm metallic copper).

**To Control Algae or Bacteria in Sprinkler, Drip or Other Types of Irrigation Equipment:** Agitation is not required. Do not mix with basic substances. AGRITEC must be applied continuously for the duration of the water application.

Mixing instruction for dilution of AGRITEC is one pint per 7,500 to 300,000 gallons of water.

**To Control Algae in Impounded Waters, Lakes, Ponds, Aquaculture Systems and Reservoirs:** For easiest results disperse AGRITEC evenly throughout the body of water. Apply at the rate of one pint AGRITEC in 7,500 - 300,000 gallons. For best results apply to warm still water on a sunny day when algae are near the surface. For potable water systems, do not exceed one gallon in 60,000 gallons under any circumstances (1 ppm metallic copper).

**Specific Directions for Aerial Spraying:** AGRITEC may be applied by aerial spraying from an airplane or a helicopter or directly into the water body. The applicator must use measures necessary to control drift. To the extent practicable, minimize the spray drifting from the application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, nontarget crops, aquatic and wetland areas, woodlands, pastures, rangelands, or animals and avoid sensitive environmental areas. Any state requirements applicable to the aerial application of pesticides such as AGRITEC must be followed.