

69117-3

01/15/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Kim Davis  
Consultant/Agent  
ArborSystems, Inc.  
c/o RegWest Company, LLC  
30856 Rocky Road  
Greeley, CO 80631-9375

JAN 15 2009

Subject: Label Notification(s) for Pesticide Registration Notice 98-10  
**Changes in Packaging and Related Labeling Statements**  
**Changes to Directions for Use**  
**Other Revisions**

Dear Ms. Davis:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 26, 2008 for:

**EPA Registration 69117-3**

**Shepherd Fungicide**

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 98-10 and finds that the label changes requested falls within the scope of PR Notice 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

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

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

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060.

United States <b>Environmental Protection Agency</b> 1200 Pennsylvania Avenue, N.W. Washington, DC 20460-0001	<input type="checkbox"/> <b>Registration</b> <input type="checkbox"/> <b>Amendment</b> <input checked="" type="checkbox"/> <b>Other</b>	OPP Identifier Number  <h2 style="text-align: center;">Notification</h2>
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### Application for Pesticide – Section I

1. Company/Product Number <b>EPA Reg. No. 69117-3</b>	2. EPA Product Manager <b>Mary L. Waller</b>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/ Product (Name) <b>SHEPHERD™ Fungicide</b>	PM # <b>21</b>	
5. Name and Address of Applicant (Include ZIP Code) <b>ArborSystems, Inc. c/o RegWest Company, LLC 30856 Rocky Road Greeley, CO 80631-9375</b> <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:  <b>NOTIFICATION</b> EPA Reg. No. _____ Product Name <b>JAN 15 2009</b>

### Section – II

<input type="checkbox"/> Amendment – Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification – Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other – Explain below.
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**Explanation:** Use additional page(s) if necessary. (For Section I and Section II.)

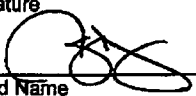
**Submit label revision notification per PR Notice 98-10.  
Refer to the Reference Label for an illustration of all label revisions  
(revisions related primarily to a change in container/packaging components).**

*This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR § 152.45, 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 U.S.C. Sec. 1001 to willfully make any false statement to the 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 product 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:				2. Type of Container	
Child Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
<b>*Certification must be submitted</b>	If "Yes" Unit Packaging Wt.	No. Per Container	If "Yes" Packaging Wt.	No. Per Container	<input type="checkbox"/> Glass
					<input checked="" type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify): _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container <b>4 fl. oz. (120 ml) and 1 qt. 2 fl. oz. (1000 ml)</b>		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"/> Stenciled <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Other <b>Self-adhesive booklet</b>					

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application).		
Name <b>Kim Davis, CC, APC, Manager</b>	Title <b>Consultant/Agent</b>	Telephone No. (Include Area Code) <b>(970) 353-0611</b> <b>kim@regwest.com</b>
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 <b>(Stamped)</b>
2. Signature 	3. Title <b>Consultant/Agent</b>	
4. Typed Name <b>Kim Davis, CC, APC, Manager</b>	5. Date <b>November 26, 2008</b>	

November 26, 2008

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



Dear Ms. Arrington:

**Subject:** ArborSystems, Inc.  
 Shepherd® Fungicide  
 EPA Reg. No. 69117-3

On behalf of **ArborSystems, Inc.**, RegWest Company, LLC is submitting the attached materials as notification of a label revision for subject product. RegWest will act as sole agent in this endeavor.

Attached are the following:

1. Application for Pesticide: Other (Notification)
2. One **Reference Label** (illustrating the revisions)
3. Two **New Labels** (incorporating the revisions)
4. Two sets of market labels

We are making several revisions to the labeling, primarily due to a change in packaging concepts. The previous packaging/container concepts were:

- For the 4 fl oz (120 ml) size: a box containing a chemical bottle (with reduced labeling) and an insert
- For the 1 qt 2 fl oz (1000 ml) size: a box containing a pouch.

The attached labeling reflects the current container concepts which are:

- For the 4 fl oz (120 ml) size: a collapsible pouch sealed in a closed plastic canister (i.e., the "pack"), which is then put in an outer box
- For the 1 qt 2 fl oz (1000 ml) size: a collapsible pouch in a sealed box (i.e., the "pack") which is then put in an outer box.

The 4 fl oz pack now has a booklet (instead of an insert) affixed to the canister and an outer box label (with reduced labeling). When used to inject chemical into trees, the pack is removed from the outer box and installed onto the delivery device. The 1 qt 2 fl oz pack now has a full label on the box (the pouch cannot be removed from the box without destroying the box) and an outer box label (with reduced labeling). The box has a connective tube. When used to inject chemical into trees, the pack is removed from the outer box and the tube is connected to the delivery device.

Please refer to the **Reference Label** for a complete illustration of all label revisions.

Please contact me at (970) 353-0611 or kim@regwest.com if you require additional information or have any questions.

Regards,  
**RegWest Company, LLC**

Kim Davis, CC, APC, Manager  
 Consultant/Agent

Attachments

cc: ASI - Doolittle, C.

30856 Rocky Road  
 Greeley, CO 80631-9375  
 970-353-0611  
 970-353-0613 Fax  
 Kim@regwest.com

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# SHEPHERD® Fungicide

{Affixed Booklet – Front Panel}

**SHEPHERD® Fungicide**  
An ArborSystems™ Direct-Inject™ Chemical

For systemic fungicide suppression of selected diseases in trees

**Active Ingredient:**

Propiconazole (CAS No. 60207-90-1) .....	14.3%
<b>Other Ingredients</b> .....	<u>85.7%</u>
<b>Total</b> .....	100.0%

Contains 0.5 oz. (14 grams) active ingredient per 4 fl. oz. (120 ml) pack.

**Net Contents: 4 fl. oz. (120 ml)**

**Keep Out of Reach of Children**  
**WARNING**  
See inside for additional precautionary statements and complete Directions for Use.

{Affixed Booklet}

**SHEPHERD® Fungicide**  
An ArborSystems™ Direct-Inject™ Chemical  
• Easy • No Drilling • Saves Time and Money

For systemic fungicide suppression of selected diseases in trees.  
For use by professional arborists/applicators.  
To be used only with the ArborSystems Direct-Inject Tree Injection System

**NOTIFICATION**

JAN 15 2009

ArborSystems™  
The No-Drill Injection Solution  
www.ArborSystems.com  
800-698-4641 • Fax: 402-339-5011  
P.O. Box 34645 • Omaha, NE 68134

Net Contents: 4 fl. oz. (120 ml)  
EPA Reg. No. 69117-3 • EPA Est. 69117-NE-1

**PRECAUTIONARY STATEMENTS**  
Hazards to Humans and Domestic Animals

**WARNING:** Causes substantial but temporary eye injury. Wear goggles or face shield. Causes skin irritation. Do not get in eyes, on skin or on clothing. Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing vapor. Wear rubber or neoprene gloves when handling this product. Thoroughly wash with soap and water after handling. Remove and wash contaminated clothing before reuse.

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### First Aid

<b>If in Eyes</b>	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>If on Skin or Clothing</b>	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Immediately rinse skin with plenty of water for 15-20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>If Swallowed</b>	<ul style="list-style-type: none"><li>• Immediately call a poison control center or doctor for treatment advice.</li><li>• Have person sip a glass of water if able to swallow.</li><li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
<b>If Inhaled</b>	<ul style="list-style-type: none"><li>• Move person to fresh air.</li><li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li><li>• Call a poison control center or doctor for further treatment advice.</li></ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
<b>Note to Physician:</b> If ingested, lavage stomach to avoid aspiration. A slurry of activated charcoal in water can be left in the stomach. Give a saline laxative and supportive therapy.	

{Note: The First Aid statements' grid format will be used if market label space permits; otherwise a paragraph format will be used.}

### Environmental Hazards

This product is toxic to fish. Do not apply directly to water, 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 wash waters.

### Physical or Chemical Hazards

Do not use or store near heat or open flame.

### DIRECTIONS FOR USE

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

**For use by professional arborists/applicators.**

### General Information

#### ArborSystems™ Direct-Inject™ Tree Injection System

The ArborSystems Direct-Inject Tree Injection System injects pesticides into a tree with minimal wounding. The system will inject chemicals into the area of bark separation where the chemical can be actively transferred to other parts of the tree. Injections made during the spring or summer will be more successful than waiting until the fall. Specifically, each tree needs to be inspected. The bark needs to be pliable and that depends upon local weather conditions.

It's right for the trees. It's right for the company (increase profits). Minimizes wounding, promotes long-term tree vigor. Protects tree vascular system. Allows for annual retreatment. Complete treatment in 3 minutes per tree. No waiting, drilling, spraying or mixing. Fast, easy and tree-friendly.

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Shepherd Fungicide is a systemic fungicide for use as an injection for prevention and treatment of (1) Oak wilt (*Ceratocystis fagacearum*) of Oak (*Quercus* spp.), (2) Dutch Elm disease (*Ceratocystis ulmi*) of Elms (*Ulmus* spp.), (3) Sycamore anthracnose (*Apiognomonia veneta*), and (4) leaf diseases (i.e., *Venturia inaequalis*, *Gymnosporangium juniperi-virginianae*, *Pucciniastrum goeppertianum*, etc.) of Crabapple (*Malus* spp.).

These fungi infect the vascular system and cause plugging throughout the tree. It is recommended that Shepherd Fungicide be administered by trained arborists or others trained in injection techniques and in the identification of Oak wilt and Dutch Elm disease. When possible, Shepherd Fungicide should be injected into flare roots to ensure even distribution throughout the vascular system of the tree.

**Important:** Oak trees exhibiting less than 20% crown loss from Oak wilt will have the best chance of responding to treatment with Shepherd Fungicide. Preventive application is more effective than therapeutic treatment in trees showing disease symptoms. Trees in advanced stages of disease development may not respond to treatment.

Trees exhibiting specific symptoms or symptomless trees immediately adjacent to a diseased tree should be considered infected. Symptomless trees separated by a primary plow line from diseased trees may be at less risk of infection. Do not use on sick plants or plants weakened by extreme environmental conditions such as heat, flooding, cold, etc.

Indications	Dosage
Treatment of Oak wilt disease for an uninfected Live Oak (not including Red Oak).	3-5 ml per injection site*
Treatment of Dutch elm disease for an uninfected Elm or Oak other than Live Oak.	5-10 ml per injection site*
Treatment of leaf diseases in Crabapple. Do not use fruit from treated trees for food or feed purposes.	1-2 ml per injection site*
Treatment of Anthracnose in Sycamore.	

\*The number of injection sites is based on 1 injection for every 3" to 5" of trunk circumference.

**Retreatment:** Record the level of disease in each tree prior to initial Shepherd Fungicide injection. Consider preventative applications 12 months after the initial injection. Reevaluate the disease level in all trees, particularly those in high disease risk areas or high-value trees, for possible retreatment 12 months after each treatment and/or on an annual basis.

**Notes:** (1) Accurate diagnosis of Oak wilt and Dutch Elm disease is important, since Shepherd Fungicide provides only suppression of the diseases listed on this label. (2) Shepherd Fungicide will be most effective when used in conjunction with other cultural practices recommended for management of Oak wilt and Dutch Elm disease (removal of dead elm trees, pruning of diseased tree limbs and branches, control of bark beetles, etc.). (3) If difficulty in keeping all of the chemical in per site is encountered, mark this site and move on to the others. When finished moving around to the trees, return to the marked tree and add the required amount of chemical needed.

### How to Use ArborSystems Direct-Inject Chemicals with ArborSystems Direct-Inject Tree Injection System

1. Use protective eyewear and rubber or neoprene gloves when handling or installing the ArborSystems Direct-Inject Tree Injection System.
2. Attach the chemical pack to the Direct-Inject unit.
3. Set the delivery volume on the unit.
4. Determine the thickness of the bark. Insert the Wedge<sup>®</sup> Tip into the fissure of the tree. If the tip penetrates more than the length of a WedgeChek<sup>™</sup> the injection will be made in the fissure. If the tip penetrates less than the length of a WedgeChek the injection will be made through the tight bark of the tree. On thin-barked trees you may find it necessary to insert the WedgeChek in only one-half as far as normal.
5. Insert the WedgeChek Punch into the tree. Remove the punch and squeeze the trigger to remove the bark core. Examine the core to make sure the core that has been removed is approximately the same length as the WedgeChek. Repeat this step while moving around the flare of the tree. Be sure to follow the label directions in this booklet to determine how many injection sites are needed on any given tree. Usually this is approximately 1 injection for every 3" to 5" of trunk circumference. Make WedgeChek insertions around the flare of the tree spacing evenly.
6. Place the WedgeChek on the protruding pin on the bottom of the grip, then insert the WedgeChek directly into the punched hole. The barbs on the WedgeChek will secure it in the tree.
7. Insert the Wedge Tip with a straight motion through the WedgeChek. Make sure the hole in the tip passes completely through the WedgeChek. As the tip is pushed through the WedgeChek and the bark, the blunt-edged tip automatically stops when it reaches the wood.
8. With a smooth motion, firmly squeeze both handles at the same time. This allows the bark to separate and the chemical to be deposited into the area. The WedgeChek plugs the hole, allowing the chemical to remain in the tree.
9. Slowly withdraw the tip and repeat this step while moving around the circumference of the tree.
10. Move laterally and make the next injection until the entire tree trunk has been treated. After the tree has taken up the chemical each WedgeChek can either be removed or left in the tree.

#### **Storage and Disposal**

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

**Pesticide Storage:** Store in original container in a cool, dry place. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Disposal:** Completely empty pack into application equipment, then dispose of empty pack in a sanitary landfill or if allowed by State and local authorities, by burning; if burned, stay out of smoke.

#### **Notice of Warranty**

ArborSystems warrants that this product conforms to the chemical description on the label and is reasonably fit for use under average conditions when used strictly in accordance with the directions on the labeling. ArborSystems does not make or authorize any agent or representative to make any other warranty, guarantee or representation, express or implied, concerning this product.

**ArborSystems<sup>™</sup>**  
**The No-Drill Injection Solution**  
**www.ArborSystems.com**  
**800-698-4641 • Fax: 402-339-5011**

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**P.O. Box 34645 • Omaha, NE 68134**  
Shepherd® Fungicide, Portle® and Wedgle® are registered trademarks of ArborSystems.  
ArborSystems™, Direct-Inject™ and WedgeChek™  
are trademarks of ArborSystems.  
Direct-Inject™ unit is protected by U.S. Patent #5,901,498  
Wedgle® Tip is protected by U.S. Patent #5,239,773  
WedgeChek™ is protected by U.S. Patent #5,797,215  
Portle® Tip is protected by U.S. Patent #7,178,286

[ ] Denotes alternate/optional language  
{ } Denotes language that does not appear on the market label

{Box Label}

**SHEPHERD® Fungicide**  
**An ArborSystems™ Direct-Inject™ Chemical**

For systemic fungicide suppression of selected diseases in trees.  
For use by professional arborists/applicators.  
To be used only with the ArborSystems Direct Inject Tree Injection System.

**Active Ingredient:**

Propiconazole (CAS No. 60207-90-1) .....	14.3%
<b>Other Ingredients</b> .....	<b>85.7%</b>
<b>Total</b> .....	<b>100.0%</b>

Contains 0.5 oz. (14 grams) active ingredient per 4 fl. oz. (120 ml) pack

**Keep Out of Reach of Children**  
**WARNING**  
See booklet for additional precautionary statements  
and complete Directions for Use.

**DIRECTIONS FOR USE**

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

The ArborSystems Direct-Inject units are designed to be used only with ArborSystems' pre-packed chemicals. Tampering with packs or contents may cause non-warranted damage to your injection system.

**Storage and Disposal**  
Do not contaminate water, food or feed by storage or disposal.  
**Pesticide Storage:** Store in original container in a cool, dry place. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.  
**Container Disposal:** Completely empty pack into application equipment, then dispose of empty pack in a sanitary landfill or if allowed by State and local authorities, by burning; if burned, stay out of smoke.

**Net Contents: 4 fl. oz. (120 ml)**



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EPA Reg. No. 69117-3 • EPA Est. 69117-NE-1

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800-698-4641 • Fax: 402-339-5011  
P.O. Box 34645 • Omaha, NE 68134

[ ] Denotes alternate/optional language  
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{Pack Label}

**SHEPHERD® Fungicide**  
An ArborSystems™ Direct-Inject™ Chemical

For systemic fungicide suppression of selected diseases in trees.

**Active Ingredient:**

Propiconazole (CAS No. 60207-90-1) .....	14.3%
<b>Other Ingredients</b> .....	<u>85.7%</u>
Total .....	100.0%
Contains 0.5 oz. (14 grams) active ingredient per 4 fl. oz. (120 ml) pack.	
[Contains 4.2 oz. (116.7 g) active ingredient per 1 qt. 2 fl. oz. (100 ml) pack.]	

**Keep Out of Reach of Children**  
**WARNING**  
See booklet [box label] for additional precautionary statements and complete Directions for Use.

**DIRECTIONS FOR USE**

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

The ArborSystems Direct-Inject units are designed to be used only with ArborSystems pre-packed chemicals. Tampering with packs or contents may cause non-warranted damage to your injection system.

**Storage and Disposal**  
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Net Contents: 4 fl. oz. (120 ml)  
[Net Contents: 1 qt. 2 fl. oz. (1000 ml)]

EPA Reg. No. 69117-3 • EPA Est. 69117-NE-1

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[ ] Denotes alternate/optional language  
{ } Denotes language that does not appear on the market label

{1 qt. 2 fl oz box label}

**SHEPHERD® Fungicide**  
An ArborSystems™ Direct-Inject™ Chemical  
• Easy • No Drilling • Saves Time and Money

For systemic fungicide suppression of selected diseases in trees.  
For use by professional arborists/applicators.  
To be used only with the ArborSystems Direct-Inject Tree Injection System.

**Active Ingredient:**

Propiconazole (CAS No. 60207-90-1) .....	14.3%
<b>Other Ingredients</b> .....	<u>85.7%</u>
<b>Total</b> .....	100.0%

Contains 4.2 oz. (116.7 grams) active ingredient per 1 qt. 2 fl. oz. (1000 ml) pack.

**Keep Out of Reach of Children**  
**WARNING**  
See to the right for additional precautionary statements.

**ArborSystems™**  
*The No-Drill Injection Solution*  
www.ArborSystems.com  
800-698-4641 • Fax: 402-339-5011  
P.O. Box 34645 • Omaha, NE 68134

Net Contents: 1 qt 2 fl oz (1000 ml)  
EPA Reg. No. 69117-3 • EPA Est. 69117-NE-1

**PRECAUTIONARY STATEMENTS**  
**Hazards to Humans & Domestic Animals**

**WARNING:** Causes substantial but temporary eye injury. Wear goggles or face shield. Causes skin irritation. Do not get in eyes, on skin or on clothing. Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing vapor. Wear rubber or neoprene gloves when handling this product. Thoroughly wash with soap and water after handling. Remove and wash contaminated clothing before reuse.

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### First Aid

<b>If in Eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on Skin or Clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Immediately rinse skin with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If Swallowed</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If Inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
<b>Note to Physician:</b> If ingested, lavage stomach to avoid aspiration. A slurry of activated charcoal in water can be left in the stomach. Give a saline laxative and supportive therapy.	

{Note: The First Aid statements' grid format will be used if market label space permits; otherwise a paragraph format will be used.}

### Environmental Hazards

This product is toxic to fish. Do not apply directly to water, 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 wash waters.

### Physical or Chemical Hazards

Do not use or store near heat or open flame.

### DIRECTIONS FOR USE

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

### General Information

#### ArborSystems™ Direct-Inject™ Tree Injection System

The ArborSystems Direct-Inject Tree Injection System injects pesticides into a tree with minimal wounding. The system will inject chemicals into the area of bark separation where the chemical can be actively transferred to other parts of the tree. Injections made during the spring or summer will be more successful than waiting until the fall. Specifically, each tree needs to be inspected. The bark needs to be pliable and that depends upon local weather conditions.

It's right for the trees. It's right for the company (increase profits). Minimizes wounding, promotes long-term tree vigor. Protects tree vascular system. Allows for annual retreatment. Complete treatment in 3 minutes per tree. No waiting, drilling, spraying, mixing or posting. Fast, easy and tree-friendly.

Shepherd Fungicide is a systemic fungicide for use as an injection for prevention and treatment of (1) Oak wilt (*Ceratocystis fagacearum*) of Oak (*Quercus* spp.), (2) Dutch Elm disease (*Ceratocystis ulmi*) of Elms

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(*Ulmus* spp.), (3) Sycamore anthracnose (*Apiognomonia veneta*), and (4) leaf diseases (i.e., *Venturia inaequalis*, *Gymnosporangium juniperi-virginianae*, *Pucciniastrum goeppertianum*, etc.) of Crabapple (*Malus* spp.).

These fungi infect the vascular system and cause plugging throughout the tree. It is recommended that Shepherd Fungicide be administered by trained arborists or others trained in injection techniques and in the identification of Oak wilt and Dutch Elm disease. When possible, Shepherd Fungicide should be injected into flare roots to ensure even distribution throughout the vascular system of the tree.

**Important:** Oak trees exhibiting less than 20% crown loss from Oak wilt will have the best chance of responding to treatment with Shepherd Fungicide. Preventive application is more effective than therapeutic treatment in trees showing disease symptoms. Trees in advanced stages of disease development may not respond to treatment.

Trees exhibiting specific symptoms or symptomless trees immediately adjacent to a diseased tree should be considered infected. Symptomless trees separated by a primary plow line from diseased trees may be at less risk of infection. Do not use on sick plants or plants weakened by extreme environmental conditions such as heat, flooding, cold, etc.

Indications	Dosage
Treatment of Oak wilt disease for an uninfected Live Oak (not including Red Oak).	3-5 ml per injection site*
Treatment of Dutch elm disease for an uninfected Elm or Oak other than Live Oak.	5-10 ml per injection site*
Treatment of leaf diseases in Crabapple. Do not use fruit from treated trees for food or feed purposes.	1-2 ml per injection site*
Treatment of Anthracnose in Sycamore.	

\*The number of injection sites is based on 1 injection for every 3" to 5" of trunk circumference.

**Retreatment:** Record the level of disease in each tree prior to initial Shepherd Fungicide injection. Consider preventative applications 12 months after the initial injection. Reevaluate the disease level in all trees, particularly those in high disease risk areas or high-value trees, for possible retreatment 12 months after each treatment and/or on an annual basis.

**Notes:** (1) Accurate diagnosis of Oak wilt and Dutch Elm disease is important, since Shepherd Fungicide provides only suppression of the diseases listed on this label. (2) Shepherd Fungicide will be most effective when used in conjunction with other cultural practices recommended for management of Oak wilt and Dutch Elm disease (removal of dead elm trees, pruning of diseased tree limbs and branches, control of bark beetles, etc.). (3) If difficulty in keeping all of the chemical in per site is encountered, mark this site and move on to the others. When finished moving around to the trees, return to the marked tree and add the required amount of chemical needed.

### How to Use ArborSystems Direct-Inject Chemicals with ArborSystems Direct-Inject Tree Injection System

1. Use protective eyewear and rubber or neoprene gloves when handling or installing the ArborSystems Direct-Inject Tree Injection System.
2. Attach the chemical pack to the Direct-Inject unit.
3. Set the delivery volume on the unit.
4. Determine the thickness of the bark. Insert the Wedgle® Tip into the fissure of the tree. If the tip penetrates more than the length of a WedgeChek™ the injection will be made in the fissure. If the tip penetrates less than the length of a WedgeChek the injection will be made through the tight bark of the tree. On thin-barked trees you may find it necessary to insert the WedgeChek in only one-half as far as normal.
5. Insert the WedgeChek Punch into the tree. Remove the punch and squeeze the trigger to remove the bark core. Examine the core to make sure the core that has been removed is approximately the same length as the WedgeChek. Repeat this step while moving around the flare of the tree. Be sure to follow the label directions on this label to determine how many injection sites are needed on any given tree. Usually this is approximately 1 injection for every 3" to 5" of trunk circumference. Make WedgeChek insertions around the flare of the tree, spacing evenly.
6. Place the WedgeChek on the protruding pin on the bottom of the grip, then insert the WedgeChek directly into the punched hole. The barbs on the WedgeChek will secure it in the tree.
7. Insert the Wedge Tip with a straight motion through the WedgeChek. Make sure the hole in the tip passes completely through the WedgeChek. As the tip is pushed through the WedgeChek and the bark, the blunt-edged tip automatically stops when it reaches the wood.
8. With a smooth motion, firmly squeeze both handles at the same time. This allows the bark to separate and the chemical to be deposited into the area. The WedgeChek plugs the hole, allowing the chemical to remain in the tree.
9. Slowly withdraw the tip and repeat this step while moving around the circumference of the tree.
10. Move laterally and make the next injection until the entire tree trunk has been treated. After the tree has taken up the chemical each WedgeChek can either be removed or left in the tree.

#### Storage and Disposal

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

**Pesticide Storage:** Store in original container in a cool, dry place. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Disposal:** Completely empty pack into application equipment, then dispose of empty pack in a sanitary landfill or if allowed by State and local authorities, by burning; if burned, stay out of smoke.

#### Notice of Warranty

ArborSystems warrants that this product conforms to the chemical description on the label and is reasonably fit for use under average conditions when used strictly in accordance with the directions on the labeling. ArborSystems does not make or authorize any agent or representative to make any other warranty, guarantee or representation, express or implied, concerning this product.

**ArborSystems™**  
*The No-Drill Injection Solution*  
[www.ArborSystems.com](http://www.ArborSystems.com)  
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**P.O. Box 34645 • Omaha, NE 68134**

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are trademarks of ArborSystems.

Direct-Inject™ unit is protected by U.S. Patent #5,901,498

Wedgle® Tip is protected by U.S. Patent #5,239,773

WedgeChek™ is protected by U.S. Patent #5,797,215

Portle® Tip is protected by U.S. Patent #7,178,286

[ ] Denotes alternate/optional language

{ } Denotes language that does not appear on the market label

**NOTIFICATION**

**JAN 15 2009**