

71376-2

7-17-2006

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 71376-2	2. EPA Product Manager Mautz	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EXCEL® Systemic Insect Control Granules	PM#	
5. Name and Address of Applicant (Include ZIP Code) Excel Marketing 1340 Treat Boulevard, Suite 650 Walnut Creek, CA 94597 <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 _____	NOTIFICATION JUL 17 2006
<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.)

NOTIFICATION to: 1) add non-public health pests and specific ornamental plants as listed on other EPA-approved acephate labels; 2) expand marketing claims associated with #1; and 3) provide alternate Confidential Statement of Formula.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the Confidential Statement of Formula of this product. Excel Marketing understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA, and further understands that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and Excel Marketing may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input 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 type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input 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 Rebecca M. Horton	Title Consultant/Agent for EXCEL MARKETING	Telephone No. (Include Area Code) 540-375-8826
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>Rebecca M. Horton</i>	3. Title Consultant/Agent for EXCEL MARKETING	
4. Typed Name Rebecca M. Horton	5. Date 6/23/06	

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Excel[®] Systemic Insect Control Granules

NOTIFICATION

JUL 17 2006

Optional Marketing Statements

Ready-to-Use

Systemic Insecticide – works from within the plant

6 Week Protection

For [Use on] **Roses, Flowers and Shrubs** [including ageratum, arborvitae, aster, azalea, birch, camellia, cherry laurel, chrysanthemum, crape myrtle, Cuban laurel (figus), dahlia, elm, geranium, holly, maple, marigold, oleander, petunia, photinia, pyracantha, rhododendron, salvia, spirea, snapdragon, sycamore, viburnum, willow, yaupon, yew, zinnia]

Absorbs through the roots to protect from the inside out

Kills both chewing and sucking insects as listed: **Aphids, Lace Bugs, Leafhoppers, Cuban Laurel Thrips, Leafminers, Leaf Beetles, Leaf-tiers, Worms, Scale, Leaf-tier (larvae), Dusky Birch Sawfly, Loopers, Thrips, Budworms, Mealybugs, Root Weevils, Whiteflies, White Grub Larvae, Plant Bugs and Psyllids**

Won't wash off with rain or sprinklers

ACTIVE INGREDIENT:

Acephate (CAS No. 30560-19-1)..... 1.5%

OTHER INGREDIENTS: 98.5%

TOTAL: 100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

(See back/side/other panel(s) for additional Precautionary Statements and First Aid)

NET WT ____ LB (____ kg)

Excel® Systemic Insect Control Granules contains an effective systemic insecticide that provides up to 6 weeks control of Aphids, Lace Bugs, Leafhoppers, Cuban Laurel Thrips, Leafminers, Leaf Beetles, Leaf tiers, Worms, Scale, Leaf tier (larvae), Dusky Birch Sawfly, Loopers, Thrips, Budworms, Mealybugs, Root Weevils, Whiteflies, White Grub Larvae, Plant Bugs and Psyllids [the following listed insects].

Excel® Systemic Insect Control Granules prevents damage caused by the destructive insects listed on this label. *Systemic* means that the plant actually absorbs the insecticide through its root system and then moves it internally through the sap stream into its branches, leaves, blossoms and new growth.

Excel® Systemic Insect Control Granules protects against insects for 6 weeks. It cannot be washed by rain or sprinkling, since the protection is internal. This systemic action protects all plant surfaces, including undersides of leaves and blossoms. New growth is also fully protected.

Excel® Systemic Insect Control Granules kills the following insects on roses; flowers and shrubs:

- | | | |
|--|-------------------------|--|
| Aphids (plant lice) | Cuban Laurel Thrips* | Leafhoppers |
| Lace Bugs | Holly Leafminers | Birch Leafminers |
| Maple Shoot Moth | Elm Leaf Beetle | Willow Leaf Beetle |
| Obscure Root Weevil** | Scale | Leaf tier (larvae) |
| Dusky Birch Sawfly | Loopers | Budworms |
| Thrips | Mealybugs | Whiteflies |
| Root Weevils (including
Black vine, Apopka,
& Strawberry***) | Psyllids | White Grub Larvae
(including Elm Leaf
and Japanese Beetle) |
| | Plant Bugs (Lygus spp.) | |

**on azalea and rhododendron

*on ficus

***for non-bearing plants only

DIRECTIONS FOR USE

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

USE RESTRICTIONS: For outdoor use around the home only. Do not allow people or pets to enter treatment area until dusts have settled. Do not apply this product in a way that will contact people or pets. Do not apply to plants used for food or feed. Do not apply to ornamentals that are planted directly beneath food producing trees such as fruit or nut bearing trees. Do not apply to lawns.

Storage & Disposal

Storage: Keep in original container. Store in a cool, dry, preferably locked area away from children and pets.

Disposal: *If empty* – Do not reuse this container. 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.

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PRODUCT USAGE	
Kills	Aphids, Lace Bugs, Leaf Beetles, Leafhoppers, Leafminers, Worms, and other listed insects.
Use on	Roses, Flowers, Shrubs & Ornamentals including ageratum, arborvitae, aster, azalea, birch, camellia, cherry laurel, chrysanthemum, crape myrtle, Cuban laurel (ficus), dahlia, elm, geranium, holly, maple, marigold, oleander, petunia, photinia, pyracantha, rhododendron, salvia, spirea, snapdragon, sycamore, viburnum, willow, yaupon, yew, zinnia
Amount to Use	<p>Established Roses: ½ cup per 9 sq. ft. (3' x 3')</p> <p>Flowers: ⅔ lb. per 25 sq. ft. (5' x 5')</p> <p>Shrubs & Ornamentals: ⅓ cup for each foot of plant height.</p>
When to Use	When plants have about 1 inch of new growth in the spring. Reapply every 6 weeks through the summer.
How to Use	<p>Established Roses: Work into the top 1-2 inches of the soil, taking care not to disturb plant roots. Water thoroughly. Do not apply to newly planted roses until they have become well established (planted in the ground for 3 months).</p> <p>Flower Beds: Work into the top 1-2 inches of the soil. Plant seed or set plants and water thoroughly. Do not get on foliage when foliage is wet.</p> <p>Ornamental Shrubs & Trees (under 12 ft. tall): Distribute evenly from the base to the dripline of all sides of the plant. Work into the top 1-2 inches of the soil and water in thoroughly.</p>

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. When handling this product or mixing into the soil as directed, wear long pants and long-sleeved shirt, socks, shoes and gloves. Wash the outside of gloves with soap and water before removing. Remove and wash contaminated clothing before reuse.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This pesticide is toxic to birds. Do not apply directly to water. Do not contaminate water by cleaning of equipment washwaters or rinsate.

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FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact x-xxx-xxx-xxxx [the National Pesticide Information Center at 1-800-858-7378] for emergency medical treatment information.

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 told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

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 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 in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first five 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

NOTE TO PHYSICIAN: Contains an organophosphate that inhibits cholinesterase. If symptoms of cholinesterase inhibition are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal and may be administered in conjunction with atropine.

WARRANTY: Excel Marketing Inc. guarantees this product to the extent of the purchase price, only when used according to directions.

? 1-888-648-9855

+ 1-800-424-9300

Excel Marketing, Inc.
1340 Treat Boulevard, Suite 650
Walnut Creek, CA 94597

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Registrations by Design, Inc.sm

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Salem, VA 24153-3805
phone 540.375.8826
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CERTIFIED MAIL #7005 3110 0002 1068 5241
June 23, 2006

Document Processing Desk (NOTIF)
Office of Pesticide Programs / Registration Division (7504P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re: Notification: EPA Reg. No. 71376-2, Excel® Systemic Insect Control Granules

Attn: Joyce Edwards, Notifications Review Coordinator

On behalf of Excel Marketing of Walnut Creek, California, enclosed is notification of the following proposed label/formulation changes for the above pesticide registration:

- 1) add non-public health pests and identify specific ornamental plants as listed on other EPA-approved acephate labels;
- 2) expand optional marketing statements associated with #1; and
- 3) provide for an alternate Confidential Statement of Formula (#1) utilizing an alternative source EPA-approved acephate registration as the active ingredient

Note – I have also taken this opportunity to remove "Inc." from the company name on the label of record – to bring it into compliance with the current company name on record for EPA Company No. 71376.

All areas of revision are highlighted on the enclosed proposed label. If additional action or information is required on Excel Marketing's behalf, please advise.

Best regards,

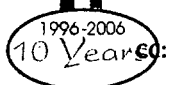


Rebecca M. Horton
Consultant/Agent for
EXCEL MARKETING

e-mail: hortonb@ntelos.net

/bmh

Enclosures



MGarbett/EM