

64962-1

05/06/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAY 6 2008

Mr. Lawrence McLeroy
Earth Science Laboratories, Inc.
113 SE 22nd. Street, Suite 1
Bentonville, AR 72712

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name "Faze 1"
EPA Reg. No. 64962-1
Application Dated April 9, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 04/09/08 for the above product. 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 label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

SG



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# 22	
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 Product Name Faze 1	

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 "Faze 1" will be used for extension of shelf life of fruits and vegetables. 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... (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 checked="" type="checkbox"/> Metal	<input type="checkbox"/> Plastic
	If "Yes" Unit Packaging wgt. 2.5 qal	No. per container 2	If "Yes" Package wgt	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted				<input type="checkbox"/> 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 type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input checked="" 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 Lawrence McLeroy	Title Director of Tech., R & D	Telephone No. (Include Area Code) 479-271-7381
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.		6. Date Application Received (Stamped)
2. Signature 		3. Title Director of Technology, Research & Devel
4. Typed Name Lawrence McLeroy		5. Date April 9, 2008



clean water for the planet

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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

April 9, 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 Faze 1. Information for the label will comply with the master label EarthTec 1. This alternate brand name label has these changes:

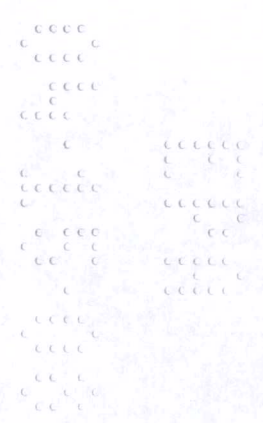
- Name on label is Faze 1
- References to extended shelf life of fruits and vegetables
- Specific Directions will apply to the dose rate for extended shelf life
- Other language on the label is the same as the approved language on the "Master Label" EarthTec 1. Some of the boxes have been rearranged 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) Faze 1 labels.

Sincerely,

Lawrence McLeroy
Director of Technology, Research and Development

Enc.



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 a 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.

STATE SPECIES BULLETIN COUNTY

California Solano Grass EPA/ES-85-13 Solano
Tennessee Slackwater Darter EPA/ES-85-04 Lawrence

Wayne Hancock

Freshwater Mussels EPA/ES-85-07 Claiborne

Alabama Slackwater Darter EPA/ES-85-05 Lauderdale
Sullivan

Madison Limestone

Virginia Freshwater Mussels EPA/ES-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

Faze 1 is an innovative, unique formulation used for the suppression of bacteria. Faze 1 extends the shelf life of

FAZE 1

Algicide/Bactericide For Extension of Shelf Life of Fruits and Vegetables

ACTIVE INGREDIENTS:

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

*Metallic Copper Equivalent Equal 5%

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 lbs. 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 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.

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.

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

SEE ADDITIONAL PRECAUTIONARY STATEMENTS

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

SPECIFIC DIRECTIONS FOR USE

Extension of Shelf Life of Fruits and Vegetables: Add one gallon of Faze 1 to 60,000 gallons of water (approximately 1.0 ppm of metallic copper) and mix. This water is then used to wash the fruits or vegetables by immersion, spraying, soaking or other similar method. The water is then drained from the fruits or vegetables. Application as directed retards bacterial growth on the fruits and vegetables based on the 15 day shelf life tests using the standardized test conditions specified by National Sanitation Foundation and others. Faze 1 is effective in extending the shelf life against E. coli, S. faecalis, vibrio cholera and other similar bacteria. Fruits and vegetables must remain refrigerated to ensure effectiveness.

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 Faze 1. Always rinse equipment free and clean of Faze 1 each night with plenty of fresh, clean water. Always store Faze 1 above 32° F. Freezing may cause product separation. Seller makes no warranty for the performance of product which has been frozen.

Manufactured by:

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

UPC

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. Faze 1 will freeze. Always keep container closed. Store Faze 1 in its original container. Keep away from galvanized pipe and any nylon storage handling equipment.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess Faze 1, spray mixture, or rinse is a violation of federal law. If these wastes cannot be disposed of by the 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.

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.