

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

August 17, 2016

Arkion Life Sciences, LLC c/o Crystal Layton Landis International, Inc. P.O. Box 5126 Valdosta, GA 31603-5126

Subject: Label Amendment – To revise the use rate, remove nursery applications, and other general changes for clarity Product Name: Flight Control EPA Registration Number: 69969-1 Application Date: December 11, 2015 Decision Number: 512519

Dear Ms. Layton:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Gene Benbow by phone at 703-347-0235, or via email at <u>Benbow.Gene@epa.gov</u>.

Sincerely,

Mark Suarez Product Manager 07 Invertebrate & Vertebrate Branch 3 Registration Division (7505P) Office of Pesticide Programs

Enclosure

(FRONT PANEL) FlightControl® [Alternate Brand Names: FlightControl® Plus Airepel HC] FOR GEESE REPELLENCY

A C C E P T E D 08/17/2016

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 69969-1

ACTIVE INGREDIENT

9,10 anthraquinone...... 50%

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If inhaled:	• Move person to fresh air.
	• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
	• Call a poison control center or doctor for further treatment advice.
If on skin or clothing:	• 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.
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.
If swallowed:	Call poison control center or doctor immediately for treatment advice.
	• Have person sip a glass of water if able to swallow.
	• Do not induce vomiting unless told to do so by the poison control center or doctor.
	• Do not give anything by mouth to an unconscious person.
	IERGENCIES INVOLVING THIS PRODUCT, CALL TOLL FREE 1-800-424-9300. HAVE THE Γ CONTAINER OR LABEL AVAILABLE WHEN SEEKING TREATMENT ADVICE.
	See side panel for additional precautionary statements.

MANUFACTURED BY: ARKION LIFE SCIENCES, LLC 551 Mews Drive Suite J New Castle DE 19720

EPA Establishment No._____ EPA Registration No. <u>69969-1</u> Odom No.____

NET CONTENTS: 1 quart, 1 gallon, and 2.5 gallons

DATE OF MANUFACTURE: _____

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if inhaled or absorbed through the skin. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT:

When handling Flight Control® wear long-sleeved shirt and long pants, socks, shoes and gloves made of barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride, (PVC), or Viton ≥ 14 mils.

ENVIRONMENTAL HAZARDS:

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA. Do not contaminate water by cleaning of equipment or disposal of waste. Apply this product only as specified on this label.

CONDITIONS OF SALE AND WARRANTY: Arkion Life Sciences, LLC, warrants that the product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions under normal conditions of use. Since timing, method of application, weather and ground conditions, mixture with other chemicals, and other factors affecting the use of this product are beyond our control, no warranty is given concerning the use of this product contrary to label directions, or under conditions which are abnormal or not reasonably foreseeable. To the extent consistent with applicable law, ARKION LIFE SCIENCES, LLC. MAKES NO OTHER WARRANTIES EITHER EXPRESS OR IMPLIED WARRANTIES INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE. Handling, storage and use of the product by Buyer or User are beyond the control of Arkion Life Sciences, LLC. and Seller. Risks such as ineffectiveness or other directions will be assumed by the Buyer or User. To the extent consistent with applicable law, IN NO CASE WILL ARKION LIFE SCIENCES LLC. OR SELLER BE HELD LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE OR USE OF THIS PRODUCT, NOR HELD RESPONSIBLE FOR INJURY OR LOSS AS A RESULT OF THE HANDLING OR USE OF THIS PRODUCT.

DIRECTIONS FOR USE

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

USE RESTRICTIONS: This product may be used to repel geese, including Canada geese.

- Repels geese from terrestrial areas at or near airports. Repels geese from grassy areas at commercial sites, industrial sites, municipal sites or in developed urban areas.
- Repels geese from golf courses.

- Repels geese from landfills and dumpsites.
- Repels geese from building roofs, window sills and ledges.

FOR THE STATE OF NEW YORK USE THE FOLLOWING DIRECTIONS

For Application to Repel Geese at the Following Sites Only:

- Terrestrial areas at or near airports.
- Grassy areas at commercial sites and industrial sites.
- Golf courses, landfills and dumpsites

To prevent contamination of the dilute solution of FlightControl® by other chemical residues, be sure that the equipment is thoroughly clean before use or use dedicated equipment.

Apply this product using properly calibrated and maintained spray equipment. Do not apply when surface to be treated is wet or when rain is expected. For best results: Product may separate if allowed to sit. Resuspend with agitation. Keep from freezing. Product must thoroughly dry on turf grass surface. Mowing treated areas will remove product and reduce product effectiveness.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift.

MIXING DIRECTIONS: Thoroughly shake or stir FlightControl® prior to diluting with water.

APPLICATION DIRECTIONS:

When geese have begun to flock in one area and are problematic, apply FlightControl® according to the following rates to the grassy, turf, forage or structural areas where geese are expected to feed/roost. Goose droppings define the extent and scale of the problem. Apply product at listed rates to the areas where goose droppings are found.

Grassy or Turf Areas, Landfills, Dumpsites:

- For the initial application, use 1 gallon of product per acre. For subsequent applications within the same year, apply ½ gallon of product per acre. Subsequent applications may be made at 14 day intervals. Do not apply more than 7 times per year.
- Mix with water based on spray equipment specifications and recommendations.
- Apply using a fine spray pattern to evenly distribute over entire surface to be treated.
- Allow material to dry before permitting human activity in the treated area.
- Spray at 14 day intervals as required by geese activity and anticipated seasonal migrations. Do not apply more than 7 times per year.
- When applying to turf, cutting of the lawn will reduce amount of repellent available.

Public, Municipal or Industrial Buildings:

Spray Application

- Apply at the rate 3 fluid ounces (0.12 lb. a.i.) of FlightControl® diluted in as much as 5 gallons of water per 1,000 square feet of building surface (roof, window sills, ledges) area.
- Mix with water based on spray equipment specifications and recommendations.

- Apply using a fine spray pattern to evenly distribute over the entire surface to be treated.
- Allow material to dry before permitting human activity in the treated area.
- Spray at weekly intervals or as required by geese activity and anticipated seasonal migrations.

Direct Surface Application

- For use on solid surfaces, weekly intervals of repeated applications to the target surface are required when geese activity and anticipated seasonal migrations increase.
- Apply FlightControl® directly to the target surface using a paint brush, roller or similar direct application device at the rate of 3 fluid ounces (0.12 lb. a.i.) per 1,000 sq. ft. of building surface.
- FlightControl® can be applied as is, without any additional dilution, at the rate specified above. Water can be added as required to dilute the product for direct surface application at the rate of 3 fluid ounces (0.12 lb. a.i.) per 1,000 sq. ft. of building surface.
- Allow material to dry before permitting human activity in the treated area.

STORAGE AND DISPOSAL

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

Pesticide Storage: Do not allow containers to freeze. After prolonged storage, product may separate. If this occurs, resuspend with agitation.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instruction, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance. ARKION LIFE SCIENCES, LLC also can be contacted for guidance on the disposal of pesticide wastes.

Container Handling: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) 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 ¹/₄ 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. Then offer for recycling or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

GENERAL: CONSULT FEDERAL, STATE OR LOCAL DISPOSAL AUTHORITIES FOR APPROVED ALTERNATIVE PROCEDURES.