

71975-1

10/20/2010

1/8

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY


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

OCT 20 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Dr. Matthew Brooks
 Authorized Agent for
 Northwest Agricultural Products
 c/o Ag-Chem Consulting
 12208 Quinque Lane
 Clifton, VA 20124

Subject: Product Name: Bloomtime Biological™ FD Biopesticide
 EPA Reg. Number: 71975-1
 Resubmission Date: September 30, 2010
 EPA Receipt Date: October 4, 2010

Dear Dr. Brooks:

The following amendments, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, are acceptable.

Proposed amendment:

- Revise label to add "for organic production" statement
- Add other minor label revisions
- Revised Basic Confidential Statement of Formula (CSF) dated 9/30/10

General comments:

A copy of the acceptable labeling is enclosed for your record. A copy of the basic CSF (9/30/10) has been inserted in your file for future reference. The basic CSF dated September 30, 2010 supersedes all previously accepted ones.

Future labeling amendments may be accomplished by submitting a copy of the electronic label. Refer to the following website for guidance on electronic submissions, including label: <http://www.epa.gov/pesticides/regulating/registering/submissions/index.htm>.

If you have any questions concerning electronic label submissions, please refer to the above website for a list of contact personnel for more information.

CONCURRENCES

SYMBOL	7511P	7511P						
SURNAME	Whitaker	Ruff						
DATE	10/15/10	10/19/10						

Should you have further questions concerning this letter, please contact me by telephone at (703) 308-8269 or by e-mail at reilly.sheryl@epa.gov, or Renae Whitaker by telephone at (703) 347-0136 or by email at whitaker.renae@epa.gov during the hours of 8:00 am to 3:30 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,



Sheryl K. Reilly, Ph.D., Chief
Microbial Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

Enclosure: EPA stamped label

3/8



Master Label

ACCEPTED

OCT 20 2010

Bloomtime Biological™ FD Biopesticide

Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for
the pesticide registered under
EPA Reg. No. 71975-1

 FOR ORGANIC PRODUCTION

ACTIVE INGREDIENT:

Pantoea agglomerans strain E325;

NRRL B-21856*	7.0%
Other ingredients:	93.0%
	100.0%

* Minimum *Pantoea agglomerans* sps 1×10^{10} cfu/g

BACTERIAL ANTAGONIST TO REDUCE THE SEVERITY OF FIRE BLIGHT

KEEP OUT OF REACH OF CHILDREN
CAUTION

EPA Reg. No. 71975-1

EPA Est. No. 71975-WA-001

Manufactured by
Northwest Agricultural Products
P.O. Box 3453
Pasco, WA 99302
(509)547-8234
1-877-357-4461 (toll free)
U.S. Patent No.: 5,919,446

[Optional Symbol]



BIO SCIENCE
PESTICIDES

Net Contents: 0.33 lbs (150 gram)
Batch #



OCT 20 2010

Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for
the pesticide registered under
EPA Reg. No. 71915-1

FIRST AID
IF INHALED: <ul style="list-style-type: none">▪ Move person to fresh air.▪ If person is not breathing, call 9-1-1 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.▪ Call a poison control center or doctor for further treatment advice.
IF IN EYES: <ul style="list-style-type: none">▪ 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 ON SKIN: <ul style="list-style-type: none">▪ Take off contaminated clothing.▪ Rinse skin with plenty of water for 15-20 minutes.▪ Call a poison control center or doctor for further treatment advice.
IF SWALLOWED: <ul style="list-style-type: none">▪ 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 by a poison control center or doctor.▪ Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER <p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact Infotrac at 1-800-535-5053 for emergency medical treatment information.</p>

PRECAUTIONARY STATEMENTS – Agricultural Use
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION

Harmful if inhaled. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks
- NIOSH approved respirator with any N, R, P or HE filter

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



OCT 20 2010

5/8
Under the Federal Insecticide, Fungicide,
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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- Agricultural Use

Do not apply directly to water or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate. Do not apply when weather conditions favor drift or runoff from treated areas.

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, forest, nurseries and greenhouses and handlers of agriculture 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,

Do not enter or allow workers 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
- Water proof gloves
- Shoes plus socks

GENERAL INFORMATION

Bloomtime Biological™ is a naturally occurring *Pantoea agglomerans* that suppresses fireblight. For optimal use of this product, apply prior to colonization by the pathogen.

OCT 20 2010



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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 State or Tribal agency responsible for pesticide regulation.

Dilution Rates: Use the following dilution rates when applying **Bloomtime Biological™**. For optimal results spray immediately upon mixing. Do not allow spray mix to stand overnight or for prolonged periods.

Application Rates: Apply Bloomtime Biological™ to flowering apple and pear trees at the following times and rates:

Early Bloom: Use 0.33 lb (150 grams) per acre in enough water to thoroughly cover the open flowers.

First Petal Fall –Full Bloom: Use 0.33 lb (150 grams) per acre in enough water to thoroughly cover the open flowers.

Post Petal Fall: Use 0.33lb (150 grams) per acre in enough water to thoroughly cover the open flowers when a third application is needed.

Dilution Instructions: Use the coverage characteristics of the application equipment and overall plant size to determine the proper volume of water needed.

Apply in 50-150 gallons of water per acre as long as volume is large enough to cover all open flowers. The spray must thoroughly cover the open blooms.

Apply in 200-350 gallons per acre if 150 gallons is not sufficient to get thorough flower coverage. In volumes greater than 200 gallons use 0.44lb (200 grams) **Bloomtime Biological™** per acre. During extended bloom periods up to 2 additional treatments of Bloomtime Biological may be applied.

Compatibility: Do not mix with copper-based compounds. **Bloomtime Biological™** is compatible with streptomycin. Allow a minimum of 3 days between application of **Bloomtime Biological™** and oxytetracycline. **Observe the most restrictive of the labeling limitations and precautions of all products used in mixtures.**

TANK MIX ADVISORY

Tank mixing **Bloomtime Biological™** with other products is prohibited. The bacterium in **Bloomtime Biological** is a living organism and many agricultural products such as copper based formulations and thinning agents will kill or inhibit its activity.

USE RESTRICTIONS

Do Not Apply Through Any Type Of Irrigation System

Do not apply Bloomtime Biological™ FD Biopesticide on orchards abutting newly planted conifer forestry blocks.

OCT 20 2010

7/8



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STORAGE AND DISPOSAL

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

Pesticide Storage: Bloomtime Biological™ FD must be kept in the original package at temperatures between -4°F (-20°C) and 40°F (4.4°C), frozen or refrigerated. Carry over should be kept in a frozen state at 20°F (-7°C) or below.

Pesticide Disposal: Waste resulting from the use of this product may be disposed of on site 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 dispose of bag in a sanitary landfill by incineration or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions beyond the control of NORTHWEST AGRICULTURAL PRODUCTS or Seller. To the extent consistent with applicable law all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold NORTHWEST AGRICULTURAL PRODUCTS and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. To the extent consistent with applicable law, NORTHWEST AGRICULTURAL PRODUCTS makes no other expressed or implied warranty of fitness or of merchantability or any other express or implied warranty. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or NORTHWEST AGRICULTURAL PRODUCTS, to the extent consistent with applicable law and buyer assumes the risk of any such use.

To the extent consistent with applicable law, NORTHWEST AGRICULTURAL PRODUCTS or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. To the extent consistent with applicable law, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE

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8/8

OCT 20 2010

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EXCLUSIVE LIABILITY OF NORTHWEST AGRICULTURAL PRODUCTS AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF NORTHWEST AGRICULTURAL PRODUCTS OR SELLER, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

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