

67238-1

03/12/1998

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

MAR 12 1998

Ms. Christina Griffin  
Hot Pepper Wax, Inc.  
c/o Delta Analytical Corp.  
7910 Woodmont Avenue, Suite #1000  
Bethesda, MD 20814

Subject: Label Amendment for Hot Pepper Wax™  
EPA Reg. 67238-1

Dear Ms. Griffin:

We have completed our review of your application dated December 12, 1997 proposing label amendments adding use directions for hose-end spray applications and a zero re-entry interval. These label amendments are acceptable.

However, we do object to the use of the terms "natural" and "naturally" in the labeling text on the box packaging this product. We do not permit the use of these terms in the labeling of all biopesticide products, because the Agency considers these terms to be misleading and may be misconstrued by consumers as a safety claim. According to 40 CFR 156.10(a)(5), such comparative terms on safety are false and misleading and must be deleted from the label of you product (i.e., product label of Hot Pepper Wax™ and accompanying packaging).

A stamped copy of the label is enclosed for your records. Please make the labeling changes listed above and submit one copy of final printed labeling (i.e, product label of Hot Pepper Wax™ and accompanying packaging) before you release the product for shipment.

Questions regarding our decision should be directed to Richard King at (703) 308-8052.

Sincerely,



Janet L. Andersen, Ph.D.

Director

Biopesticides and Pollution

Prevention Division (7511W)

SYMBOL	7511	7511W					
SURNAME	RW King	JL Andersen					
DATE	3/10/98	3/10/98					

## PRECAUTIONARY STATEMENTS

### **Hazards to Humans and Domestic Animals**

Caution. Causes eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

### **Applicators and other handlers must wear:**

- A. Long-sleeved shirt and long pants
- B. Waterproof gloves
- C. Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

### **Statements of Practical Treatment**

IF IN EYES: Flush eyes with plenty of water. Call a physician if irritation persists.

### **Environmental Hazards**

This product may be toxic to aquatic organisms. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of wastes.

### **Storage and Disposal**

Do Not Contaminate Water, Food or Feed by Storage or Disposal.

Pesticide Disposal: Wastes resulting from this product may be disposed of on site or at an approved waste disposal facility.

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.

# HOT PEPPER WAX

**Insect and Animal Repellent for Fruits, Vegetables,  
and Indoor and Outdoor Ornamentals**

**Repels Rabbits and Tree Squirrels  
From the Yard and Garden**

### **Concentrate**

ACTIVE INGREDIENT	
Capsaicin and other capsaicinoids*	0.00018%
INERT INGREDIENTS	<u>99.99982%</u>
TOTAL	100.0 %

\* Includes 0.00012% capsaicin and 0.00006% other capsaicinoids

**Made From Hot Cayenne Peppers**

This product contains 0.0000144 lbs. of Active Ingredient per Gallon

**KEEP OUT OF REACH OF CHILDREN**

## **CAUTION**

EPA Reg. No. 67238-1 EPA Est. No. 67238-PA-0003

Net Contents:

Manufactured by:  
Hot Pepper Wax, Inc.  
305 Third Street  
Greenville, PA 16125

Toll Free Number: 888-667-3785  
Internet Address: <http://www.hotpepperwax.com>

Produced Under Patents:

United States No.: 5,466,459 Canada No.: 2,116,237  
New Zealand No.: 254,436 Australia No.: 46487/93  
Other Patents Pending

## DIRECTIONS FOR USE

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

### **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 of training, decontaminating, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) 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 until the restricted entry interval of 0 hours after the spray has dried.

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, and shoes plus socks.

ACCEPTED  
COMMENTS  
in EPA Letter Dated

03/12/98  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
67238-1

**DIRECTIONS FOR USE (cont.):**

**Use Restrictions:**

**INSECTS:** Hot Pepper Wax repels aphids, spider mites, thrips, leaf miners, whiteflies, lace bugs, leathoppers and scale from fruits and vegetables including: citrus fruits, root and tuber vegetables, bulb vegetables, leafy vegetables, brassica (cole) leafy vegetables, legume vegetables, fruiting vegetables and curcubit vegetables. It also can be used on all indoor and outdoor ornamental plants.

**RABBITS AND TREE SQUIRRELS:** Hot Pepper Wax repels rabbits and tree squirrels from the plants listed above and from wooden structures and fences.

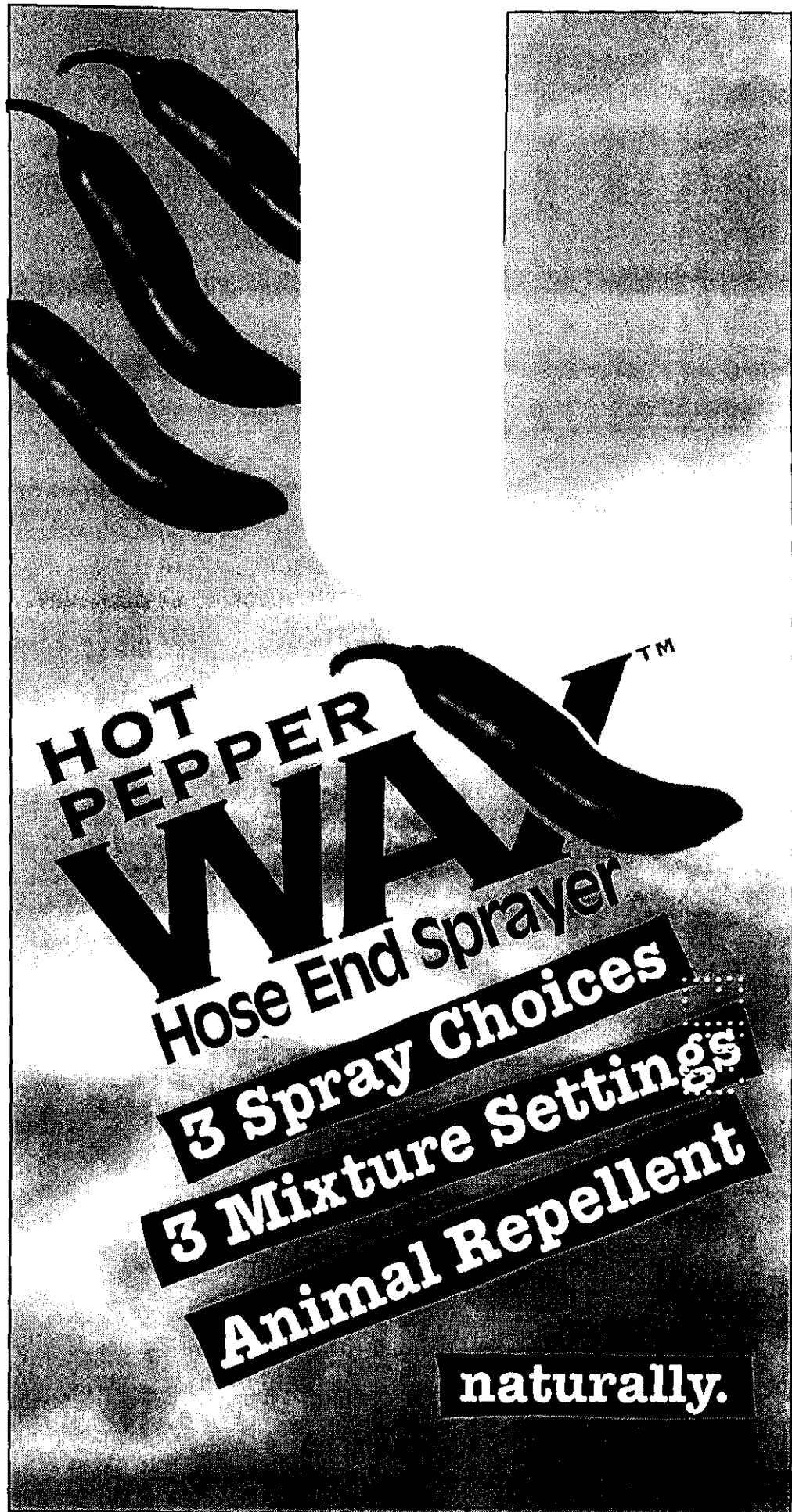
**ALL USES:** Apply Hot Pepper Wax using spray equipment. Do not apply Hot Pepper Wax through any type of irrigation system.

**Mixing, Application, and Retreatment Directions for Plants:** Apply Hot Pepper Wax, as diluted below, as a foliar spray to the leaves, stems, fruits, and flowers of the plant until wet. Do not drench roots in soil or media. Do not apply when rain is expected within 24 hours.

**IF TREATMENT AREA IS LESS THAN 1 ACRE:** INITIAL rate is 1 part Hot Pepper Wax to 16 parts WATER (8 oz. or 16 Tbs. per gallon of water). Apply until foliage is wet or a maximum of 3 gallons prepared solution per 1000 square feet. Repeat application in 3-7 days, for 2-3 weeks, until control is established. ONCE CONTROL IS ESTABLISHED use MAINTENANCE rate of 1 part Hot Pepper Wax to 32 parts WATER (4 oz. or 8 Tbs. per gallon of water) every 2-4 weeks, as necessary to maintain control.

**IF TREATMENT AREA IS 1 ACRE OR MORE:** INITIAL rate is a maximum of 6 gallons Hot Pepper Wax to a minimum 100 gallons WATER per acre. Apply until foliage is wet. Repeat application, if necessary, in 1 to 2 weeks, until control is established. ONCE CONTROL IS ESTABLISHED use MAINTENANCE rate of 2 gallons Hot Pepper Wax to a minimum 100 gallons WATER per acre, every 2-4 weeks, as necessary to maintain control.

**Mixing, Application, and Retreatment Directions for Wooden Structures and Fences:** Mix 8 ounces (16 Tbs.) per gallon of water. Apply until surface is wet. Repeat application, if necessary in 1 to 2 weeks, until control is established. Once control is established, apply every 6 to 8 weeks to previously sprayed surfaces.



# HOT PEPPER WAX™

Hose End Sprayer

3 Spray Choices

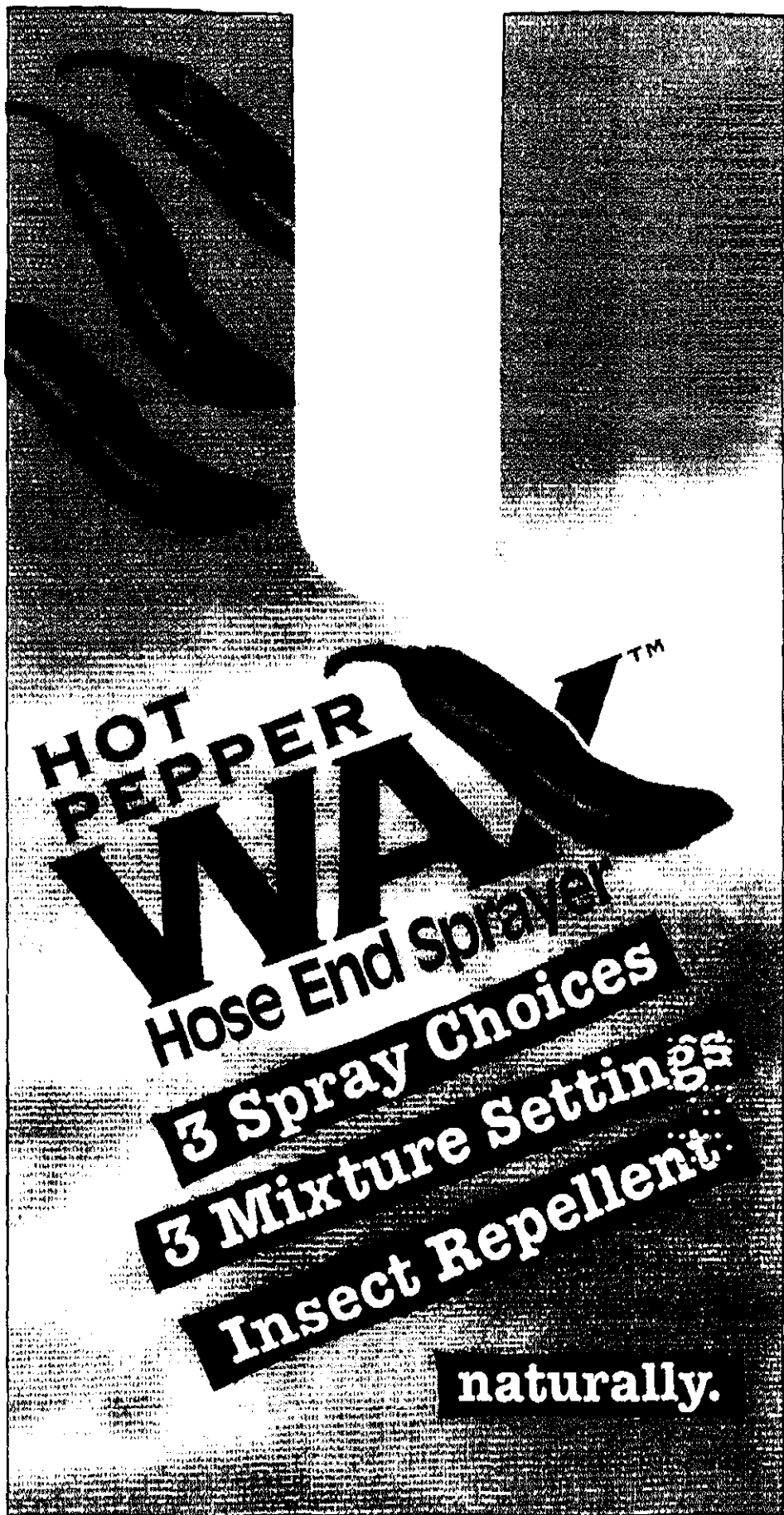
3 Mixture Settings

Animal Repellent

naturally.

ACCEPTED  
with COMMENTS  
In EPA Letter Dated  
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Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
62723-1

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**HOT PEPPER**  
**WAX™**

**Hose End Sprayer**

**3 Spray Choices**

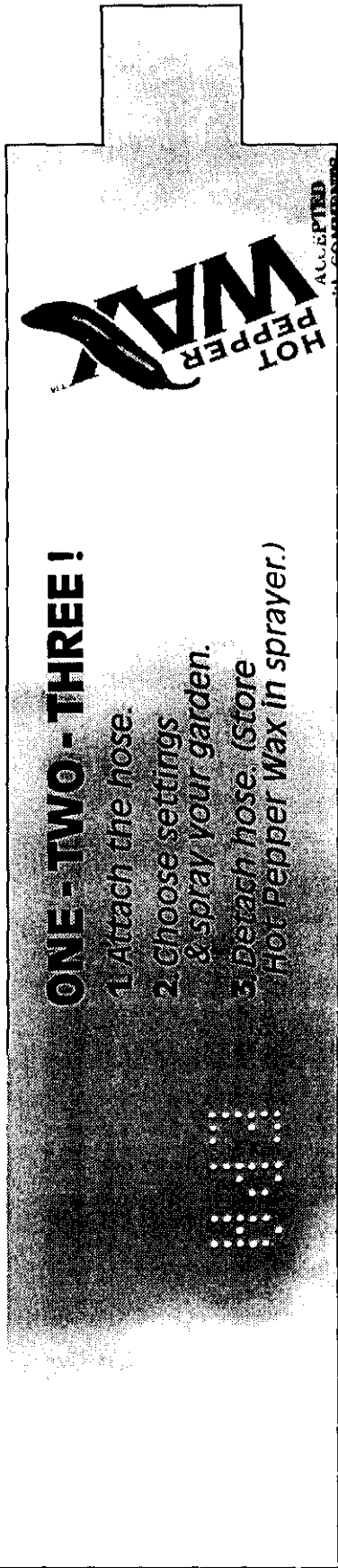
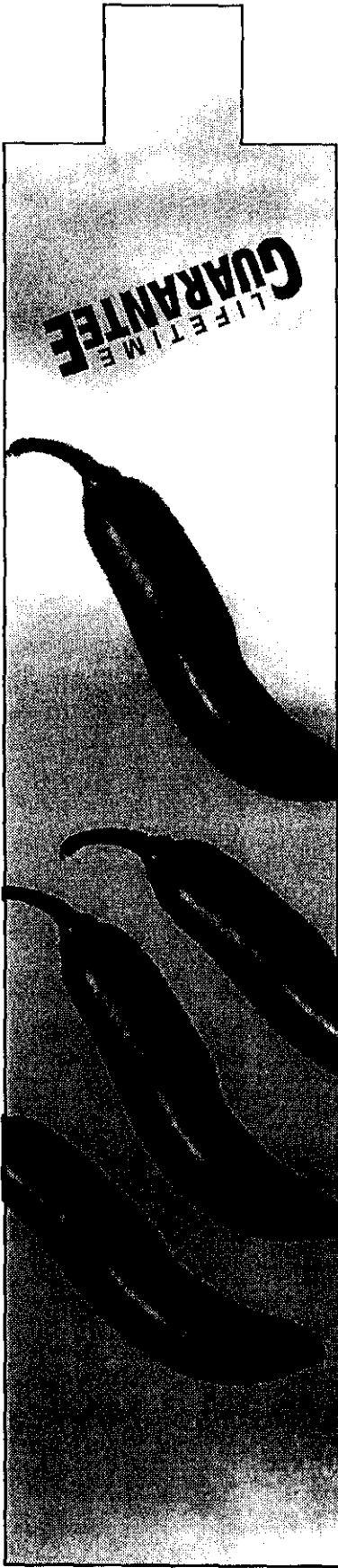
**3 Mixture Settings**

**Insect Repellent**

**naturally.**

ACCEPTED  
 with COMMENTS  
 in EPA Letter Dated  
 03/12/98

Under the Federal Insecticide,  
 Fungicide, and Rodenticide Act  
 as amended, for the pesticide  
 registered under EPA Reg. No.  
 67230-1



**ONE-TWO-THREE!**

- 1. Attach the hose.
- 2. Choose settings & spray your garden.
- 3. Detach hose. (store Hot Pepper Wax in sprayer.)

ACCEPTED  
with COMMENTS  
In EPA Letter Dated

03/12/98

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

62238-1

ACCEPTED  
with COMMENTS  
In EPA Letter Dated

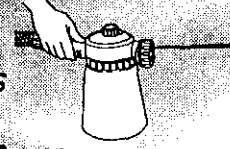
03/12/98  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
69738-1

# Hose End Sprayer

## 3 spray choices

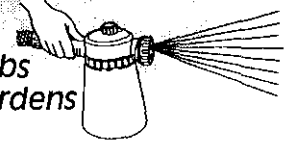
### Jet Stream

-for  
fruit  
trees



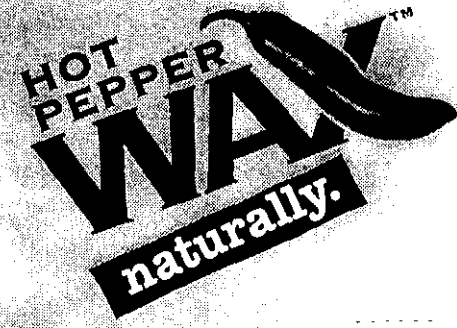
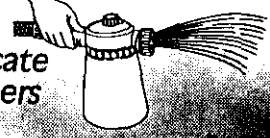
### Fan Spray

-for  
shrubs  
& gardens



### Gentle Rain

-for  
delicate  
flowers



## 3 Mixture Settings

From Heavy Control thru Light Maintenance.

Ratio:	1:16	1:32	1:64
Coverage:	1650 to 2175 Sq Ft	3300 to 4350 Sq Ft	6612 to 8700 Sq Ft

Manufactured by: HOT PEPPER WAX, INC.

305 Third Street, Greenville, PA 16125 • Toll Free 1-888-NO PEST-5 (866-867-3785) • Internet address: <http://www.hotpepperwax.com>

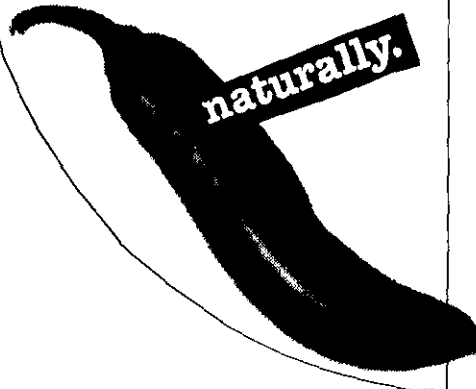
OFF



ON

# HOT PEPPER WAX™

- ▶ Adheres to plants longer – does not wash off in rain.
- ▶ Can be used right through harvest day.
- ▶ Natural, responsible protection.



ACCEPTED COMMENTS  
In EPA Letter Dated

03/12/98  
Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 67238-1



# LIFETIME GUARANTEE

ACCEPTED  
with COMMENTS  
In EPA Letter Dated  
03/12/98  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended for the pesticide  
registered EPA Reg. No.  
62238-1

The Hot Pepper Wax Hose End  
Sprayer is designed to last a lifetime  
and we guarantee it. If you are ever  
dissatisfied with the performance of  
this sprayer we will replace it - no  
questions asked.

## Wax or Water

Your choice. With twin controls  
at your fingertips, you can turn the  
mixture setting to "Off" & spray only  
water without removing the sprayer  
from your hose.

No clog.

Simple.

