1/7

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Ms. Susan Gallager Regulatory Affairs Associate, Certis USA 9145 Guilford Road, Suite 175 Columbia, Maryland 21046

SEP 26 2013

RE:

Product Name:

Cutlass® Biological Insecticide

EPA Reg. №:

70051-79

Decision №:

D482891

Application for

September 4, 2013

Notification Date:

Dear Ms. Gallager:

The Biopesticides and Pollution Prevention Division has received your application for Notification under PR Notice 98-10 and Notice 2007-4; we have determined that this action falls within the scope of these Notices. Our records have been duly noted, and an updated stamped label reflecting the following changes will be placed in the registration jacket and uploaded to the Agency's Pesticide Product Label System.

- ① An updated Establishment № (changed from 62171-MS-001 to 70051-CA-001);
- ② A revised Warranty Statement to include the phrase "to the extent consistent with applicable law;" and
- 3 An updated Storage and Disposal section to include container handling statements consistent with PR Notice 2007-4.

A stamped copy of the label is enclosed for your records. If you have any questions regarding this letter, please contact Kathleen Martin of my staff (martin.kathleen@epa.gov; 703-308-2857).

Sincerely,

Kimberly Nesel, Chief

Microbial Pesticides Branch

Biopesticides and Pollution Prevention Division

Enclosure: Cutlass® Biological Insecticide Stamped Label

| Please read instructions on reverse before completing form. | Form Approved, OMB No. 2070 | Print Form | | |
|--|---|---|--|--|
| United States Environmental Protection Washington, DC 204 | Registration Agency Amendme | OPP Identifier Number | | |
| Application | n for Pesticide - Section I | | | |
| 1. Company/Product Number 70051-79 | 2. EPA Product Manager Kimberly Nesci | 3. Proposed Classification | | |
| 4. Company/Product (Name) Cutlass | PM# Microbial Pesticides Branch | None Restricted | | |
| 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. Check if this is a new address Product Name | | | | |
| | Section - II | | | |
| Amendment - Explain below. Resubmission in response to Agency letter dated "Me Too" Application. Notification - Explain below. Final printed labels in response to Agency letter dated "Me Too" Application. Other - Explain below. | | | | |
| Explanation: Use additional page(s) if necessary. (For section I and Section II.) Notification of Update of Container Handling, Warranty Statement, and Est. No. per PR Notice 98-10, 2007-4 Please see attached Certification Statement. | | | | |
| | Section - III | | | |
| 1. Material This Product Will Be Packaged In: | | ′ | | |
| Child-Resistant Packaging Yes* X No If "Yes" Unit Packaging Yes No. per Unit Packaging wgt. container | X No X F | ntainer Metal Mastic Slass Japer Other (Specify) | | |
| be submitted | | | | |
| 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions Container 5 lbs 0n Labeling accompanying product | | | | |
| 6. Manner in Which Label is Affixed to Product Lithograph Paper glued Stenciled Stenciled | | | | |
| Section - IV | | | | |
| 1. Contact Point Complete items directly below for identification | n of individual to be contacted, if necessary, to proce | ss this application.) | | |
| Name Christine A. Dively Title Dir. of Regulatory Affair Telephone No. (โก่อในปี Area Code) | | | | |
| 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. | | | | |
| 2. Signature Celvistins A. Diesely | 3. Title Director of Regulatory Affairs | Contraction | | |
| <u></u> | 5. Date Sep 4, 2013 | . (; | | |



Columbia, MD 21046

(301) 604-7340

Certis USA

Suite 175

Fax: 301-604-7015 www.certisusa.com

9145 Guilford Road

Hand Delivered

September 4, 2013

Document Process Desk (NOTIF)
Office of Pesticide Programs
Biopesticides and Pollution Prevention Division (7540P)
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Re: Certis USA L.L.C. (EPA Company No. 70051)

Notification of change in Warranty/Storage and Disposal/Establishment No.

per PR Notice 98-10

Product: Cutlass

(EPA Reg. No. 70051-79)

On behalf of Certis USA, L.L.C., I am respectfully submitting a Notification to make minor modifications to the label of the registered pesticide product Cutlass (EPA Reg. No. 70051-79) per PR Notice 98-10. The only changes that have been made to this label are the following:

- The Establishment No. has been updated
- The Warranty statement has been revised to include the phase "To the extent consistent with applicable law"
- Storage and Disposal section has been updated to include container handling statements consistent with PR Notice 2007-4

No other changes have been made to this label. Included with this submission to support this Notification is the following documents:

- EPA Form 8570-1, with attached Certification Statament
- Cutlass label, highlighted to show revisions
- Cutlass label, clean copy

Please do not hesitate to contact me if you have any questions about this submission. I can be reached by telephone at 301-483-3810 or by email at sgallager@certisusa.com.

Sincerely,

Susan Gallager

Regulatory Affairs Associate

CC: Christine Dively

Director of Regulatory Affairs

Notification Accepted

Date: SeptemBer 26,2013 Shoviewer: Kathleen Martin MicroBial Products Bro

BIOLOGICAL INSECTICIDE

CUTLASS® wettable powder bioinsecticide is a biological insecticide for the control of lepidopteran pests.

The percent active ingredient does not indicate product performance and potency measurements are not federally standarized.

KEEP OUT OF REACH OF CHILDREN CAUTION

Net Contents: 5 U.S. Pound Bag

EPA Reg. No. 70051-79 EPA Est. No. 70051-CA-001 Lot No.

Manufactured by Certis USA 9145 Guilford Road Suite 175 Columbia, MD 21046

CERTIS

FIRST AID:

If on skin: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison 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. Call a poison control center or doctor for treatment advice.

If swallowed: Call a 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 by a poison control center or doctor. Do not give anything to an unconscious person.

If inhaled: Move the person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth. Call a poison control center or doctor for treatment advice.

Hot Line Number: 1-800-255-3924

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful If swallowed or inhaled. Avoid breathing dust or spray mist. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long sleeved shirt and long pants
- · Shoes plus socks
- · Waterproof gloves

Mixers/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

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

User Safety Recommendations

Users should:

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

ENVIRONMENTAL HAZARDS

Do not contaminate water when disposing of equipment washwaters or rinsate.

This product must not be applied aerially with ¼ mile of any habitats of endangered or threatened Lepidoptera. No manual application can be made within 300 feet of any threatened or endangered Lepidoptera.

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 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.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the 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 intervals. The requirements in this section only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 4 hours. PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: coveralls, waterproof gloves, shoes plus socks.

Preharvest Interval: CUTLASS may be applied to the crops listed in the APPLICATION RATE TABLE at any time, up to and on the day of harvest.

Mode of Action: After consuming a lethal dose of CUTLASS, larvae will cease to feed, but may remain alive on foliage for several days before disappearing. Immediately after ingestion of CUTLASS, larvae begin to move slowly, become discolored, shrivel and blacken prior to death.

MIXING INSTRUCTIONS

CUTLASS may be applied with conventional ground, aerial or hand held application equipment with quantities of water sufficient to provide thorough coverage of infested plants. Do not apply this product through any type of irrigation system. To obtain a suitable mixture with water, add enough water to allow maximum agitation. With agitator running, slowly add in the CUTLASS. Continue agitation. Add remainder of water and other spray materials and agitate until mixed. Maintain suspension with loading and spraying. Do not mix more CUTLASS than can be used in a 12-hour period. Rinse and flush spray equipment thoroughly following each use. Do not contaminate water when disposing of equipment washwaters.

In order to make proper decisions on application rates to be used, follow the recommendations in the APPLICATION RATE TABLE and these guidelines:

APPLICATION GUIDELINES

Pest Pressure (number of larvae/plant)

| Pest category | Low ¹ (<0.3) | Moderate ² (0.3-1.0) | High ³ (1.0-5.0) | Extreme ⁴ (>5.0) | |
|----------------------------|----------------------------|------------------------------------|--------------------------------|-----------------------------|--|
| Po | ounds of | Product to be | Applied per | Acre | |
| Category 1 1.5 2.0 2.5 2.5 | | | | | |
| Category 2 | 1.0 | 1.5 | 2.0 | 2.5 | |
| Category 3 | 1.0 🔻 | 1.0 | 1.5 | 2.0 | |
| | | | | | |

- ¹ Recommended spray interval of 7 10 days.
- ² Recommended spray interval of 6 8 days.
- ³ Recommended spray interval of 4 6 days.
- 4 Recommended spray interval of 3 5 days.

Category 1 Pests include: artichoke plume moth, navel orangeworm, oriental fruit moth, tomato fruitworm (also called bollworm and corn earworm), tufted apple budmoth.

Category 2 Pests Include: Amorbia, armyworms, cabbage looper, citrus cutworm, diamondback moth, leafrollers, melonworm, peach twig borer, pickleworm, soybean looper, tomato pinworm, tobacco budworm and tortrix moth.

Category 3 Pests include: all caterpillar pests shown in the APPLICATION RATE TABLE, except those shown in Categories 1 and 2.

For crops such as Fruits, Nuts and Vines, applications are often timed to stage of development and recommendations from local Extension personnel should always be followed.

APPLICATION INSTRUCTIONS

Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and weather-related factors determine the potential for spray drift. The

applicator and the grower are responsible for considering all these factors when making decisions.

CUTLASS is a selective insecticide for use against the lepidopteran larvae listed in the APPLICATION RATE TABLE. Larvae must consume deposits of CUTLASS to be affected. Always follow these directions:

- Make applications when larvae are still small (early instars) and actively feeding on foliage or other plant parts.
- · Make applications before noticeable foliar damage occurs.
- Thorough spray coverage is essential for good insect control.
 For ground applications, directed drop nozzles should be used for certain vegetable crops.
- When insect infestations are heavy, use the higher label rates, shorten the spray interval, and/or use larger total spray volume to improve spray coverage (see APPLICATION GUIDELINES for selection of rates and intervals).
- Applications should be repeated at an interval sufficient to maintain control, depending upon plant growth, insect pressure and weather conditions after spraying. (Refer to APPLICATION GUIDELINES).
- For ground applications, use a minimum spray volume of 5 gallons per acre. For aerial applications, use a minimum spray volume of 2 gallons per acre.
- Local conditions may affect the use of CUTLASS. Consult your State Agricultural Extension Specialist for specific recommendations related to local crop protection problems.
- Spray water/spray tank solutions should not exceed pH 8.0.
 If necessary, buffer water to near neutral pH.

HAND-HELD EQUIPMENT

When using hand-held equipment, mix 3 teaspoons per gallon of water or 1 1/2 pounds per 100 gallons of spray solution. Spray to wet, but not to runoff.

TANK-MIX

Combinations of CUTLASS with commonly used insecticides, fungicides, or other spray tank adjuvants are generally not deleterious to performance. It is advisable to test physical compatibility by mixing all components in a small container in proportionate quantities prior to mixing in spray tank. This product cannot be mixed with any product containing a label prohibition against such mixing. No label dosage rate should be exceeded. Application must be made in accordance with the more restrictive of label limitations and precautions.

- For improved durability of spray deposits, an approved spreader/sticker is strongly recommended for hard-to-wet crops such as cole crops.
- Feeding stimulants may improve performance. Consider using feeding stimulants in situations of heavy worm pressure, inadequate coverage, or dense crop canopy.

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APPLICATION RATETABLE

| I. VEGETABL | ES | & | COLE | CROP | S |
|-------------|-----|----|-------|------|---|
| (Crosh s | hne | D: | 29970 | ort\ | |

| (Fresh and Processed) | | | |
|---|---|--|--|
| Crop such as: | | Insect Pest | |
| Artichokes Arugala Asparagus Beans Beets Bok Choy Broccoli Brussels sprouts Carbage Cardoni Carrots Cauliflower Celeriac Celery Chick peas Chicory Chinese cabbage Collards Cucumber Cucurbits Dry bulb onions Eggplants Escarole | Leeks Lentils Lettuce (Head Leaf, Romaine) Malanga Melons (Cantaloupe, Crenshaw, Honeydew, Muskmelon, Watermelon, etc.) Napa Okra Onions Parsley Parsnips Peas Peppers Polatoes Pumpkins Radishes Rutabaga Salsify Shallots Soybean foliage | Insect Pest Armyworms Artlichoke plume moth Beet armyworm Cabbage budworm Cabbage looper Cabbage webworm Celery leaftier Corn earworm Cross-striped cabbageworm Diamondback moth European corn borer Fall armyworm Green cloverworm Imported cabbageworm Melonworm Omnivorous leafroller Pickleworm Rindworm complex Saltmarsh caterpillar Soybean looper Tobacco budworm Tomato fruitworm Tomato fruitworm | |
| Endive Garlic | Spinach Squash | Tomato pinworm Velvetbean caterpillar | |
| Green onions Greens (Beefs, China, Dandelion, Mustard, Tumip) Horseradish Kale | Sugar Beets Sweet potatoes Swiss Chard Tomatoes Turnips Watercress | Yellowstriped armyworm | |
| Kohlrabi | | | |

Rate/Acre: 1.0 - 2.5 pounds

II. HERBS & SPICES

| Crop such as: | Insect Pest |
|--|--|
| Basil Chives Cliantro Dill Oregano | Armyworms Diamondback moth European corn corer Green cloverworm Imported cabbageworm |
| Peppermint Thyme | Loopers Sallmarsh caterpillar |

III. PASTURE & HAY CROPS

| Insect Pest |
|---|
| Alfalfa caterpillar Armyworms* Loopers* European skipper |
| |

IV. FRUIT, NUT AND VINE CROPS

| Crop such as: | Insect Pest . | Rate/Acre |
|--|---|-------------------|
| Pome and Stone Fruit Trees: Apples Apricots Cherries Nectarines Peaches Pears Plums Prunes Quince | Cankerworm (Spring & Fall) Eastern tent caterpillar Fall webworm Fruittree leafroller Gypsy moth Navel orangeworm Omnivorous leafroller Oriental fruit moth Peachtwigborer Redbanded leafroller Redhumbed caterpillar Tortrixmoth (Orange and Garden) Tufted apple budmoth Variegated leafroller Walnut caterpillar | 1.0 - 2.5 pounds |
| Nut Trees: Almonds Chestnuts Filberts Pecans Walnuts | Citrus cutvorm Filbert leafroller Filbert webworm Navel orangeworm Oblique banded leafroller Peach twig borer Roughskinned cutworm | 1.0 - 2.5 pounds |
| Citrus | Amorbia Citrus culworm Fruittree leafroller Orangedog | 1.0 - 2.5 pounds |
| Small Fruit and Berries: Blackberries Blueberries Cranberries Currants Raspberries Strawberries | Achema sphinx moth Armyworms Blueberry leafroller Fruittree leafroller Grape berry moth Gypsy moth Loopers Oblique banded leafroller Tobacco budworm | 1.0 - 2.5 pounds |
| Grapes | Grape berry moth Cherry fruitworm Grape leaffolder Grapeleaf skeletonizer Green fruitworm Omnivorous leafroller Orange tortrix Saltmarsh caterpillar | 1.0 - 2.5 pounds |
| Tropical and Other Fruit: Avocados | Amorbia Loopers Orange tortrix Omnivorous leafroller Omnivorous looper Spanworm | 1.0 - 2.5 pounds |
| Bananas | Banana skipper | 1.0 - 2.0 pounds. |
| Kiwi | Omnivorous leafroller | 1.5 - 2.5 pounds |
| Persimmons Pomegranate | Citrus cutworm Fall webworm Filbert webworm Omnivorous leafroller Redhumped caterpillar Tent caterpillar | 1.0 - 2.5 pounds |
| Pineapple | Gummosos-Batrachedra commosae Thecla-Thecla basilides | 1.0 - 2.0 pounds |
| Tropical fruits | Hornworms Leafrollers Loopers Omnivorous leafroller | 1.0 - 2.5 pounds |

Rate/Acre: 1.0 - 2.5 pounds

* Product should be applied when early instar larvae first appear. If infestation persists, make a second application 7-10 days later. Combination of CUTLASS with contact insecticide is recommended for control of 4th and 5th instar larvae.

V. FIELD CROP

| V. FIELD CROPS | | | |
|---|--|------------------|--|
| Crop such as: | Insect Pest | Rate/Acre | |
| Canola/Rape Seed Evening Primrose | Armyworms Diamondback moth Imported cabbageworm Loopers | 1.0 - 2.5 pounds | |
| Corn (Field, Sweet, Popcorn) | Armyworms European corn borer Southwestern corn borer | 1.0 - 2.0 pounds | |
| Cotton* | Beet armyworm Bollworm Cabbage looper Cotton leaf perforator Saltmarsh caterpillar Tobacco budworm | 1.0 - 2.5 pounds | |
| Hops | Armyworms Loopers Oblique banded leafroller Omnivorous leaftier Spotted cutworm | 1.0 - 2.5 pounds | |
| Jojoba | Looper (Anacamptodes spp.) | 1.0 - 2.5 pounds | |
| Peanuts | Fall armyworm Green cloverworm Loopers Podworms Velvetbean caterpillar | 1.0 - 2.5 pounds | |
| Rice | Armyworms Green cloverworm Loopers Saltmarsh caterpillar Velvetbean caterpillar | 1.0 - 2.5 pounds | |
| Safflower | Armyworms Loopers Saltmarsh caterpillar | 1.0 - 2.5 pounds | |
| Small Grains (Barley, Oats, Rye, Wheat, etc.) | Armyworms Loopers | 1.0 - 2.5 pounds | |
| Sorghum | European corn borer Saltmarsh caterpillar Velvetbean caterpillar | 1.0 - 2.5 pounds | |
| Soybeans | Green cloverworm Soybean looper Velvetbean caterpillar | 1.0 - 2.5 pounds | |
| Sunflowers | Banded sunflower moth Beet armyworm Headmoth Loopers Sunflower moth | 1.0 - 2.5 pounds | |
| Tobacco | Tobacco budworm Tobacco hornworm Loopers | 1.0 - 2.5 pounds | |

* Use CUTLASS to control light to moderate populations of newly hatched worms in integrated pest management programs. Repeat treatments at four to five day intervals or as long as necessary until results are acceptable. For control of cotton bollworm and tobacco budworm, ovicides or synthetic pyrethroids can be combined with CUTLASS in accordance with the more restrictive of label limitations and precautions. No label dosage rates should be exceeded. This product cannot be mixed with any product containing a label prohibition against such mixing.

VI COMME. ... IAL FLOWERS & ORNAMENTAL PLANTS

| Crop such as: | Insect Pest | |
|--|---|---|
| Bedding plants Flowers Greenhouse Ornamentals Vegetables | Armyworms Azalea moth Diamondback moth Ello moth (hornworm) Io moth | Loopers Oleander moth Omnivorous leafroller Omnivorous looper Tobacco budworm |

Rates/Acre 1.0 - 2.5 pounds

| VI FOREST, SHADE TREE & NURSERY STOCK | | | |
|--|--|---|--|
| Crop such as: | Insect Pest | | |
| Forest Shade trees Nursery trees | Bagworm Blackheaded budworm Browntai) moth California oakworm Douglas fir tussock moth Elm spanworm Fall webworm Fruittree leafroller Greenstriped mapleworm Gypsy moth Jack pine budworm Mimosa webworm | Pine butterfly Redhumped caterpillar Saddleback caterpillar Saddle prominent caterpillar Spring and Fall cankerworm Spruce budworm Tent caterpillar Tortix Western tussock moth | |

Rate/Acre 1.0 - 2.5 pounds

7

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a dry area inaccessible to children. Store in original containers only. Keep container closed when not in use.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of onsite or at an approved waste disposal facility.

Container Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available, or dispose of empty bag in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY

CERTIS USA L.L.C. warrants that the material contained herein conforms to the description on the label and is reasonably fit for the purposes referred to in the directions for use. Timing and method of application, weather, watering practices, nature of soil, the insect problem, condition of the crop, incompatibility with other chemicals not specifically recommended, and other influencing factors in the use of this product are beyond the control of the seller. To the extent consistent with applicable law, buyer assumes all risks of use, storage, or handling of this material not in strict accordance with the directions given herein. NO OTHER EXPRESS OF IMPLIED WARRANTY OF THE FITNESS OR MERCHANTABILITY IS MADE.

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