

69592-16

05-27-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

MAY 27 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Sherry D. Heins
Product Registration Manager
Agraquest, Inc.
1540 Drew Avenue
Davis, California 95618

RE: Product Name: Serenade® Garden™ Disease Control Ready to Use
EPA Reg. No: 69592-16
Application for Notification of addition dated December 17, 2009 to add pest
common name: Black Spot as per PR Notice 98-10.

Dear Ms. Heins:

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

Questions concerning this action should be directed to Mary Paden (703) 308-0411 or email at paden.mary@epa.gov.

Sincerely,

Sheryl K. Reilly

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

CONCURRENCES

SYMBOL	7511CP						
SURNAME	Paden						
DATE	27 MAY 10						



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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

1. Company/Product Number 69592-16	2. EPA Product Manager Sheryl Reilly	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) AgraQuest, Inc. / Serenade Garden Disease Control Ready To Use	PM# BPPD # 92	
5. Name and Address of Applicant (Include ZIP Code) Agraquest, Inc. 1540 Drew Avenue. Davis, CA 95618 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	Notification Accepted Date: <u>27 MAY 10</u> Reviewer: <u>mg Baden</u>
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of addition of pest common name as per PR Notice 98-10. This notification is consistent with PR Notice 98-10 and 40 CFR 152.46, and no other changes have been made to the labeling or confidential statement of formula. I understand that is 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 no consistent with the terms fo PR Notice 98-10and 40 CFR 152.46, this product may be in violation of FIFRA and I maybe subject to enforcement action and penallies under sections 12 and 14 of FIFRA. See cover letter for details.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" 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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 16-128 oz.		5. Location of Label Directions <input type="checkbox"/> Cont.	
6. Manner in Which Label is Affixed to Product Paper glued/peal back		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled	<input checked="" type="checkbox"/> Other Label Directions on the container		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Sherry D. Heins	Title Product Registration Manager	Telephone No. (Include Area Code) 520-759-0150 ext. 107
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 (Stamped)
2. Signature 	3. Title Product Registration Manager	
4. Typed Name Sherry D. Heins	5. Date Dec 17 2009	

Digitally signed by S. Heins
 DN: cn=S. Heins,
 o=AgraQuest, Inc.,
 ou=Regulatory,
 email=sheins@agraquest.com,
 Date: 2009.12.17 11:17:20 -08'00'

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AGRAQUEST®

1540 Drew Avenue, Davis, CA 95618-6320
tel. (530) 750-0150, fax. (530) 750-0153
www.agraquest.com

Innovative natural product solutions for pest management

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December 17, 2009

Ms. Sheryl Reilly, Branch Chief
Biopesticides and Pollution Prevention Division (BPPD)

Document Processing Desk (**NOTIF**)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: Submission of revised Master Label Serenade® Garden Disease Control Ready to Use, EPA Reg. No. 69592-16 as per PR Notice 98-10.

AgraQuest, Inc. hereby submits the enclosed revised Master Label as permitted by PR Notice 98-10 Section II Labeling Notifications, B. Adding or deleting a pest.

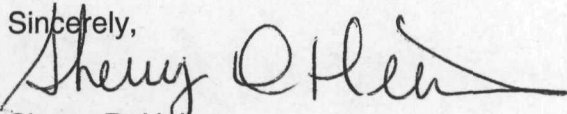
Our supplemental distributor has been asked by the state of New York to add the pest "Black Spot" to the EPA Master Label of the subject product. The current label lists "Black Spot of Rose". Therefore, we are only adding an alternate common name for the disease *Diplocarpon rosea*; which is on the currently accepted label.

Enclosed you will find the following documents:

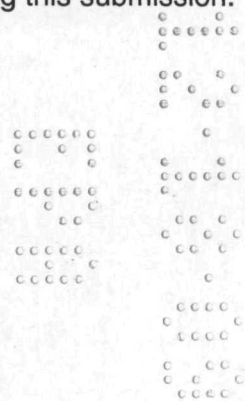
1. Signed EPA Form 8750-1
2. Two (2) copies of the revised EPA MASTER label for Serenade® Garden Disease Control Ready to Use; one with the changes clearly marked.
3. Copy of the correspondence from New York State Department of Environmental Conservation.

I can be reached at the numbers below should you have questions regarding this submission.

Sincerely,



Sherry D. Heins
Product Registration Manager
Phone: 530-750-0150-107
FAX: 530-750-0153
sheins@agraquest.com



Ms. Beth Anderson

Within 30 calendar days of your receipt of this letter, you may make the necessary corrections and/or submit the documentation requested above to me at lfwhitbe@gw.dec.state.ny.us. If you do not submit the requested documentation, or if you submit the requested documentation and there are still deficiencies in your application, the review will be terminated and the registration of this product will be denied.

Please be aware that any product or product label not accepted for registration by the Department may not be sold, offered for sale, distributed, or used in New York State. Should you have any questions regarding this letter, please contact me, at 518-402-8768.

Sincerely,

Luanne F. Whitbeck
Engineering Geologist 2
Pesticide Product Registration Section

cc: Ralph Riggs, AgraQuest

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[Note to Reviewer: All text in brackets is optional language for the final printed container label.]

Serenade[®] Garden Disease Control Ready to Use

[Alternate Names for Turf Label when sold for hose-end sprayers:]

- [Serenade Garden Lawn Disease Control – Ready to Use]
- [Serenade Garden Turf Disease Control – Ready to Use]
- [Serenade Garden Disease Control for Lawns - Ready to Use]
- [Serenade Garden Disease Control for Turf - Ready to Use]

[Optional/Alternate Statements:]

- [For Home and Garden Use]
- [For Home, Garden and Lawn (Turf) Use]

Notification Accepted

Date: 27 MAY 10

Reviewer: mfpoden

[Optional/Alternate Statements:]

- ["NOP Logo: For Organic Gardening"]
- ["NOP Logo: Can Be Used for Organic Gardening"]
- ["NOP Logo: For Organic Lawn Care"]

[Optional Claims:]

- [Attacks over 40 diseases]
- [Attacks both fungal & bacterial diseases]
- [Apply any time of day]
- [Will not burn or injure [leaves] [lawns] [(turf)] [sod]]
- [Fungicide (or Biofungicide) that attacks harmful garden and lawn diseases]
- [[For] Use on Roses, Vegetables, Fruits, Flowering Plants, Trees, Shrubs and Lawns (Turf) [Sod]]
- [Controls Bacterial Spot, Black Spot of Rose [or Black Spot], Powdery Mildew, Rust, Gray Mold, Leaf Blight, Scab] [and other listed diseases]
- [Same active ingredient used by farmers]
- [Effectively controls or prevents a wide range of fungal and bacterial plant diseases]
- [Promotes healthier gardens]
- [Prevents and controls harmful garden diseases]
- [Powered by AgraQuest]

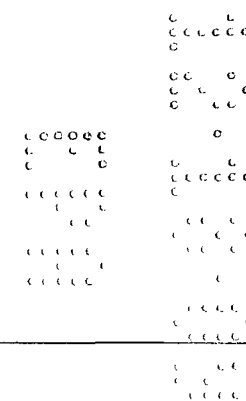
[Optional Claims for Lawn and Turf Label:]

- [Prevents and controls harmful (major) lawn diseases (including Brown Patch, Dollar Spot)]
- [Controls Brown Patch, Dollar Spot and other listed common lawn diseases]
- [Use anytime on all lawns to prevent and control major lawn diseases]
- [Promotes healthy disease-free lawns]
- [Same active ingredient used on golf courses]
- [Promotes Greener, Healthier Lawns]
- [Promotes greener, healthy disease-free lawns]
- [Easy to use]
- [Powered by AgraQuest]

ACTIVE INGREDIENT:

QST 713 strain of *Bacillus subtilis**. 0.074%
OTHER INGREDIENTS 99.926%
TOTAL 100.000%

*Contains a minimum of 1 x 10⁸ CFU/g



<p>KEEP OUT OF REACH OF CHILDREN</p> <p>CAUTION</p>

[For smaller container sizes:]

[See attached booklet for First Aid Statements, Precautionary Statements, Storage and Disposal Instructions and Directions for Use.]

[Peel back tab for First Aid and Precautionary Statements and Directions for Use.]

EPA Reg. No. 69592-16

EPA Est. No.:

01	02	03	04	05
69592-	67545-	66728-	37429-	69592-
MEX-1	AZ-1	GA-2	GA-2	CA-1

[Superscript corresponds to last two digits of lot number on container]

U.S. Patent Nos. 6,060,051, 6,103,228, 6,291,426, and 6,417,163 on QST 713 strain of *Bacillus subtilis*

Net contents: [20 fluid ounces OR 24 fluid ounces OR 28 fluid ounces OR 32 fluid ounces]

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if inhaled. Avoid breathing spray mist. Remove and wash contaminated clothing before reuse. As a general precaution, when exposed to a living microbial product such as this, wear a dust particle mask when applying this product.

FIRST AID

IF INHALED:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	

ENVIRONMENTAL HAZARDS

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

DIRECTIONS FOR USE

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

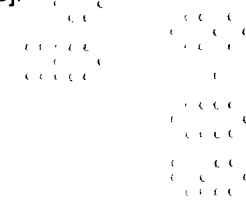
GENERAL USE INFORMATION

Serenade Garden Disease Control Ready To Use (RTU) [This product] [Alternate Statement: is a broad spectrum, preventative biofungicide recommended for the control or suppression of many important plant diseases.] [Alternate Statement: effectively controls or prevents a wide range of important fungal and bacterial plant diseases.] (Serenade Garden Disease Control Ready To Use) It may be used on roses, vegetables, fruits, nuts, flowers, houseplants, foliage, trees, shrubs, lawns, turf, sod, and ornamental turf [located in residential landscapes][located in residential greenhouses] [located in commercial landscapes] [located in commercial interiorscapes].

[QUICK FACTS]

[READ THE LABEL FIRST!]

[READ LABEL FIRST graphic]



WHEN TO USE

- For best results, treat prior to foliar disease development or at the first sign of foliar disease infection.

[OPTIONAL Section: FOR BEST RESULTS

- Shake Well Before Use.
- Spray to ensure thorough coverage.]

HOW TO USE [Alternate statement: APPLICATION INSTRUCTIONS]

- Shake well before using.
- Spray leaves, stems and new shoots to runoff providing complete coverage of the entire plant.
- For best results, treat prior to foliar disease development or at the first sign of foliar disease infection.
- Repeat at 7-day intervals or as needed.
- [Under conditions of high disease pressure,] When environmental conditions favor rapid disease development (high humidity, excessive rain, extreme moisture condition, etc.), spray more often [Alternate: shorten the spray interval].
- Do not water foliage within 4 hours of application.
- Do not allow spray to drift from application site.
- [[This product] Serenade Garden Disease Control Ready To Use may be applied any time of day, in full sun and high temperatures, without stressing or burning foliage.]
- [Serenade Garden Disease Control Ready To Use can be applied up to and including the day of harvest.]

[ALTERNATE STATEMENT: WHERE TO USE: VEGETABLES, FRUITS, NUTS, ORNAMENTALS, TREES, SHRUBS, FOLIAGE, FLOWERS, FLOWERING PLANTS, AND TROPICAL PLANTS]**[ALTERNATE STATEMENT: USE SITES: VEGETABLES, FRUITS, NUTS, ORNAMENTALS, TREES, SHRUBS, FOLIAGE, FLOWERS, FLOWERING PLANTS, AND TROPICAL PLANTS.]****[SERENADE GARDEN DISEASE CONTROL READY TO USE] MAY BE USED ON [THE FOLLOWING]: [Alternate: VEGETABLES, FRUITS, NUTS, ORNAMENTALS, TREES, SHRUBS, FOLIAGE, FLOWERS, FLOWERING PLANTS, AND TROPICAL PLANTS] [Alternate: PLANTS, CROPS, SITES]****[HOME and GARDEN] [VEGETABLE[S], FRUIT[S] AND NUT[S]] PLANTS:]****[Artichoke, Asparagus**

Berries (Blueberry, Blackberry, Raspberry, Loganberry, Huckleberry, Cranberry, Gooseberry, Elderberry, Currant, Caneberry and other berry crops)

Brassica (Broccoli, Cabbage, Cauliflower, Brussels Sprouts, Collards, Kale, Mustard Greens, Kohlrabi and other brassica crops)

Bulb Vegetables (Onion, Garlic, Shallots and other bulb vegetables)

Citrus (Orange, Grapefruit, Lemon, Tangerine, Tangelo, Pummelo and other citrus crops)

Cucurbits (Cucumber, Cantaloupe, Melon, Muskmelon, Squash, Watermelon and other cucurbit crops)

Fruiting Vegetables (Pepper, Tomato, Eggplant and other fruiting vegetables)

Grape, Herbs/ Spices, Hop

Leafy Vegetables (Lettuce, Celery, Spinach, Parsley, Radicchio and other leafy vegetable crops)

Legumes/Vegetables (Beans, Green Beans, Snap Beans, Shell Beans, Dry Beans, Garbanzo Beans, Lima Beans, Peas, Chick Peas, Split Peas, Lentils and other legume/vegetable crops)

Greasy Spot [(*Mycosphaerella citri*)] - suppression

Late Blight [(*Phytophthora infestans*)] – suppression

Leaf Spots [(*Alternaria* spp., *Cercospora* spp., *Entomosporium* spp., *Helminthosporium* spp., *Myrothecium* spp., *Septoria* spp.)]

Onion Downy Mildew [(*Peronospora destructor*)]

Onion Purple Blotch [(*Alternaria porri*)]

Phytophthora spp.

Pin Rot [(*Alternaria/Xanthomonas* complex)] - suppression

Powdery Mildew [(*Uncinula necator*, *Erysiphe* spp., *Sphaerotheca* spp., *Oidiopsis taurica*, *Leveillula taurica*, *Podosphaera leucotricha*)]

Powdery Mildew [(*Erysiphe* spp., *Oidium* spp., *Podosphaera* spp., *Sphaerotheca* spp.)]

Rust [(*Puccinia* spp.)]

Scab [(*Venturia* spp.)] - suppression

Sclerotinia Head and Leaf Drop [(*Sclerotinia* spp.)]

Sour Rot

Target Spot [(*Corynespora cassiicola*)]

Walnut Blight [(*Xanthomonas campestris*)]

White Mold [(*Sclerotinia sclerotiorum*)] – suppression

[SERENADE GARDEN DISEASE CONTROL READY TO USE] MAY BE USED ON LAWNS, TURF [, SOD] AND ORNAMENTAL TURF

LAWNS, TURF [, SOD] AND ORNAMENTAL TURF:

Bluegrass, Bentgrass, Bermudagrass, Dichondra, Fescue, Orchard grass, Poa Annua, St. Augustine, Ryegrass, Zoysia, Mixtures and other grasses or ornamental turf.

DISEASES CONTROLLED [OR SUPPRESSED] [OR PREVENTED] [BY SERENADE GARDEN DISEASE CONTROL READY TO USE] [ON LAWNS, TURF [, SOD] AND ORNAMENTAL TURF]

Lawn and Turf Diseases:

Brown Patch [(*Rhizoctonia solani*)]

Dollar Spot [(*Lanzia* spp., *Moellerodiscus* spp., formerly *Sclerotinia homeocarpa*)]

Powdery Mildew [(*Erysiphe graminis*)]

Rust [(*Puccinia* spp.)]

Anthraxnose [(*Colletotrichum graminicola*)]

Red Thread [(*Laetisaria fuciformis*)]

