

69526-13

7/30/2009

10f14



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

584942
300/1135
5854780 300/1135
5854779
300/1165

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUL 30 2009

Robert G. Butz, Ph.D.
Staff Scientist
Carter Ledyard & Milburn LLP
Agent for Petro-Canada
701 Eighth Street, NW
Suite 410
Washington, DC 20001

Subject: Civitas™
EPA Reg. No. 69526-13
Submissions of May 1, 2009 and June 4, 2009

Dear Dr. Butz:

This proposed revised "Master Label" that you submitted for this product on May 1, 2009, was not reviewed in detail, and is not accepted, because you elected to replace it with the "Master Label" that you submitted via e-mail on June 4, 2009.

The label submitted on June 4, 2009, code-numbered "20090603", is accepted under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, provided that the changes listed below are made. Some of these changes are needed to make the label for this product consistent with requirements for reregistration of products containing Mineral Oil as the active ingredient. Although this product was registered after the relevant Reregistration Eligibility Decision (RED) document was issued, it is subject to the reregistration requirements for Mineral Oil products.

1. In the statement of ingredients, footnote the term "Mineral Oil" with the words "Contains petroleum distillates".
2. Change the first paragraph under "**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**" to read as shown below.

CAUTION: Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

3. In the second sentence of the last paragraph under "**Personal Protective Equipment (PPE)**" (i.e. below the "**Applicators and other handlers must wear:**" paragraph), change "If no such instructions for washables" to "If there are no such instructions for washables".

- 4. Immediately below the paragraph mentioned in the previous item, insert the paragraph shown below.

Discard clothing and other absorbent materials that have been drenched or heavily damaged by this product's concentrate. Do not reuse them.

- 5. Directly below the "Discard clothing ... them" paragraph, insert "**User Safety Recommendations**" that read and appear as shown below.

Users Safety Recommendations

Users should:

- wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet;
- remove clothing and/or PPE immediately if pesticide gets inside and then wash and thoroughly and change into clean clothing;
- remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

- 6. At the end of the second sentence of the "**ENVIRONMENTAL HAZARDS**" paragraph, change "wash waters" to "wash waters or rinsate".

- 7. Under "**STORAGE AND DISPOSAL**", change the subheading "**STORAGE:**" to "**PESTICIDE STORAGE:**".

- 8. Change the "**PESTICIDE DISPOSAL:**" sentence to read

Dispose of wastes resulting from use of this product on site or at an approved waste disposal facility.

- 9. In the paragraph directly below the heading "**DIRECTIONS FOR USE**", replace the last sentence with "Aerial application of this product is prohibited."

- 10. Change the heading "**USE INFORMATION**" to "**USE RESTRICTIONS**". In the first sentence of the first paragraph under this heading, change "for use on turf and landscape ornamentals" to "registered for use on turf and the landscape ornamentals". In the second sentence of this paragraph, replace "is" with "may be".

- 11. In the third paragraph under "**USE RESTRICTIONS**", replace "is" with "may be"; delete "with curative properties recommended"; and delete "important".

- 12. In the last paragraph under “USE RESTRICTIONS”, change the text to read “**Note:** Turf may show a luster after having been sprayed with this product.”
- 13. After the “USE RESTRICTIONS” text, insert the spray drift text shown below.

SPRAY DRIFT MANAGEMENT

A variety of factors including weather conditions (e.g., wind direction, wind speed, temperature, and relative humidity) and method of application (e.g. ground or airblast) can influence pesticide drift. The applicator and grower must evaluate all factors and make appropriate adjustments when applying this product.

Wind Speed

Do not apply at wind speeds greater than 15 mph at the application site.

Temperature Inversions

If applying at wind speeds less than 3 mph, the applicator must determine if (a) conditions of temperature inversion exist, or (b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

Release Height

Apply using a nozzle height of no more than 4 feet above the ground or crop canopy.

Droplet Size

Apply as a medium or coarser spray (ASAE standard 572), and the minimum volume mean diameter (VMD) for spinning atomizer nozzles.

For airblast applications, turn off outward-pointing nozzles at row ends and when spraying outer row. To minimize spray loss over the top in orchard applications, spray must be directed into the canopy.

- 14. The first sentence of the paragraph under “**INTEGRATED PEST MANAGEMENT (IPM)**” currently states that “Pests ... can be used for resistance management strategies and in ... (IPM).” Fix this problem by breaking the first sentence into the two sentences shown below.

Pests are not known to develop resistance to CIVITAS™. This product can be used in resistance management strategies or in integrated pest management (IPM) programs.

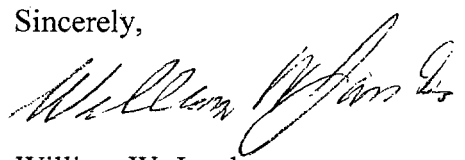
In the last sentence of that paragraph, delete the comma that currently is between "Specialist" and "on".

- 15. In the last sentence of the second paragraph under "For Turf Applications:", change "days" to "day's".
- 16. In the first sentence under "Tank Mixes", insert "to be" between "combination" and "physically".
- 17. Delete the list of use sites following "TURF ON GOLF COURSES" (i.e., delete "ATHLETIC FILEDS [sic], CEMETERIES, SOD FARMS AND LAWNS AROUND COMMERCIAL, EDUCATIONAL, INDUSTRIAL, and RESIDENTIAL AREAS"). The use sites referenced in your e-mail note of June 9, 2009, pertain to ornamental trees, shrubs, and flowers growing in residential and/or landscape and recreation areas and along streets and rights-of-way rather than to turf in such locations. The RED does not appear to directly address applications to turf in such sites.
- 18. In the third sentence of the paragraph under "CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY AND LIABILITY", insert "shall" between "seller" and "be". In the last sentence of the same paragraph, change "Petro-Canada" to "Petro-Canada's".

Before releasing this product for shipment under the labeling accepted via this letter, submit one copy of final printed labeling, modified as indicated above letter.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA Sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

If you have questions concerning this letter, you may call me directly at 703-305-6406.

Sincerely,

 William W. Jacobs
 Insecticide-Rodenticide Branch
 Registration Division (7505P)
 Office of Pesticide Programs

Enclosure: Label stamped "ACCEPTED with COMMENTS"

50914

20090603. Changes to reduce maximum rate for turf and add use sites.

Master Label



TM

Fungicide and Insecticide for Turf and for Ornamentals

	By Weight
ACTIVE INGREDIENT:	
Mineral Oil	98.00%
OTHER INGREDIENTS:	2.00%
TOTAL	100.00%

ACCEPTED
 With **COMMENTS**
 In EPA Letter Dated:
JUL 30 2009
 Under the Federal Insecticide, Fungicide
 and Rodenticide Act, As amended, for the
 pesticide Registered under EPA Reg. No:
69526-13

Patent Pending

KEEP OUT OF REACH OF CHILDREN

CAUTION

See inside for additional Precautionary Statements

20090603. Changes to reduce maximum rate for turf and add use sites.

Master Label

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
If on skin or clothing:	<ul style="list-style-type: none"> • 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.
HOTLINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. To reach a U.S. POISON CONTROL CENTER, call 1-800-222-1222. You may also contact PETRO-CANADA: 403-296-3000, or CANUTEC Canadian Transport Emergency Centre: 613-996-6666.</p>	
<p>NOTE TO PHYSICIAN: Contains petroleum distillate. Do not induce vomiting since vomiting may induce aspiration pneumonia.</p>	

EPA REG. NO. 69526-13

EPA EST. NO. 79693-CAN-001

Manufactured in Canada for:

NET CONTENTS: XX U.S. GAL. (XX L)

PETRO-CANADA
 385 SOUTHDOWN ROAD
 MISSISSAUGA, ONTARIO L5K 1A8, CANADA

www.petro-canada.ca/

[Batch Code/Lot Number]

70914

20090603. Changes to reduce maximum rate for turf and add use sites.

Master Label

Precautionary Statements

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed or absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. This product is a potential skin sensitizer. Avoid contact with eyes, skin, or clothing. Wash thoroughly with Soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

Personal Protective Equipment (PPE)

Some materials that are chemical resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- Long sleeved shirt and long pants;
- Chemical-resistant gloves, such as: barrier laminate or Nitrile rubber, Neoprene rubber or Viton;
- Shoes plus socks

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

ENVIRONMENTAL HAZARDS

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 wash waters. Apply this product only as specified on the label.

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

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses. Keep children and pets out of the treated area until sprays have dried.

80614

20090603. Changes to reduce maximum rate for turf and add use sites.

Master Label

STORAGE AND DISPOSAL

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

STORAGE: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Keep drums closed to prevent entry of water. Do not freeze. Roll drum before use if stored longer than 3 months.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

PESTICIDE DISPOSAL: Disposal of waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

[275 Gallon Polyethylene Bladder in Steel Cage: Do not reuse or refill this container. Return bladder and steel cage to your CIVITAS™ dealer.]

[55 Gallon Polyethylene Drums: Do not reuse or refill this container. Return drum to your CIVITAS™ dealer.]

[30 Gallon Polyethylene Drums: Do not reuse or refill this container. Return drum to your CIVITAS™ dealer.]

[5 Gallon Polyethylene Pail: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. If recycling is unavailable, puncture and dispose of in sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.]

USE INFORMATION

CIVITAS™ is a broad spectrum, fungicide and insecticide for use on turf and landscape ornamentals listed on this label. CIVITAS™ is used to control of powdery mildew, adelgids and webworms on landscape ornamentals.

CIVITAS™ may be applied as part of an alternating spray program or in tank mixes with other registered, turf and ornamental protection products. Read all label directions for proper use of other turf and ornamental protection products.

CIVITAS™ is used as a preventative treatment with curative properties recommended for the control of many important diseases on turf.

For turf applications, CIVITAS™ must only be used in conjunction with Petro-Canada's CIVITAS HARMONIZER™.

Do not use CIVITAS HARMONIZER™ for ornamental applications.

9 of 14

20090603. Changes to reduce maximum rate for turf and add use sites.

Master Label

CIVITAS™ may be applied with spray equipment commonly used for ground applications. Ensure sufficient agitation is provided either through the use of mechanical mixing or thorough circulation

Note: This product has not been tested on all species or varieties. Before treating a large area, treat a small area and observe prior to full scale applications.

For ground applications, apply CIVITAS™ in sufficient water volume for adequate coverage and canopy penetration. All applications must be made according to the use directions that follow.

Note: This product was formulated to provide luster to turf and is not uncommon to notice a healthy luster after spraying.

INTEGRATED PEST MANAGEMENT (IPM)

Pests are not known to develop resistance to CIVITAS™ and can be used for resistance management strategies and in an integrated pest management program (IPM). Consult with your local Cooperative Extension Specialist, on using this product for resistance management and using it in an IPM program.

MIXING DIRECTIONS

DIRECTIONS

Use only in equipment with sufficient agitation to keep spray thoroughly mixed. Provide sufficient agitation during mixing and application to maintain a uniform emulsion. Be sure tank is clean.

DO NOT USE THIS MATERIAL IF IT DOES NOT EMULSIFY.

Note: Use efficient equipment of the proper type. Avoid spraying during or immediately prior to hot or freezing weather, rain or other unsuitable conditions; avoid over spraying or double spraying. Plants should be sprayed only when in vigorous condition and when their moisture condition is suitable. Before using, make certain spray tank is free of sulfur residues.

For Ornamental Applications:

With agitator running, start filling tank with water; add CIVITAS™ when tank is about 1/2 full. If this mixture turns white, it indicates good emulsification. Fill the tank with water, adding other desired materials as tank is filling.

For Turf Applications:

CIVITAS™ must only be used in conjunction with Petro-Canada's CIVITAS HARMONIZER™. CIVITAS HARMONIZER™ enhances the color of treated turf while minimizing the impact of stresses.

Carefully calculate the quantity of CIVITAS™ and CIVITAS HARMONIZER™ needed before mixing. Shake or agitate CIVITAS HARMONIZER™ immediately prior to use. With agitator running, start filling tank with water; add CIVITAS™ when tank is about 1/2 full. If this mixture turns white, it indicates good emulsification. Fill the tank with water, adding CIVITAS HARMONIZER™ as tank is filling. Spray mix should have a uniform opaque dark green color. Keep agitation during application. Prepare only enough spray mix for the current days use, do not store spray mix.

100A 14

20090603. Changes to reduce maximum rate for turf and add use sites.

Master Label

Tank Mixes

DO NOT combine CIVITAS™ in the spray tank with pesticides, surfactants, or fertilizers, unless your prior use has shown the combination physically compatible and non-injurious under your conditions. DO NOT combine CIVITAS™ with chlorothalonil as phytotoxicity may result from the combination when applied to turf.

20090603. Changes to reduce maximum rate for turf and add use sites.
Master Label

**TURF ON GOLF COURSES, ATHLETIC FILEDS, CEMETERIES, SOD FARMS and
LAWNS AROUND COMMERCIAL, EDUCATIONAL, INDUSTRIAL and RESIDENTIAL
AREAS ***

* The product should be tested on small area prior to broad application.

TARGET DISEASE	APPLICATION RATE (Ounces CIVITAS™ per 1,000 sq. ft.)	Ounces CIVITAS HARMONIZER™ per 1,000 sq. ft.	Total Application Volume with water (gal per 1,000 sq. ft.)	APPLICATION INTERVAL (Days)	COMMENTS
Anthracnose (<i>Colletotrichum graminicola</i>) Brown Patch (<i>Rhizoctonia solani</i>) Spring Leaf Spot Grey Leaf Spot (<i>Pyricularia grisea</i>) Fusarium patch Dollar Spot (<i>Sclerotinia homoeocarpa</i>) Necrotic Ring (<i>Leptosphaeria korrae</i>) Red Thread (<i>Laetisaria fuciformis</i>) Leaf Spot / Melting-out (<i>Drechslera spp.</i> and/or <i>Biopolaris spp.</i>) Powdery Mildew (<i>Erysiphe graminis</i>)	8 oz. to 16 oz.	1/2 oz. to 1 oz.	1 gal to 5 gal	7 to 21	Only use in conjunction with Petro-Canada's CIVITAS HARMONIZER™. Add Petro-Canada CIVITAS HARMONIZER™ in a ratio of 16 parts by volume CIVITAS™ to 1 part CIVITAS HARMONIZER™ by volume. Apply as a preventative treatment or when conditions are favorable for disease development.
**Grey Snow Mold (<i>Typhula ishikariensis</i> , <i>Typhula incarnate</i>) **Pink Snow Mold (<i>Microdochium nivale</i>)	8 oz. to 16 oz.	1/2 oz. to 1 oz.	1 gal to 5 gal	7 to 14	**For Grey Snow Mold and Pink Snow Mold: Make 2 or more applications spaced 7-14 days apart in late fall before snow cover. Add Petro-Canada CIVITAS HARMONIZER™ in a ratio of 16 parts by volume CIVITAS™ to 1 part CIVITAS HARMONIZER™ by volume.

20090603. Changes to reduce maximum rate for turf and add use sites.
Master Label

TARGET PEST	APPLICATION RATE (Ounces CIVITAS™ per 1,000 sq. ft.)	Ounces CIVITAS HARMONIZER™ per 1,000 sq. ft.	Total Application Volume with water (gal per 1,000 sq. ft.)	APPLICATION INTERVAL (Days)	COMMENTS
Annual Blue Grass Weevils Banks Grass Mites Mealybugs Mites Cutworm Sod Webworm Fall Armyworm	8 oz. to 16 oz.	1/2 oz. to 1 oz.	1 gal to 5 gal	7 to 21	<p>Only use in conjunction with Petro-Canada's CIVITAS HARMONIZER™</p> <p>Add Petro-Canada CIVITAS HARMONIZER™ in a ratio of 16 parts by volume CIVITAS™ to 1 part CIVITAS HARMONIZER™ by volume.</p> <p>Do not make spot applications. Treat the entire area where exposure (or infestation) occurs.</p>

20090603. Changes to reduce maximum rate for turf and add use sites.
Master Label

LANDSCAPE ORNAMENTALS

SHADE TREES** AND SHRUBS			
INCLUDING CONIFERS, DECIDUOUS BROADLEAF EVERGREENS & WOODY ORNAMENTALS, ORNAMENTAL TREES**, ALONG CITY STREETS, OTHER RIGHTS-OF-WAY, AND IN LANDSCAPES			
TARGET PEST	APPLICATION RATE (Ounces CIVITAS™ per gallon of water)	APPLICATION INTERVAL (Days)	COMMENTS
Powdery Mildew	<p style="text-align: center;">1 to 2.5</p> <p>Use enough spray solution to completely penetrate the leaf canopy and cover both top and bottom of all of the leaves and stems until wet but without significant runoff.</p>	14	<p>Do not use with Petro-Canada's CIVITAS HARMONIZER™.</p> <p>Apply when conditions are favorable for disease development.</p> <p>CAUTION: Do not spray when there is obvious moisture deficit in leaves, or the plant is under stress.</p>
Adelgids, Webworms	<p style="text-align: center;">For Spring and Summer Use Only</p> <p style="text-align: center;">1 to 2.5</p> <p>Use enough spray solution to completely penetrate the leaf canopy and cover both top and bottom of all of the leaves and stems until wet but without significant runoff.</p>	14	<p>Do not use with Petro-Canada's CIVITAS HARMONIZER™.</p> <p>CAUTION: Do not spray when there is obvious moisture deficit in leaves, or the plant is under stress.</p> <p>NOTE: May cause discoloration of Blue Spruce. Do not use on conifers or ferns not tolerant to CIVITAS™ spray solution.</p> <p>Use a lower concentration for more sensitive plants.</p> <p>** This product removes the glaucous (blue) bloom from such evergreens as Colorado Blue Spruce and Koster Spruce. Always use lower dosage or test sensitive plants such as Cryptomeria, Smoke Tree, Chamaecypris, Juniper, Japanese Holly and Spruce. Tendency toward sensitivity: Red Cedar and Douglas Fir.</p>

20090603. Changes to reduce maximum rate for turf and add use sites.
Master Label

FOLIAGE ORNAMENTALS AND BEDDING PLANTS			
INCLUDING AGERATUM, AGLAONEMA, ASTER, AZALEAS, BEGONIAS, BROWALLIA, CAMELLIAS, CELOSIA, CHRYSANTHEMUM, COLEUS, COSMOS, CROWN OF THORNS, DIEFFENBACHIA, DUSTY MILLER, FERNS, FICUS, GARDENIAS, GERBERA, HELLIChRYSUM, HIBISCUS FOLIAGE, HYDRANGEA, LISIANTHUS, MARI GOLD, NEW GUINEA IMPATIENS, NICOTONIA, PALMS, PETUNIA, PHILODENDRON, PORTULACA, REIGER BEGONIAS, SCHEFFLERA, SNAPDRAGON, SUNFLOWER, ZINNIAS			
<i>Some plants are more sensitive to CIVITAS™ if any of the following conditions are present when application is made: High humidity (74%), an overcast or cloudy day, and/or inadequate air flow.</i>			
TARGET PEST	APPLICATION RATE (Ounces CIVITAS™ per gallon of water)	APPLICATION INTERVAL (Days)	COMMENTS
Powdery Mildew	0.5 to 1.5 Use enough spray solution to completely penetrate the leaf canopy and cover both top and bottom of all of the leaves and stems until wet but without significant runoff.	7	Do not use with Petro-Canada's CIVITAS HARMONIZER™. Apply when conditions are favorable for disease development. Due to varietal differences in response to a treatment of this product at the recommended rate, we recommend conducting a small test on 1 or 2 plants of the specific variety to be treated.

CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY AND LIABILITY

It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Petro-Canada, the manufacturer or seller. To the extent consistent with applicable law neither Petro-Canada, the manufacturer or seller be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the buyer. Except as warranted by this label, Petro-Canada, the manufacturer or seller makes no warranties, guarantees, or representations of any kind, either express or implied, or by usage of trade, statutory or otherwise, with regard to the product sold, including, but not limited to, merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage. To the extent consistent with applicable law, buyer's or user's exclusive remedy, and Petro-Canada, the manufacturer's or seller's total liability, shall be for damages not exceeding the cost of the product.