



U.S. ENVIRONMENTAL PROTECTION AGENCY  
 Office of Pesticide Programs  
 Registration Division (7505P)  
 1200 Pennsylvania Ave., N.W.  
 Washington, D.C. 20460

EPA Reg. Number:

69969-6

Date of Issuance:

3/19/21

NOTICE OF PESTICIDE:

Registration  
 Reregistration

(under FIFRA, as amended)

Term of Issuance:

Conditional Time-Limited  
 Expires: 9/30/2021

Name of Pesticide Product:

Avipel Liquid Corn Seed Treatment

Name and Address of Registrant (include ZIP Code):

Arkion Life Sciences, LLC  
 c/o Tim Joseph  
 Regulatory Agent  
 Landis International, Inc.  
 3185 Madison Highway  
 P.O. Box 5126  
 Valdosta, GA 31603-5126

**Note:** Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This registration notice is being issued to remove the conditional data requirements of OCSPP 835.2240, 835.4100, 835.4300, and 860.1000, as those guidelines have now been satisfied. Additionally, this notice extends the time-limited condition to September 30, 2021.

Signature of Approving Official:

for Gene Benbow, Product Manager 07  
 Invertebrate and Vertebrate Branch 3  
 Registration Division (7505P)

Date:

3/19/21

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A). You must comply with the following conditions:

1. Submit and/or cite all data required for registration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data.
2. This registration is time-limited and will terminate on September 30, 2021 unless renewed by EPA.
3. Be aware that proposed data requirements have been identified in a Revised Preliminary Work Plan. For more information on these proposed data requirements, you may contact the Chemical Review Manager in the Pesticide Reevaluation Division:  
<http://iaspub.epa.gov/apex/pesticides/f?p=chemicalsearch:1>
4. Due to the reclassification of anthraquinone from a biopesticide to a conventional chemical, you must submit the following studies:
  - a. Water Solubility (OSCPP 830.7860 – General Column Method)
5. Make the following label changes before you release the product for shipment:
  - Revise the EPA Registration Number to read, “EPA Reg. No. 69969-6.”
6. Submit one copy of the final printed label for the record before you release the product for shipment.

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.

If you fail to satisfy these data requirements, EPA will consider appropriate regulatory action including, among other things, cancellation under FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. Please also note that the record for this product currently contains the following CSFs:

- Basic CSF dated 09/29/2020
- Alternate CSF 1 dated 09/29/2020

If you have any questions, please contact Paul Di Salvo by phone at 703-347-0322, or via email at [disalvo.paul@epa.gov](mailto:disalvo.paul@epa.gov).  
Enclosure: Stamped Label

**Avipel® Liquid Corn Seed Treatment**  
**[Alternate Brand Name: AV – 4044]**  
**For the protection of Field and Sweet Corn Seed**  
**Against Consumption by Pheasants, Blackbirds, Crows, Grackles, Cowbirds,**  
**Starlings and Cranes**

**ACTIVE INGREDIENT**

9,10-Anthraquinone .....13.6%

**OTHER INGREDIENTS ..... 86.4%**

**Total 100.0%**

**Contains 1.56 lb ai/gallon**

**KEEP OUT OF REACH OF CHILDREN**  
**CAUTION**

<b>FIRST AID</b>	
If in eyes:	<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>
If inhaled:	<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>
If on skin or clothing:	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a Poison Control Center or Doctor for treatment advice.</li> </ul>
If swallowed:	<ul style="list-style-type: none"> <li>Call Poison Control Center or Doctor immediately 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>
<p><b>FOR MEDICAL EMERGENCIES INVOLVING THIS PRODUCT, CALL TOLL FREE 1-800-535-5053. HAVE THE PRODUCT CONTAINER OR LABEL AVAILABLE WHEN SEEKING TREATMENT ADVICE.</b>            See side panel for additional precautionary statements.</p>	

MANUFACTURED IN THE USA\* FOR:  
 ARKION® LIFE SCIENCES LLC  
 551 Mews Drive Suite J  
 New Castle, DE 19720  
 Toll Free Phone Number:  
 1-800-468-6324

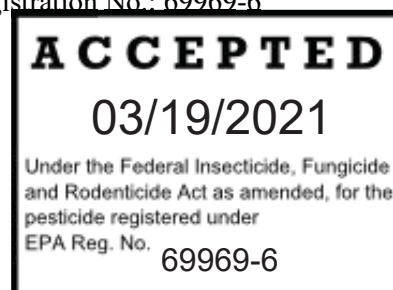
\*with foreign and domestic sourced materials



EPA Establishment No. \_\_\_\_\_

EPA Registration No.: 69969-6

NET CONTENTS: 2.5 Gallon  
 LOT CODE: \_\_\_\_\_



# PRECAUTIONARY STATEMENTS

## HAZARDS TO HUMANS AND DOMESTIC ANIMALS

### CAUTION

Causes moderate eye irritation. Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Harmful if inhaled. Avoid breathing vapor or spray mist. Remove contaminated clothing and wash clothing before reuse. Avoid contact with eyes or clothing.

**PERSONAL PROTECTIVE EQUIPMENT:** When handling Avipel® Liquid Corn Seed Treatment, use long-sleeved shirt and long pants, socks, shoes and chemical resistant gloves (barrier laminate, butyl rubber  $\geq 14$  mils, nitrile rubber  $\geq 14$  mils, neoprene rubber  $\geq 14$  mils, polyvinyl chloride (PVC)  $\geq 14$  mils, viton  $\geq 14$  mils). Wear protective goggles and a NIOSH-approved respirator with an organic vapor (OV) cartridge with a combination N, R or P filter, with NIOSH approval number prefix TC – 84A; or NIOSH approved gas mask with an organic vapor canister with NIOSH approval number prefix TC – 14G; or a NIOSH approved powered air purifying respirator with organic vapor (OV) cartridge and combination HE filter, with NIOSH approval prefix TC – 23C.

**USER SAFETY RECOMMENDATIONS:** Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling the product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### **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.

**Failure to follow the directions for use and precautions on this label may result in crop injury, or illegal residues.**

**Treatment of highly mechanically damaged seed, or seed of known low vigor and poor quality, may result in reduced germination and / or reduction of seed and seedling vigor. Treat and conduct germination test on a small portion of seed before committing the total seed lot to a select chemical treatment. Due to seed quality conditions beyond the control of Arkion Life Sciences LLC, no claims are made to guarantee germination of carry over seed.**

## **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Reformulation or repackaging of this product is prohibited. 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 agency responsible for pesticide regulation.

### **AGRICULTURAL USE REQUIREMENTS**

Use this product only in accordance with its labeling and Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

### **USE INFORMATION**

When applied properly **Avipel® Liquid Corn Seed Treatment** forms a bird repellent coating on corn seed. Birds may sample treated seeds but they will avoid additional consumption.

### **USE RESTRICTIONS**

- Use this product only in commercial seed treatment equipment.
- Treated seed must not be used for or mixed with food or animal feed, or processed for other uses.
- Use only at the labeled rate. Lower amounts may not give desired control.
- Do not allow children, pets, or livestock to have access to treated seed.
- Store treated seed away from feed and foodstuffs.
- Wear long-sleeved shirt, long pants, and chemical resistant gloves when handling treated seed.
- Do not apply more than 0.05 lb anthraquinone per acre (22 g ai/A) per year as a seed treatment application.
- For corn as a bird repellent (based upon an average seed weight of 3060 seeds/lb): This seed has been treated with 0.25 mg anthraquinone/seed. For corn as a bird deterrent (based upon an average seed weight of 3060 seeds/lb): This seed has been treated with 0.11 mg anthraquinone/seed.
- Dispose of all excess treated seed. Leftover treated seed may be doublesown around the headland or buried away from water sources in accordance with local requirements.
- Do not contaminate water bodies when disposing of planting equipment wash waters.
- Dispose of seed packaging in accordance with local requirements.

### **APPLICATION RATE:**

**Avipel® Liquid Corn Seed Treatment** may be applied as a water-based slurry alone, or with other compatible seed treatment materials, or sequentially with other registered, crop protection products. Apply water based slurry through a standard slurry, mist-type or batch commercial treater. Prior to mixing, potential tank mix partners which include pesticides, colorants, dyes and polymers should be tested for physical compatibility with **Avipel® Liquid Corn Seed Treatment**. **Thorough, uniform and consistent coverage** is essential for full protection from bird depredation. The pretreatment of corn seed with **Avipel® Liquid Corn Seed Treatment** should not exceed nine (9) months prior to the time of planting.

**As a bird repellent:** Application rate is 13.5 fluid ounces of **Avipel® Liquid Corn Seed Treatment** per 100 pounds of corn seed (1.2 pound of **Avipel® Liquid Corn Seed Treatment** per 100 pounds of corn seed).

**As a bird deterrent:** When using **Avipel® Liquid Corn Seed Treatment** as a bird deterrent to protect wild birds from eating accidentally treated corn seed spilled during planting before it can be buried, a lower dose can be used. This dose level will not provide full repellency but will be adequate in deterring bird consumption enough to prevent harm from other corn seed treatments that might be present on the corn seed. As a deterrent, the application rate is 6 fluid ounces per 100 pounds of corn seed (0.54 pound of **Avipel® Liquid Corn Seed Treatment** per 100 pounds of corn seed).

### MIXING INSTRUCTIONS

1. Application equipment must be clean and free of previously used pesticide residues before applying **Avipel® Liquid Corn Seed Treatment**.
2. Shake **Avipel® Liquid Corn Seed Treatment** well or agitate prior to use.
3. When tank mixing **Avipel® Liquid Corn Seed Treatment** follow label instructions of all products to insure proper application. Start and maintain constant mechanical and by pass agitation throughout the entire mixing and treating process.
4. Accurate calibration of the application equipment and frequent checks of this calibration is recommended to insure proper seed coverage.
5. Uniform coating of the seed is necessary to insure proper efficacy.
6. Depending on the type of seed treating equipment a small amount of water can be added to the product to facilitate product flow through the spray nozzles. **Do not exceed five (5) fluid ounces of water per one gallon of Avipel® Liquid Corn Seed Treatment.**
7. Environmental conditions such as temperature and humidity could have an effect on handling and during the drying of seed just after treatment.

**After treatment, seed must be dry before storage or rebagging.**

### SEED CONTAINER LABEL REQUIREMENTS

The Federal Seed Act requires that containers of treated seeds must be labeled with the following statements:

- This seed has been treated with 9-10, anthraquinone bird repellent.
- Do not use for feed, food, or oil purposes.
- User is responsible for ensuring that the seed bag meets all requirements under the Federal Seed Act.

In addition, the following statements are required on containers of seeds treated with **Avipel® Liquid Corn Seed Treatment**:

- Do not allow children, pets, or livestock to have access to treated seed.
- Store treated seed away from feeds and foodstuffs.
- Wear long-sleeved shirt, long pants, and chemical resistant gloves when handling treated seed.
- For corn as a bird repellent (based upon an average seed weight of 3060 seeds/lb): This seed has been treated with 0.25 mg anthraquinone/seed. [For corn as a bird deterrent (based upon an average seed weight of 3060 seeds/lb): This seed has been treated with 0.11 mg anthraquinone/seed.]
- Dispose of all excess treated seed. Leftover treated seed may be doublesown around the headland or buried away from water sources in accordance with local requirements.
- Do not contaminate water bodies when disposing of planting equipment wash waters.

- Dispose of seed packaging in accordance with local requirements.

## **STORAGE AND DISPOSAL**

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

**Storage:** Store in a sheltered location away from food or feed. Do not allow containers to freeze. After prolonged storage, product may separate. If this occurs, resuspend with agitation. Handle and open container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If container is leaking or if material is spilled for any reason or cause, carefully contain any spilled material to prevent non-target contamination. Do not walk through spilled material and dispose of as directed for pesticides below. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides above. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away. You may contact Infotrac for decontamination procedures or any other assistance that may be necessary. Infotrac's Telephone No. is 1-800-535-5053.

**Pesticide Disposal:** 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® 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 container (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 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration or by other procedures approved by state and local authorities.

### **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® 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.**

Avipel® and Arkion® are registered trademarks of Arkion® Life Sciences LLC

TAJ20200929