

70051-106

04/17/2013

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

APR 17 2013

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Christine A. Dively
Director of Regulatory Affairs
Certis USA, L.L.C.
Columbia, MD 21046

Subject: Product Name: *Thuricide HPC-O for Home and Gardens*
EPA Reg. No.: 70051-106
Application for Notification Dated: March 7, 2013

Dear Ms. Dively:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under 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 requested falls within the scope of PRN 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

Questions concerning this action should be directed to Michael Glikes at (703)305-6231 or glikes.michael@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly Nesci".

Kimberly Nesci, Chief
Microbial Pesticides Branch
Biopesticides & Pollution Prevention Division

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

Print Form



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 70051-106	2. EPA Product Manager Nesci	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Thuricide HPC-O	PM# MPB	
5. Name and Address of Applicant (Include ZIP Code) Certs U.S.A. L.L.C. 9145 Guilford Road, Suite 175 Columbia, Maryland 21046 <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 _____
<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.)

Addition of container handling statements per PR Notice 2007-4 for packaging sizes greater than 5 gallons. The text is identical to the text outlined in the PR Notice. No other changes have been made to the labeling.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input 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 checked="" type="checkbox"/> Metal <input 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 4-16oz-250g.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper, glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Christine A. Dively		Title Director of Reg. Affairs		Telephone No. (Include Area Code) 301-483-3806	
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 <i>Christine A. Dively</i>		3. Title Director of Reg. Affairs			
4. Typed Name Christine A. Dively		5. Date March 7, 2013			

Certis USA, L.L.C.
9145 Guilford Road
Suite 175
Columbia, MD 21046
(301) 604-7340
FAX (301) 604-7015
www.certisusa.com



Hand-Delivered

March 5, 2013

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

Attention:

Ms. Kimberly Nesci
Branch Chief, Microbial Pesticides Branch
Biopesticides and Pollution Prevention Division
Office of Pesticide Programs

Re: Certis U.S.A. L.L.C./Company Number 70051
Notification to Add Container Handling Statements per PR Notice 2007-4
EPA Registration Number: 70051-106; Thuricide HPC-O

Dear Ms. Nesci:

On behalf of Certis U.S.A. L.L.C., (9145 Guilford Road, Suite 175, Columbia, Maryland 21046), I respectfully submit a Notification for Thuricide HPC-O, EPA Registration Number 70051-106, to provide additional container handling statements for pesticide container sizes that are greater than 5 gallons. These statements are consistent with appropriate text as indicated in PR Notice 2007-4.

The following materials are included in this submission:

- EPA Form 8570-1; Application for Pesticide
- Label copy with highlighted changes
- Three (3) copies of the draft labeling

Please do not hesitate to contact me if you have any questions about this submission. I can be reached by telephone at 301-483-3806 or by email at cdively@certisusa.com.

Sincerely,

Sincerely,
Christine A. Dively
Christine A. Dively

Director of Regulatory Affairs
Certis USA

Enclosure

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Thuricide[®] HPC-O

FOR HOME & GARDENS

BIOLOGICAL INSECTICIDE


Controls worms and caterpillars on Fruits, Vegetables, Ornamentals and Shade Trees

Notification Accepted

Easy-To-Mix Liquid Concentrate

Date: April 17, 2013

Reviewer: M. Glikes

 For Organic Gardening



ACTIVE INGREDIENT:

Bacillus thuringiensis subspecies *kurstaki* strain SA-12 solids, spores and
Lepidopteran active toxins (At least 6 million viable spores per mg) 98.35%

OTHER INGREDIENTS: 1.65%

TOTAL: 100.00%

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

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

Net Contents: 4 (or 8, or 16) Fl. Oz.

EPA Reg. No. 70051-106

EPA Est. No. 70051-CA-001

Lot Number:

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

CERTIS

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION:

Causes moderate eye irritation. Avoid contact with eyes or clothing. Avoid breathing vapors or spray mist. Wash thoroughly with soap and water after handling.

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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

FIRST AID

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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. Hot Line Number: 1-800-255-3924.

Thuricide HPC-O for Home and Gardens is an easy to mix liquid concentrate. Properties include:

Kills worms and caterpillar stage insects, but has no effect on birds, earthworms, or beneficial insects, such as honeybees and ladybugs, when used as directed.

Worms and caterpillars eat treated foliage then immediately stop feeding and damaging plants.

Acceptable for use on edible plants up to the day of harvest.

DIRECTIONS FOR USE

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

Apply Thuricide HPC-O for Home and Gardens when worms or caterpillars are first noticed, then repeat at five (5) to seven (7) day intervals while they are active. Apply more frequently to control heavy infestations. Apply thoroughly to top and bottom of foliage. Reapply after heavy rains.

Thuricide HPC-O for Home and Gardens must be eaten by worms or caterpillars to be effective. After ingesting the insecticide, they immediately stop feeding, though they may otherwise appear to be unaffected for several days. Best results are obtained by treatments when worms are small; they must be actively feeding treated, exposed foliage. You may apply Thuricide HPC-O for Home and Gardens up to and on the day of harvest.

How to Apply: Always shake or stir Thuricide HPC-O for Home and Gardens thoroughly before use. Partially fill sprayer with water before adding the application rate amount of product, then mix in product thoroughly and add remaining amount of water.

Spray leaf surfaces thoroughly, top and bottom, for complete control. Agitate regularly while spraying. Use all of spray mixture within 24 hours.

Fruits and Vegetables: Mix 1.5 fluid ounces per 3 gallons water (1 tablespoon per gallon) for a hand sprayer and apply to all plant foliage to cover an area of 1000 square feet. Apply at first sign of infestation and repeat at weekly intervals when needed to maintain control of the following insects:

Cabbage Looper on broccoli, cauliflower, collards, kale, mustard greens, turnip greens, cabbage, celery, lettuce, melons, and tomatoes.

Imported Cabbage Worm on broccoli, cabbage, cauliflower, collards, kale, mustard greens and turnip greens

Tomato Hornworm on tomatoes.

Shade Trees & Ornamentals: Mix 2 fluid ounces per 3 gallons of water (4 teaspoons per gallon) for a hand sprayer or proportional amounts for a hose-end sprayer following manufacturer's directions. Apply at first sign of infestation and repeat at weekly intervals when needed to maintain control. Apply to thoroughly cover all foliage surfaces of shade trees and ornamentals for control of the following leaf-feeding worms:

Bagworm	Spring Cankerworm
Fall Cankerworm	Gypsy Moth*
Tent Caterpillar	Elm Spanworm
Fall Webworm	

* Apply when buds swell, but before leaves are fully open. If eggs hatch over a long period of time or if reinfestation occurs, spray about 14 days after first application.

STORAGE AND DISPOSAL

Pesticide Storage: Store in a cool place. Activity may be impaired by storage at temperatures above 90°F.

Pesticide Disposal and Container Handling:
Nonrefillable container. Do not reuse or refill this container.

For containers less than or equal to 5 gallons

If empty:

Place in trash or offer for recycling, if available.

If partly filled:

Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

For containers greater than 5 gallons: 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 the 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 equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling, if available, or puncture and dispose of in a sanitary landfill, 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. Buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herein. NO OTHER EXPRESSOR IMPLIED WARRANTY OF THE FITNESS OF MERCHANTABILITY IS MADE.