

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

AUG 3 0 2012

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Mr. Micah T. Reynolds, Regulatory Consultant (Agent for Natural Industries, Inc.) Technology Sciences Group, Inc. 1150 18<sup>th</sup> St, N.W., Suite 1000 Washington D.C. 20036

Subject:

Formulation and Label Amendment Application Dated May 16, 2012 / Your Confidential Statement of

Formula Dated June 8, 2012

EPA Registration No. 73314-6 - NoFly™ WP

Paecilomyces fumosoroseus strain FE9901, blastospores

Dear Mr. Reynolds:

The amendments referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) section 3(c)(5) are acceptable and allow for organic use provided that you:

- 1. Submit and/or cite all data required for registration/registration review of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.
- Submit final printed labels prior to releasing the product for shipment. Final printed labeling means the
  label or labeling of the product when distributed or sold. Clearly legible reproductions or photo reductions
  will be accepted for unusual labels, such as those silk-screened directly onto glass or metal containers or
  large bags or drum labels.
- Submit all outstanding studies and information that are required as terms of registration of the product in the Agency's registration notice dated May 12, 2011.

This registration amendment does not eliminate the need for continual reassessment of the pesticide. If EPA determines at any time that the additional data are required to maintain in effect an existing registration, the Agency will require submission of such data under section 3(c)(2)(B) of FIFRA.

Should you have any questions regarding this matter, please contact Shanaz Bacchus by email at bacchus.shanaz@epa.gov or call her on 703-308-8097.

Sinderely.

Microbial Pesticides Branch

Biopesticides and Pollution Prevention Division (7511P)

Enclosure: Approved label

# NOFLY<sup>TM</sup> WP Wettable Powder Mycoinsecticide

# For Greenhouse Use Only

#### **ACTIVE INGREDIENT:**

Paecilomyces fumosoroseus strain FE 9901	18.0% <sup>*</sup>
Inert Ingredients	82.0%
Total	100.0%

Contains a minimum of 2x10<sup>9</sup> colony forming units of *Paecilomyces fumosoroseus* strain FE 9901 per gram (Dry Weight Basis)

# KEEP OUT OF REACH OF CHILDREN CAUTION

See back panel for additional precautionary statements

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

EPA Reg. No.: 73314-6

EPA Est. No.: Net Contents:

ACCEPTED

AUG 3 0 2012

Manufactured by: Natural Industries, Inc. 12320 Cutten Rd

Spring, TX 77066

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 73314—6

[Lot][Batch] [No. or #]

(Note to reviewer: One of the following statements to be used to reflect product expiration.

Manufacturer to be instructed accordingly.)

[Best If Used By: 3 months from manufacturing date]

[Expires 3 months from date on package]

(Label or Container to bear the date of manufacture)

(Back Panel)

#### PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals: Caution. Harmful if swallowed, absorbed through skin, or inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing vapor. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear protective eyewear, either goggles, face shield, or shielded safety glasses. Wear water proof gloves. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE): Applicators and other handlers must wear long-sleeved shirt and long pants, and shoes plus socks. Wear a dust/mist-filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any N-95, R-95, P-95 or HE filter for biological products. Remove contaminated clothing and follow manufacturer's instructions for cleaning / maintaining PPE before reuse. If no such instructions are available use clothing detergent and hot water for cleaning all washable PPE. Keep and wash PPE separately from other laundry.

#### **USER SAFETY REQUIREMENTS**

Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove PPE immediately after handling this product. If gloves are worn, wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean highwater mark. Do not contaminate water when cleaning equipment or disposing of equipment washwater.

#### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For greenhouse use only. Not for use on food crops. 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 (REI). The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not allow worker entry into treated areas during the restricted entry interval (REI) of four (4) hours or until solution has dried.

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, chemical resistant gloves and shoes plus socks.

#### NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of the product that are not within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Keep unprotected persons out of treated areas until sprays have dried or dusts have settled.

For use in controlling Whitefly, Aphids, Thrips, Psyllids, Mealybugs, Leaf hoppers, Plant bugs, Weevils, Grasshoppers, Mormon Crickets, Locust, Beetles and Fungus Gnats on non-food crops and ornamentals in greenhouse.

NOFLY™ WP contains live spores of the naturally occurring fungus *Paecilomyces fumosoroseus* strain FE 9901 and food grade inert ingredients. The spores are alive and may be harmed by storage at high temperatures or contact with water for more than 24 hours.

NOFLY™ WP can be applied using conventional spraying equipment. Use of manual sprayers is highly recommended, with a minimum working pressure of 40 psi. NOFLY™ WP works best in a pest management program designed to keep insect populations below levels which damage crops. Typically, it takes 3-7 days for an infected insect to die and 7-10 days after the first spray to see a reduction in an insect population. Application rates, spray frequency, spray coverage and insect numbers affect the speed at which insect populations are reduced. Frequent scouting for insects in crops is recommended. NOFLY™ WP is most effective when used at the first appearance of insects in the crop, before high insect populations develop.

NOFLYTM WP may be combined with chemical insecticides for rapid knockdown of damaging insect populations or large numbers of insects moving into crops. NOFLYTM WP can also be used in combination with fertilizers and micronutrients. If tank mixes are desired, observe the most restrictive directions, precautions, and limitations on labeling of all products used. Do not exceed label dose rates. This product cannot be mixed with any product containing a label prohibition against such mixing. The application of fungicides is not compatible with NOFLYTM WP. A week is the mínimum period allowed between treatment with fungicides and application of the product. Applications of any other pesticides must be carefully studied, taking into account that the active substance of NOFLYTM WP consists of a microorganism and any substance that could affect its viability must be avoided.

Crops	Application	Doses
For greenhouse	At any stage of the crop.	1 - 4 lbs /acre
ornamental use	Applications must be done at the first sign of insect larvae	4-oz –16 oz/11,000 sq ft of greenhouse applied at minimum 0.1% (28-oz per
·		100 gallons)

- If refrigerated, remove product from refrigeration unit and store at room temperature for at least 3 days prior to application.

## **Application Instructions:**

- First applications should be done at the first symptoms of the presence of larvae or eggs on the leaves. Repeat applications 2 3 times at 15 day intervals or shorter (5 8 days) in the case of heavy infestations.
- Apply enough quantity of solution for a good coverage on the plants, trying to reach the lower-sides of the leaves. It is recommended to apply 26 gallons / 11,000 sq ft greenhouse on small crops and up to 100 gallons / 11,000 sq ft on full grown crops in greenhouse.
- Dissolve the contents of bags in an appropriate volume of water and mix with a stirring device to get a homogeneous suspension. Apply immediately using conventional-spraying equipment. A minimum pressure of 40 psi is recommended for the applications.
- Applications should be conducted during low solar radiation (late afternoon or early night) when there is high relative humidity inside the greenhouse and the temperature is below 30°C (86°F).
- NOFLY™ WP supports the action of natural predators of whitefly and other pests; therefore, it is ideal for IPM programs.

## Storage and Disposal

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

**Pesticide Storage:** NOFLY™ WP should be stored at refrigerated temperature (4°C - 8°C or 39°F - 46°F). Under these conditions the product is physicochemically stable for at least 3 months, although viability may decrease with a factor 10.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal Facility.

Container Handling: Non-refillable 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.

#### **Limited Warranty / Disclaimer**

NOFLY™ WP conforms to the description set forth on this label and is reasonably fit for the purposes described herein when used according to the label directions and specified conditions. The manufacturer disclaims any or all other express or implied warranties for merchantability and fitness for particular purpose. To the extent consistent with applicable law buyers and users shall assume all risk and responsibility for potential loss or damage if this product is used, stored, handled or applied in a manner inconsistent with this labelling. To the extent consistent with applicable law, manufacturer shall not be liable for more than the purchase price for the quantity involved including incidental, consequential or special damages.

# **Optional Label Statements**

- -For Use in Organic Production
- -For Organic Production
- -OMRI Listed

- -For Use in Organic Gardening
- -For Organic Gardening
- -NOP logo