

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

2/16/07

67238-1

Christina Griffin
 Agent for Hot Pepper Wax, Inc.
 Delta Analytical Corporation
 12510 Prosperity Drive, Suite 160
 Silver Spring, MD 20904

**Subject: Hot Pepper Wax
 EPA Reg. No. 67238-1, and
 EPA Reg. No. 67238-2
 Notification of Label Revisions Dated November 6, 2006 (EPA submission # 801573
 & 801585)**

Dear Ms. Griffin:

The Biopesticides and Pollution Prevention Division (BPPD) is in receipt of the above applications for Notification under Pesticide Registration Notice (PRN) 98-10. A preliminary screen of the applications have been conducted for applicability under PRN 98-10 and the Agency has determined that **your proposed action to delete the 1-800-CLEANUP number from the storage and disposal section of the residential portion of each label is acceptable (see PRN 2001-6).**

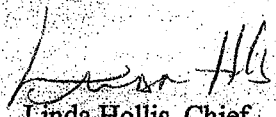
Likewise, , **your proposal to add the language "protects foliage from moisture loss" to products carrying EPA registration numbers 67238-1, and EPA Reg. No. 67238-2 is acceptable under PR Notice 98-10 (Sec. IV, F).**

However, we suggest that you update the CSFs (dated 1997) for each product---specifically column 15 (purpose in formulation)--to accurately indicate the purpose of each listed inert ingredient. Also, please note that updated CSFs will be required should you submit any future applications for amendments to these products.

Please submit three (3) copies of the corrected CSFs along with three (3) copies of your final printed labeling before you release the product for shipment.

If you have questions concerning this letter or need additional information, you may contact Cheryl Greene at 703 308-0352 or by email at green.cheryl@epa.gov.

Sincerely,



Linda Hollis, Chief
 Biochemical Pesticides Branch
 Biopesticides and Pollution Prevention Division (7511P)

CONCURRENCES

SYMBOL	cc: Cheryl Greene						
SURNAME	Greene						
DATE	2/16/07						

**[Master Label - encompassing
Sublabel A (Commercial/Ag Use label) and
Sublabel B (Residential Use label)]
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%
OTHER INGREDIENTS	<u>99.99982%</u>
TOTAL	100.00 %

*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

See side panel for first aid and precautionary statements.

EPA Reg. No.: 67238-1

EPA Est. No.: 67238-PA-003

NET CONTENTS: [(16 fl. oz.)(473.2ml)] [(32 fl. oz.)(946.4ml)]
[(1 gallon) (3.79 liters)] [(5 gallon)(18.95 liters)]

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

[Phone][Toll Free] number: [724-646-2300] [800-627-6840]
Internet Address: www.hotpepperwax.com

Produced Under Patents:

United States No.: 5,466,459 Canada No.: 2,116,237 New Zealand No.: 254,436
Euro. No. 0600080 AT/BE/CH/DE/DK/ES/FR/GB/IE/IT/LI/LU/MC/NL/PT/SE
Australia No.: 46487/93
Other Patents Pending

Brackets indicate explanatory information and will not be on the printed label.

Page 1 of 12

[Sublabel A: (Commercial/Ag Use label)]

FRONT PANEL – INSECT AND ANIMAL]

Hot Pepper Wax

**Insect and Animal Repellent
for Fruits, Vegetables,
and Indoor and Outdoor Ornamentals
Repels Rabbits and Tree Squirrels
[optional:] Protects foliage from moisture loss**

Concentrate

ACTIVE INGREDIENT

Capsaicin and other capsaicinoids*

0.00018%

OTHER INGREDIENTS

99.99982%

TOTAL

100.00 %

*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

See side panel for first aid and precautionary statements.

EPA Reg. No.: 67238-1

EPA Est. No.: 67238-PA-003

NET CONTENTS: [(32 fl. oz.)(946.4ml)]
[(1 gallon) (3.79 liters)] [(5 gallon)(18.95 liters)]

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

Toll Free number: 800-627-6840
Internet Address: www.hotpepperwax.com

Produced Under Patents:

United States No.: 5,466,459 Canada No.: 2,116,237 New Zealand No.: 254,436

Euro. No. 0600080 AT/BE/CH/DE/DK/ES/FR/GB/IE/IT/LI/LU/MC/NL/PT/SE

Australia No.: 46487/93

Other Patents Pending

Brackets indicate explanatory information and will not be on the printed label.

Page 2 of 12

[Sublabel A: (Commercial/Ag Use label), continued:

SIDE PANEL - INSECT & ANIMAL]

Hot Pepper Wax

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

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

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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. Contact 1-800-222-1222 for emergency medical treatment information.	

Personal Protective Equipment (PPE)

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.

User Safety Recommendations

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should 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

This product is toxic to fish, aquatic invertebrates, oyster and shrimp. Drift and runoff may be hazardous to aquatic organisms in waters adjacent to treated areas. 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 when disposing of equipment washwaters or rinsate.

[Sublabel A: (Commercial/Ag Use label) continued:

SIDE PANEL – INSECT & ANIMAL]

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.

[INSECT ONLY]

Hot Pepper Wax repels aphids, cabbage loopers, beet army worms, spider mites, thrips, whiteflies, lace bugs, leafhoppers and scale.

USES: Use Hot Pepper Wax to repel insects from fruit and vegetable plants, indoor/outdoor ornamentals, and grasses. Avoid use on Variegated African Violets, Sweet Basil, Parsley, Dicentra eximia, and fruit trees when in the pink bud stage until after the petals fall.

MIXING: Shake Hot Pepper Wax thoroughly before combining with water. When mixing solutions larger than 5 gallons, add the product to the tank before adding the water.

RATE: Mix Hot Pepper Wax with water at the rate of 1 part Hot Pepper Wax to 32 parts water. Vary this rate according to need. If the infestation is heavy, use the double rate until the pests are controlled. Once pests are under control, reduce the rate to half for maintenance.

DOUBLE RATE* <i>(use when infestation is particularly heavy and more control is needed)</i>	NORMAL RATE	HALF RATE <i>(for maintaining repellency once pests are under control)</i>
1:16 (1 part product to 16 parts water)	1:32 (1 part product to 32 parts water)	1:64 (1 part product to 64 parts water)
<i>*Double rate not for greenhouse use; see below.</i>		

[Sublabel A: (Commercial/Ag Use label) continued:]

DIRECTIONS FOR USE (cont.): [INSECT ONLY]

APPLICATION: Apply Hot Pepper Wax using spray equipment as a foliar spray to the leaves, stems, fruits, and flowers of the plant until wet but not dripping. Good coverage of all portions of the plant will enhance repellency. Use 40 to 60 gallons per acre of the Hot Pepper Wax/water mixture (combined as discussed in the Rate section above) for row crops. Trees and ornamentals require more per acre depending on size and spacing (possibly 100 to 200 gallons per acre). Do not drench roots in soil or media. Do not apply Hot Pepper Wax through any type of irrigation system.

Do not apply when rain is expected within 24 hours. During hot and humid weather, spray plants in the evening. Avoid use when plants are stressed by drought. Discontinue use if burning occurs.

FREQUENCY: For best results, keep new growth coated. The repellency of Hot Pepper Wax is most effective on existing growth when applied every 7 to 14 days. However, more frequent application of up to every 3 days is appropriate when infestation is heavy. Use increased frequency only until pest numbers begin to decrease.

GREENHOUSE USE: Do not exceed the 1:32 rate in greenhouses. Avoid use of this product if greenhouse temperature will exceed 85°F before the product has dried. Use spray equipment that will allow spray to contact all foliage surfaces. Low pressure-high volume sprayers are most effective. Low volume applicators will require more frequent application.

[Sublabel A: (Commercial/Ag Use label) continued:]

DIRECTIONS FOR USE (cont.): [ANIMAL ONLY]

Hot Pepper Wax repels rabbits and tree squirrels

USES: Use Hot Pepper Wax to repel rabbits and tree squirrels from fruit and vegetable plants, indoor/outdoor ornamentals, and grasses. Avoid use on Variegated African Violets, Sweet Basil, Parsley, Dicentra eximia, and fruit trees when in the pink bud stage until after the petals fall. Hot Pepper Wax also is effective in repelling rabbits and tree squirrels from chewing on wooden structures and fences.

MIXING: Shake Hot Pepper Wax thoroughly before combining with water. When mixing solutions larger than 5 gallons, add the product to the tank before adding the water.

RATE: Mix Hot Pepper Wax with water at the rate of 1 part Hot Pepper Wax to 16 parts water (8 fl. oz. product to 1 gallon water).

APPLICATION: Apply Hot Pepper Wax using spray equipment as a foliar spray to the leaves, stems, fruits, and flowers of the plant until wet but not dripping. Good coverage of all portions of the plant is essential for repellency. Do not drench roots in soil or media. Do not apply Hot Pepper Wax through any type of irrigation system.

Do not apply when rain is expected within 24 hours. During hot and humid weather, spray plants in the evening. Avoid use when plants are stressed by drought. Discontinue use if burning occurs.

FREQUENCY: Frequency of application depends on the rate of plant growth and occurrence of feeding by the animals. For best results, keep new growth coated. If feeding occurs, reapply Hot Pepper Wax as soon as possible. Once feeding is under control, maintain repellency by re-spraying every 7 to 14 days.

WOODEN STRUCTURES AND FENCES: Hot Pepper Wax repels rabbits and tree squirrels from chewing on wooden structures and fences. Use a rate of 1 part Hot Pepper Wax to 16 parts water (8 fl. oz. product per 1 gallon of water). Apply until surface is wet. Repeat application as soon as possible after any nibbling is observed. Once control is established, reapply every 3 to 4 weeks.

[Sublabel B: (Residential Use label)]
FRONT PANEL – INSECT AND ANIMAL]

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
[optional:] Protects foliage from moisture loss**

Concentrate

ACTIVE INGREDIENT	
Capsaicin and other capsaicinoids*	0.00018%
OTHER INGREDIENTS	<u>99.99982%</u>
TOTAL	100.00 %

*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

See side panel for first aid and precautionary statements.

EPA Reg. No.: 67238-1

EPA Est. No.: 67238-PA-003

NET CONTENTS: [(16 fl. oz.)(473.2ml)] [(32 fl. oz.)(946.4ml)]

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

Phone number: 724-646-2300
Internet Address: www.hotpepperwax.com

Produced Under Patents:
United States No.: 5,466,459 Canada No.: 2,116,237 New Zealand No.: 254,430
Euro. No. 0600080 AT/BE/CH/DE/DK/ES/FR/GB/IE/IT/LI/LU/MC/NL/PT/SE
Australia No.: 46487/93

Brackets indicate explanatory information and will not be on the printed label.

Page 8 of 12

[Sublabel B: (Residential Use label), continued:

[SIDE PANEL: INSECT AND ANIMAL]

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Keep out of treated area until spray has dried.

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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. Contact 1-800-222-1222 for emergency medical treatment information.

ENVIRONMENTAL HAZARDS

This product is toxic to fish, aquatic invertebrates, oyster and shrimp. Drift and runoff may be hazardous to aquatic organisms in waters adjacent to treated areas. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

[Sublabel B: (Residential Use label), continued:

SIDE PANEL: INSECT AND ANIMAL

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

FOR RESIDENTIAL USE ONLY

[INSECT ONLY]

Hot Pepper Wax repels aphids, cabbage loopers, beet armyworms, spider mites, thrips, whiteflies, lace bugs, leafhoppers and scale.

USES: Use Hot Pepper Wax to repel insects from fruit and vegetable plants, indoor/outdoor ornamentals, and grasses. Avoid use on Variegated African Violets, Sweet Basil, Parsley, Dicentra eximia, and fruit trees when in the pink bud stage until after the petals fall.

MIXING: Shake Hot Pepper Wax thoroughly before combining with water.

RATE: Mix Hot Pepper Wax with water at the rate of 1 part of Hot Pepper Wax to 32 parts water. Vary this rate according to need. If the infestation is heavy, double the rate until pests are controlled. Once pests are under control, reduce the rate to half for maintenance.

DOUBLE RATE* <i>(use when infestation is particularly heavy and more control is needed)</i>	NORMAL RATE	HALF RATE <i>(for maintaining repellency once pests are under control)</i>
1:16 (1 part product to 16 parts water)	1:32 (1 part product to 32 parts water)	1:64 (1 part product to 64 parts water)
*Double rate not for greenhouse use; see below.		

APPLICATION: Apply Hot Pepper Wax using spray equipment as a foliar spray to the leaves, stems, fruits, and flowers of the plant until wet but not dripping. Good coverage of all portions of the plant will enhance repellency. Do not drench roots in soil or media. Do not apply Hot Pepper Wax through any type of irrigation system.

Do not apply when rain is expected within 24 hours. During hot and humid weather, spray plants in the evening. Avoid use when plants are stressed by drought. Discontinue use if burning occurs.

FREQUENCY: For best results, keep new growth coated. The repellency of Hot Pepper Wax is most effective on existing growth when applied every 7 to 14 days. More frequent application of up to every 3 days is appropriate when infestation is heavy. Use increased frequency only until pest numbers begin to decrease.

HOME GREENHOUSES: Do not exceed the 1:32 rate in greenhouses. Avoid use of this product if greenhouse temperature will exceed 85 F before the product has dried. Use spray equipment that will allow spray to contact all foliage surfaces.

[Sublabel B: (Residential Use label), continued:

SIDE PANEL: ANIMAL ONLY]

DIRECTIONS FOR USE (cont):

Hot Pepper Wax repels rabbits and tree squirrels

USES: Hot Pepper Wax repels rabbits and tree squirrels from fruit and vegetable plants, indoor/outdoor ornamentals, and grasses. Avoid use on Variegated African Violets, Sweet Basil, Parsley, Dicentra eximia, and fruit trees when in the pink bud stage until after the petals fall. Hot Pepper Wax also is effective in repelling rabbits and tree squirrels from chewing on wooden structures and fences.

MIXING: Shake Hot Pepper Wax thoroughly before combining with water.

RATE: Mix Hot Pepper Wax with water at the rate of 1 part Hot Pepper Wax to 16 parts water (8 fl. oz. product to 1 gallon water).

APPLICATION: Apply Hot Pepper Wax using spray equipment as a foliar spray to the leaves, stems, fruits, and flowers of the plant until wet but not dripping. Good coverage of all portions of the plant is essential for repellency. Do not drench roots in soil or media. Do not apply Hot Pepper Wax through any type of irrigation system.

Do not apply when rain is expected within 24 hours. During hot and humid weather, spray plants in the evening. Avoid use when plants are stressed by drought. Discontinue use if burning occurs.

FREQUENCY: Frequency of application depends on the rate of plant growth and occurrence of feeding by the animals. For best results, keep new growth covered. If feeding occurs, reapply Hot Pepper Wax as soon as possible. Once feeding is under control maintain repellency by re-spraying every 7 to 14 days.

WOODEN STRUCTURES AND FENCES: Hot Pepper Wax repels rabbits and tree squirrels from chewing on wooden structures and fences. Use a rate of 1 part Hot Pepper Wax to 16 parts water (8 fl. oz. product per 1 gallon of water). Apply until surface is wet. Repeat application as soon as possible after any nibbling is observed. Once control is established, reapply every 3 to 4 weeks.

[Sublabel B: (Residential Use label), continued:

SIDE PANEL: BOTH INSECT & ANIMAL]

DIRECTIONS FOR USE (cont):

STORAGE AND DISPOSAL

STORAGE: Store only in original container, in a dry place inaccessible to children and pets.

DISPOSAL:

If empty: Do not reuse this container. Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

WARRANTY

To the extent allowable by state law, buyer's guarantee limited to label claims.