

66330-280

3/6/2009

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

March 6, 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Bill Washburn
Regulatory Manager
Arysta LifeScience North America LLC
15401 Weston Parkway, Suite 150
Cary, NC 27513

RE: Product Name: MEPPLUS CONCENTRATE
EPA Reg. No: 66330-280
Your Label Notification dated January 28, 2009, to Update Company's Information,
Emergency Telephone Numbers and Warranty per PR Notices 98-10 and 2007-4

Dear Mr. Washburn:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticides Registration Notice (PRN) 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PRN 98-10 and it has been determined that the action(s) requested falls within the scope of PRN 98-10. Our records have been duly noted, and the letter submitted with this application has been stamped "Notification, received and reviewed" and will be placed accordingly in our records.

Questions concerning this action should be directed to Ms. Diana Hudson at (703) 308-8713 or email at HUDSON.DIANA@EPA.GOV.

Sincerely,

Sheryl K. Reilly

Sheryl K. Reilly, Ph.D., Chief
Microbial Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other:	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 66330-280	2. EPA Product Manager PATRICIA MOE PM# <u>92</u>	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) MEPLUS™ CONCENTRATE		
5. Name and Address of Applicant (Include ZIP Code) Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513 <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. _____ NOTIFICATION Product Name _____ Date Reviewed: 3-6-09

Section - II

Reviewed By: D. Hudson

<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.)


Notification of label change per PR Notice 2007-4. This notification is consistent with 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 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment 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.

Notification of label change per PR Notice 98-10. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this 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:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <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 <p style="text-align: center;">1.0 gal., 2.5 gal., 5.0 gal</p>	
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"/> Other <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Bill Washburn	Title Regulatory Manager	Telephone No. (Include Area Code) 901-432-5118
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 Regulatory Manager	
4. Typed Name Bill Washburn	5. Date 01/28/09	



January 28, 2009

Ms. Patricia Moe
Document Processing Desk (NOTIF)
Office of Pesticide Programs – 7504P
U.S. Environmental Protection Agency
One Potomac Yard, Room S-4900
2777 South Crystal Drive
Arlington, VA 22202

Subject: MEPLUS™ CONCENTRATE

EPA Reg. No. 66330-280

***Notification of Label Change per PR Notice 2007-4
and PR Notice 98-10***

Dear Ms. Moe:

Please find the following enclosed:

- Application for Pesticide Registration (Other) dated 01/28/09.
- One highlighted copy of subject label, showing all changes.
- One clean copy of the subject label.

Notification of label change per PR Notice 2007-4. This notification is consistent with 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 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment 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.

Also in this submission, we are using PR Notice 98-10 to update the name of the company, emergency telephone numbers and warranty. Arysta LifeScience North America Corporation was changed to Arysta LifeScience North America, LLC.

Please acknowledge acceptance of this notification by stamping the extra copy of this letter and returning in the enclosed self-addressed stamped envelope. Should you have any questions or comments, please do not hesitate to contact me at 901-432-5118 or by e-mail at bill.washburn@arystalifescience.com

Sincerely,

Bill Washburn
Regulatory Manager

MEPPLUS™ CONCENTRATE

NOTIFICATION

Plant growth regulator for use on cotton

Date Reviewed: 3-6-09

ACTIVE INGREDIENTS:

Reviewed By: D. Hudson

<i>Bacillus cereus</i> , Strain BP01.....	0.052%
Mepiquat Chloride	23.500%
OTHER INGREDIENTS:	76.468%
TOTAL	100.000%

Contains a minimum of 1.7 x 10⁹ colony-forming units per fluid ounce.
Contains 2 pounds of mepiquat chloride per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

IF IN EYES: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

IF ON SKIN OR CLOTHING: 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.

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 INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

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

FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE CALL: 1-866-303-6952

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident call CHEMTREC 1-800-424-9300

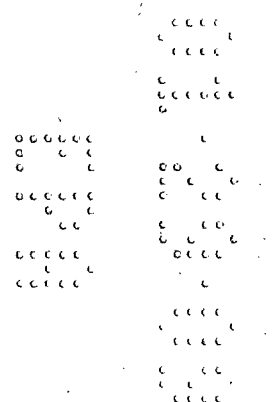
See Additional Precautionary Statements on rear panel

EPA Reg. No. 66330-280

EPA Est. No. 51036-GA-1

Deleted: 51036-299

NET CONTENTS:



CHEMIGATION PROHIBITION

Do not apply this product through any type of irrigation system.

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. When exposed to potentially high concentrations of living microbial products such as this, all mixer/loaders and other handlers must wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C) or a NIOSH approved respirator with any N, R, P or HE filter.

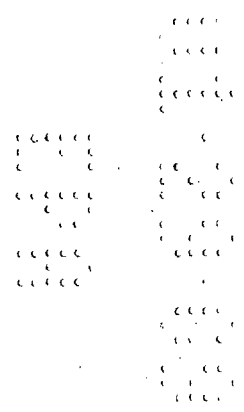
AGRICULTURAL USE REQUIREMENTS

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 and restricted-entry intervals. 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 12 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:

1. Coveralls
2. Chemical-resistant gloves (made of any water-proof material)
3. Shoes plus socks



dilution rate that achieves thorough coverage of available plant foliage up to the point of runoff.

SPRAY MIX VOLUMES

DILUENT	MINIMUM PER ACRE	MAXIMUM PER ACRE	COMMENTS
WATER	2 gallons (aerial) 10 gallons (ground)	10 gallons (aerial) 60 gallons (ground)	Use minimum of 5 gallons in California for aerial.
OIL, petroleum or vegetable Aerial only	2 pints	4 pints	Application in oil is permitted only in AL, AR, FL, GA, LA, MO, MS, NC, OK, SC, TN and TX. If using a vegetable oil, only highly refined concentrates should be used containing sufficient amount of emulsifier to insure adequate mixing. Mix under constant agitation. Pour 1/2 of the required volume of oil into the spray tank, and then pour in the MEPPLUS CONCENTRATE before the remainder of the oil is added. Constant agitation is required during mixing and application.

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses or to applications using dry formulations.

1. The distance of the outer most nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.

Where states have more stringent regulations, they should be observed.

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AERIAL DRIFT REDUCTION ADVISORY INFORMATION

Information on Droplet Size

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

Controlling Droplet Size

Volume - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.

Pressure - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.

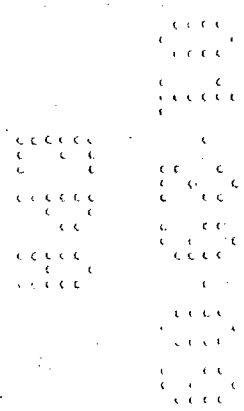
Number of Nozzles - Use the minimum number of nozzles that provide uniform coverage.

Nozzle Orientation - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.

Nozzle Type - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length

For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.



Application Height

Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment

When applications are made with a crosswind, the swath will be displaced downward. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

Wind

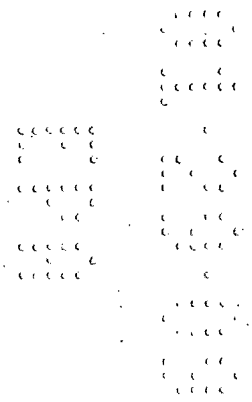
Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions

Applications should not occur during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low



wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

Sensitive Areas

The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g. residential areas, bodies of water, known habitat for threatened or endangered species, non-target crops) is minimal (e.g. when wind is blowing away from the sensitive areas).

RAIN WASH-OFF PRECAUTION

Thorough coverage of foliage is required for MEPPLUS CONCENTRATE to be effective. The use of a high quality surfactant will enhance coverage and the uptake of MEPPLUS CONCENTRATE into the plant. It will allow applications to be made as little as 4 hours prior to rainfall to be effective. Without a surfactant, the product should be used at least 8 hours prior to expected rainfall.

COMPATIBILITY

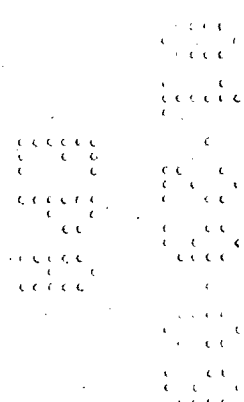
MEPPLUS CONCENTRATE is water based, and is compatible with most insecticides and miticides. If compatibility is in doubt, perform a standard jar test (mix all ingredients in a clear glass jar in approximate ratios intended for field application) to check for compatibility. MEPPLUS CONCENTRATE can be used with foliar fertilizers if your prior experience shows the combination is compatible and will not injure cotton under your conditions. Care should be used when applying with foliar fertilizers under conditions of extreme heat.

RESTRICTIONS AND LIMITATIONS

- * For use on short-staple and long-staple (Pima) cotton only.
- * Do not apply more than 8.5 fl. oz. of MEPPLUS CONCENTRATE per acre per season. Do not exceed 6 applications per season. The sum of all products and formulations containing mepiquat chloride must not exceed 2.1 ounces (60 grams) of mepiquat chloride a.i. per acre per season.
- * Do not apply MEPPLUS CONCENTRATE within 30 days of harvest.
- * Do not graze or feed cotton forage to livestock.
- * Do not plant another crop within 75 days after last treatment.

LOW RATE MULTIPLE APPLICATIONS

Use these instructions when you want to maintain maximum flexibility in plant growth regulation.



NOTE: Do not exceed a total of 8.5 fl. oz. of MEPPPLUS CONCENTRATE per acre per season.

APPLICATION	RATE PER ACRE	COMMENTS
FIRST	1/3 - 2/3 fl. oz.	Apply at the matchhead square stage of growth.
SECOND	1/3 - 2/3 fl. oz.	7-14 days later, or when regrowth occurs.
THIRD	1/3 - 1 1/3* fl. oz.	7-14 days later, or when regrowth occurs.
FOURTH	1/3 - 2* fl. oz.	7-14 days later, or when regrowth occurs.
FIFTH (If needed)	2/3 - 2* fl. oz.	7-14 days later, or when regrowth occurs.
SIXTH (If needed)	1/3 - 4* fl. oz.	Use the lower rate range on cotton with only moderate additional growth potential, and the higher rate range on fields likely to continue vigorous growth. Refer to Late Season Application section.

* Use the higher rate range if previous application was not made or if growing conditions favor excessive growth.

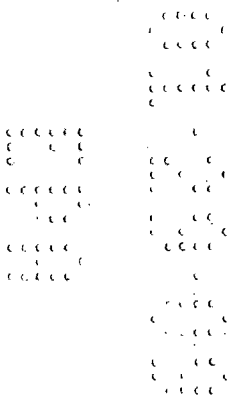
HIGH RATE SINGLE OR MULTIPLE APPLICATIONS

(Except Texas outside Rio Grande Valley and Oklahoma)

Use these instructions when you are not able to start growth regulation treatments early, or when you want to make the fewest number of applications.

NOTE: Do not exceed a total of 8.5 fl. oz. of MEPPPLUS CONCENTRATE per acre per season.

APPLICATION	RATE PER ACRE	COMMENTS
FIRST	1/3 - 2/3 fl.oz.	Apply when cotton is actively growing and is between 20" and 30" tall, but not more than 7 days beyond early bloom (5-6 blooms per 25 row feet). Also apply if cotton is 24" tall and has no blooms. Use the 1/3 oz. rate on the cotton where excessive vegetative growth is not expected. Use 2 2/3 oz. where excessive growth has historically occurred.
SECOND	1 1/3 - 2 2/3 fl. oz.	Make another application in 2 to 3 weeks if additional growth control is desired.



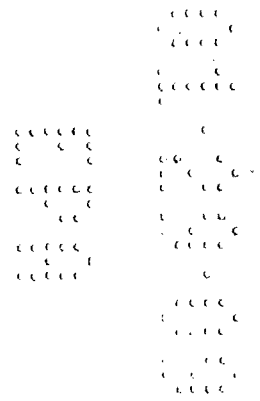
APPLICATION	RATE PER ACRE	COMMENTS
THIRD	1 1/3 - 2 2/3 fl. oz.	If the cotton field has a history of vigorous growth or if conditions continue to favor vigorous growth, apply a third application 1 to 2 weeks after the second application.
FOURTH	1 1/3 - 4 fl. oz.	Use the lower rate range on cotton with only moderate additional growth potential, and the higher rate range on fields likely to continue vigorous growth. Refer to Late Season Application section.

**HIGH RATE SINGLE OR MULTIPLE APPLICATIONS
(Texas outside Rio Grande Valley and Oklahoma)**

Use these instructions when you are not able to start growth regulation treatments early, or when you want to make the fewest number of applications.

NOTE: Do not exceed a total of 8.5 fl. oz. of MEPLUS CONCENTRATE per acre per season.

APPLICATION	RATE PER ACRE	COMMENTS
FIRST	1 1/3 - 2 2/3 fl. oz.	Apply when cotton is in the early bloom stage (5-6 blooms per 25 row feet) and actively growing. Also apply if no blooms are present and the cotton is 20" tall and actively growing. Use the 1 1/3 oz. rate on cotton without a history of excessive vegetative growth. Use up to 2 2/3 oz. where excessive growth has historically occurred.
SECOND	1 1/3 - 2 2/3 fl. oz.	Make second application in 2 to 3 weeks if additional growth control is indicated. Use the 1 1/3 oz. rate on cotton without a history of excessive vegetative growth. Use up to 2 2/3 oz. where excessive growth has historically occurred.
THIRD	1 1/3 - 2 2/3 fl. oz.	If the cotton field has a history of vigorous growth or if conditions continue to favor vigorous growth, apply a third application 1 to 2 weeks after the second application. Use the 1 1/3 oz. rate on cotton without a history of excessive vegetative growth. Use up to 2 2/3 oz. where excessive growth has historically occurred.



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APPLICATION	RATE PER ACRE	COMMENTS
FOURTH	1 1/3 - 4 fl. oz.	Use the lower rate range on cotton with only moderate additional growth potential, and the higher rate range on fields likely to continue vigorous growth. Refer to Late Season Application section.

LATE SEASON APPLICATION

Late season application of MEPPLUS CONCENTRATE (approximately during the fourth to sixth week of blooming) can provide certain benefits to cotton. However, it should not and does not substitute for early season use, the time of the greatest benefit from the use of MEPPLUS CONCENTRATE. Late season application will reduce late season vegetative growth or regrowth after cutout or defoliation. A late season application of MEPPLUS CONCENTRATE should be applied only if fields are not drought or nutrient stressed; that is, those fields likely to experience additional vegetative growth or regrowth. However, fields that are very rank and extremely vigorous due to a combination of poor boll load and excellent growing conditions may not respond as much as desired to late season applications at the suggested rates.

Timing for Late Season Applications.

A. On fields where cotton cuts out (has ceased vegetative growth) and then starts regrowth: apply when regrowth begins, as evidenced by new leaves in the terminal and stem elongation. This would often, but not always, be in the period of 5-6 weeks after the first bloom.

B. On fields where cotton never completely cuts out: apply MEPPLUS CONCENTRATE when there are 4-6 nodes above the white flower (NAWF). Measure NAWF by counting the number of mainstem nodes from the first position white bloom (the one closest to the mainstem) to the terminal. Count the node with the first position white bloom as zero and the last node in the terminal, which is counted, should have a leaf at least the size of a quarter. Generally, the NAWF first reaches 4-6 during the fourth to sixth week of bloom. During this time period, the NAWF should be decreasing about one node every 5-6 days - if its rate of decrease is less, this means that the plant is not cutting out soon enough (the crop is too vigorous). If the fifth week of bloom arrives and NAWF is still above 5-6, apply MEPPLUS CONCENTRATE.

