

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

March 14, 2017

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

Subject: Label Amendment – To add sublabels for each brand name; update Storage and

Disposal text; add a state restriction for N.Y., and other minor changes

Product Name: Flight Control

EPA Registration Number: 69969-1 Application Date: December 7, 2016

Decision Number: 524986

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 Benbow.Gene@epa.gov.

Sincerely,

Mark Suarez

Product Manager 07

Invertebrate & Vertebrate Branch 3

Registration Division (7505P)

Office of Pesticide Programs

Enclosure

Language Common to All Sublabels

(FRONT PANEL)

Flight Control®

[Alternate Brand Names: Flight Control® Plus, Airepel® HC]

ACTIVE INGREDIENT

9,10 anthraquinone	50%
OTHER INGREDIENTS	

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.	
FOR MEDICAL EN	MERGENCIES INVOLVING THIS PRODUCT, CALL TOLL FREE. 800-535-5053. HAVE THE	

PRODUCT CONTAINER OR LABEL AVAILABLE WHEN SEEKING TREATMENT ADVICE.

See side panel for additional precautionary statements.

MANUFACTURED IN THE USA FOR ARKION LIFE SCIENCES, LLC

551 Mews Drive Suite J
New Castle DE 19720
Toll Free Phone Number: 877-554-3373

EPA	Establishment 1	No
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Arkion Resource code for product size

EPA Registration No. 69969-1

NET CONTENTS: 1 quart, 1 gallon, 2.5 gallons, and 250 gallon tote

Arkion LOT NO.

ACCEPTED

03/14/2017

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 20000 4

69969-1

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 chemical-resistant 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.

STORAGE AND DISPOSAL

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

Pesticide Storage: Always store pesticides in the original container. If a leaky container must be contained within another, mark the outer container to identify the contents. 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 (equal to or less than 5 gallons): 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 ½ 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.

Nonrefillable container (greater than 5 gallons): Do not reuse this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in the container. Contact your state regulatory agency to determine allowable practices in your state."

[OR]

Triple Rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. [OR]

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or a mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. 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.

[Sublabel 1: Language specific to Flight Control® Plus]

Alternate Brand Name: Flight Control® Plus

[FOR GEESE REPELLENCY]

DIRECTIONS FOR USE

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

USE SITES:

- Repels geese from terrestrial areas at or near airports.
- Repels geese from grassy areas at commercial sites, industrial office sites, municipal sites or in developed urban areas.
- Repels geese from golf courses.
- Repels geese in turf areas, including sports fields, park grounds, home lawns and cemeteries.
- Repels geese from landfills and dumpsites.

To prevent contamination of the dilute solution of Flight Control® Plus 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. For best results, product must thoroughly dry on turf grass surface. Mowing treated areas will remove product and reduce product effectiveness. Product may separate if allowed to sit. Resuspend with agitation. Keep from freezing.

USE RESTRICTIONS:

- This product may be used to repel geese, including Canada geese.
- Do not apply when surface to be treated is wet or when rain is expected.
- Do not apply this product in a way that will contact workers or other persons, either directly or through drift.
- Do not allow people or pets to enter treated area until product has dried.
- Do not apply to sidewalks, parking lots, patios, etc.

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

MIXING DIRECTIONS: Thoroughly shake or stir Flight Control® Plus prior to diluting with water.

APPLICATION DIRECTIONS:

When geese have begun to flock in one area and are problematic (i.e. where droppings are found), apply Flight Control® Plus according to the following rates to the grassy, turf, or forage areas

where geese are expected to feed/roost. Goose droppings define the extent and scale of the problem.

Grassy or Turf Areas, Landfills, Dumpsites:

For the initial application, use 1 gallon of product with 6-20 gallons of water per acre. For subsequent applications within the same year, apply ½ gallon of product with 6-20 gallons of water per acre.

- Subsequent applications may be made at 14 day intervals as required by geese activity and anticipated seasonal migrations. 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.
- When applying to turf, cutting of the lawn will reduce amount of repellent available.

Flight Control®, Stop the Drop @ and Arkion @ are registered trademarks of Arkion@ Life Sciences LLC

See side/back panel for "Precautionary Statements," "First Aid," and "Directions for Use."

Notice: Read the entire label before using. Use only according to label directions.

Before buying or using the product read "Conditions of Sale and Warranty" on label.

MARKETING CLAIMS

APPENDIX SUBLABEL 1

Advertising claims and marketing phrases that may be presented on promotional materials and the container labels.

• Background picture for front panel:



- THE REPELLENT SOLUTION FOR MOVING UNWANTED GEESE
- STOP THE DROP with logo:



- PROVIDING TOMORROW'S INNOVATIVE SOLUTIONS TODAY ®
- Information on Two page marketing piece is below:

[Note to reviewer: This section is intended to be placed in a package insert]

Flight Control® Plus

EPA Reg. No. 69969-1

STOP THE DROP!®

APPLICATION TECHNIQUES AND BEST PRACTICES

Flight Control[®] Plus goose repellent denies geese a place to feed and makes an excellent foundation on which to build an integrated program for geese management.

Rates:

Apply at the rate of 1 gallon per acre of turf grass for the first application, when starting a geese management program. As goose pressure lessens, and for maintenance program applications, apply at the rate of $\frac{1}{2}$ gallon per acre of turf grass. For additional information call 1-877-554-3373.

Water:

To be most effective, Flight Control[®] Plus must be applied to, and stay on, the leafy surfaces. Therefore spray runoff must be avoided. To avoid runoff and maximize effectiveness, it is recommended that 6-20 gallons of tank mix be applied per acre of turf grass. Amounts of water in the tank mix will vary depending on the type of equipment used. Do not exceed 20 gallons/acre. For more info on Spray Volume Rates see "Application Tips" on back page.

Spray Additive:

Flight Control® Plus contains a sticking adjuvant. No additional sticker is needed for normal conditions. Additional sticker should be used for the final late fall application and this will allow the treatment to last through the winter. The sticker can be a clear, non-ionic polymer-based anti-transpirant such as Transfilm, Vapor Gard or Wilt-Pruf and should be used at a 0.25 to 0.50% v:v (volume anti-transpirant: volume Flight Control® Plus spray mixture). Example: 1 gallon of Flight Control® Plus with 19 gallons= 20 gallons of tank mix. If you use a 0.5% sticker ratio, you would need 20 gallons mix x 0.005 = 0.1 gallons of sticker (13 oz. of sticker).

Sprayer Guidelines:

Spray with a fine droplet. Any sprayer that can deliver a fine droplet will suffice. The object is to coat (mist) the surface of the turf grass with a Flight Control® Plus application. The best way to describe this would be as if you were "spray painting" the turf. On newly seeded areas use a fine mist so that the young plants and roots will not be disturbed.

- Apply with a properly calibrated sprayer.
- Keep tank mix thoroughly agitated.
- Apply to **dry turf** only.
- Avoid dragging hoses over the treated areas.

Thoroughly clean all spray equipment as soon after application as possible. **Do not** allow tank mix to settle or remain unagitated for more than 2-3 hours.

Allow the Flight Control® Plus application to dry on the turf surface before re-entering the site.

Equipment for Spraying Flight Control® Plus:

On the website <u>www.FC-EquipmenTechniques.com</u> which will help you choose the proper equipment for applying this product and the settings for the different equipment. If after you view this video you still have questions, please call 877-554-3373.

When and Where to Apply:

Apply when geese have begun to flock in one area and are problematic. Flight Control® Plus can be applied anytime during the year when temperatures are above freezing. When starting a goose management program application should be made to the "drop zone" and wherever geese are persistent. The "drop zones" are those areas where the geese droppings are found.

Flight Control[®] Plus can be started at any time during the year. For best results here is a typical suggested Flight Control[®] Plus application program for "Northern States" with an eight month growing season.

- Early Spring February-March
- Spring March-April
- Late Spring May-June
- Summer July-August
- Early Fall September-October
- Late Fall November

Flight Control[®] Plus can be applied to any turf grass area. Some of these areas might include: sports fields, park grounds, golf courses, commercial and industrial office complexes, home lawns, and cemeteries.

Each time the turf is mowed some of the leaf surface is removed, a Flight Control[®] Plus application will last between 2-3 mowing's during seasons of actively growing turf.

Frequency of application diminishes as the geese are conditioned to Flight Control[®] Plus. Apply only to turf grass areas. Do not apply to sidewalks, parking lots, patios, etc. The geese will naturally leave these areas when their food source is denied by applications of Flight Control[®] Plus to the adjacent turf grass areas.

Expectations:

Flight Control[®] Plus teaches the geese to avoid the treated area and, therefore, denies them this area as a place to feed. This "educational process" for the geese can take several days. For the first 1 to 3 days following application the geese <u>may</u> remain on or near the treated area. This is normal, because the geese need time to experience and learn from the Flight Control[®] Plus application.

After 3 days, the amount of geese should be significantly reduced, by at least 80%. Some geese tend to be more persistent and therefore, may resist "moving on." Subsequent applications of Flight Control[®] Plus will rid the site of these persistent geese.

During nesting season (March – June) you will be able to only control where on the site they will feed. Before geese are capable of flying, it may not be possible to repel them completely from the site. While the geese are unable to leave, "tolerance zones" may be established. These "tolerance zones" will give the geese a place to move to and keep them off the desired geese-free areas.

[&]quot;Southern States" add December-January

APPLICATION TIPS

Flight Control[®] Plus Application Recommendations:

Flight Control[®] Plus is a foliar-applied goose repellent that **MUST** be applied properly to the turf grass leaf blade to assure its effectiveness in repelling Canada geese. A proper application will evenly distribute a medium-fine to fine droplet to adhere to the turf grass leaf blade and when the geese forage, they will ingest it. Product not applied properly (i.e. with a coarse droplet) will be washed to the soil and therefore not available to the foraging geese.

The following material outlines application techniques to insure maximum repellency for Canada geese.

General Rules To Remember Prior To Application of Flight Control® Plus:

- Mow turf and rake leaves, grass clippings or other debris prior to application.
- **Do Not** apply to wet turf.
- **Do Not** apply prior to rainfall or irrigation cycle. Product requires up to 4 hours to dry on turf grass leaf blade.
- Clean out spray equipment after application.

FOR FLIGHT CONTROL® PLUS APPLICATIONS USING A PUMP-DRIVEN SPRAYER

Flight Control® Plus Use Rate:

Apply Flight Control[®] Plus at a rate of 1 gallon of product per treated acre for the first application. Rates can be reduced to 1/2 gallon of product per treated acre for repeat applications after the geese have been conditioned to avoid the treated areas. First-time applications should remain a 1-gallon per acre.

Spray Volume Rate:

Flight Control[®] Plus spray mixture is recommended at 1 gallon of mixture per 2000 ft.². This would be equivalent to a square area approximately 45 feet long and wide. **This also equates to 20 gallons of mixture per acre (GPA).** With the proper calibration and application technique, a spray volume rate (6 to 20 GPA) can be used to effectively apply Flight Control[®] Plus. Always maintain proper mixture agitation or recirculation during spraying. Failure to do so will result in a decrease in the active ingredient (AI) applied and reduced efficacy (reason – AI is heavier than water and will sink if not agitated or recirculated).

SPRAY NOZZLE TYPE

Boom-Type Sprayer: Boom sprayers are highly recommended because they provide very uniform spray coverage. Spray nozzle selection will determine spray volume and spray mist size.

NOZZLE SELECTION	RECOMMENDATION
TeeJet Nozzles equipped to apply medium-fine to	Acceptable
fine spray droplet	
Single Fan Nozzles such as XR TeeJet (XR8001,	Adequate
XR8002, XR11001, XR110015, XR11002 &	
XR11003)	
TwinJet Nozzles (TJ60-8001, TJ60-8002, TJ60-	They apply two flat fan spray patterns 60° apart, providing
8003, TJ60-11002, TJ60-11003, TJ60-11003)	dual coverage to both sides of the turf grass leaf blade.
	Apply to small area and check to be sure medium-fine to fine
	sized tan-colored droplets are visible on turf grass blade
	before continuing application.

Gun Sprayer: A JD9 or Lesco Mag1 spray gun is appropriate for proper application. Both should be calibrated to deliver a medium-fine to fine mist at the desired spray volume rate. Apply to small area and check to be sure medium-fine to fine sized tan-colored droplets are visible on turf grass blade before continuing application. **NOTE:** The Lesco Gun and the Chemlawn Gun are not recommended.

FOR FLIGHT CONTROL® PLUS APPLICATIONS USING A BACKPACK OR COMPRESSED AIR SPRAYER

When small or hard to reach areas will not allow larger scale applications, a smaller backpack or compressed air sprayer may be used. Follow the recommendations stated previously with the following considerations or adjustments.

Follow these use recommendations and repel nuisance Canada geese from your turf grass area. If you have any Questions, call 877-554-3373.

Flight Control®, Stop The Drop!®, and Providing Tomorrow's Innovative Solution's Today® are registered trademarks of Arkion® Life Sciences, LLC.

Providing Tomorrow's Innovative Solution's Today[®]
[Note to reviewer: This is the end of the package insert]

[Sublabel 2: Language specific to Airepel® HC]

Alternate Brand Name: Airepel® HC [FOR GEESE REPELLENCY]

Front Panel:

See instructions for Precautionary Statements, First Aid and Treatment, and Directions for Use and Conditions of Sale and Warranty

For Best Results: Product may separate if allowed to sit. Resuspend with Agitation. Keep from freezing.

Notice: Read the entire label before using. Use only according to label directions.

DIRECTIONS FOR USE

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

GENERAL INFORMATION: Airepel® HC repels geese from building roofs, window sills and ledges.

To prevent contamination of the dilute solution of Airepel® HC 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. For best results, product must thoroughly dry on surface prior to rainfall. Product may separate if allowed to sit. Resuspend with agitation. Keep from freezing.

USE RESTRICTIONS:

- This product may be used to repel geese, including Canada geese.
- Do not apply when surface to be treated is wet or when rain is expected.
- Do not apply this product in a way that will contact workers or other persons, either directly or through drift.
- Do not allow people or pets to enter treated area until product has dried.
- Do not apply to sidewalks, parking lots, patios, etc.

AIREPEL® HC NOT FOR SALE OR USE IN THE STATE OF NEW YORK.

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

APPLICATION DIRECTIONS:

When geese have begun to flock in one area and are problematic, apply Airepel® HC according to the following rates to 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.

Public, Municipal or Industrial Buildings:

Spray Application

- Apply at the rate 3 fluid ounces (0.12 lb. a.i.) of Airepel® HC 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 Airepel® HC 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.
- Airepel® HC 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.

Airepel® HC and Arkion ® are registered trademarks of Arkion® Life Sciences LLC

D-120716, Comments 021317, 021517