

73748-6

2-9-2007

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

NOTIFICATION

FEB 09 2007

OFFICE OF PESTICIDE PROGRAMS
WASHINGTON, D.C. 20460

FEB 9 2007

Jane M. Miller
Agent for Univar USA, Inc.
Biologic, Inc.
115 Obtuse Hill
Brookfield, CT 06804

SUBJECT: Applications for Pesticide Notification – Addition of Optional Words
Kontrol 4-4 EPA Reg. No. 73748-4
Kontrol 30-30 Concentrate EPA Reg. No. 73748-5
✓ Kontrol 31-67 Concentrate EPA Reg. No. 73748-6
Applications Dated January 19, 2007

Dear Ms. Miller:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above products. The Registration Division (RD) has conducted a preliminary screen of these requests for their applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The labels submitted with the applications have been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|---|--|---|
| 1. Company/Product Number 73748-6 | 2. EPA Product Manager G. LaRocca | 3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Kontrol 31-67 Concentrate | PM# 13 | |
| 5. Name and Address of Applicant (Include ZIP Code) Univar USA, Inc. 11149 Research Blvd., Suite 260 Austin, TX 78759 <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 checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____ | NOTIFICATION FEB 09 2007 |
| <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.)

This is a notification to add the statement "See [Side Panel][Inside Attached Booklet] for Additional Precautionary Statements" on the first page per PR Notice 98-10. This notification is consistent with the provisions of PR Notice 98-10 and the 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. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand 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 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"/> on label | |
| 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 Jane M. Miller | Title Agent | Telephone No. (Include Area Code) (203) 740-1200 |
| 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 | 3. Title Agent | |
| 4. Typed Name Jane M. Miller | 5. Date January 19, 2007 | |

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BIOLOGIC INC.
agribusiness professionals

January 19, 2007

NOTIFICATION

FEB 09 2007

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
US Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Attn: Mr. George LaRocca (PM Team 13)
Re: Univar USA, Inc.
"Kontrol 31-67 Concentrate", EPA Reg. No. 73748-6
Application for Pesticide Notification

Dear Mr. LaRocca:

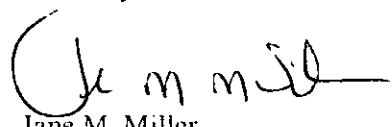
This Application for Pesticide Notification is being submitted for the above mentioned product to add the words "See [Side Panel][Inside Attached Booklet] for Additional Precautionary Statements" to page 1 of the label. The product will be offered for sale in different sized containers which may require booklets or drum labels.

We are submitting revised copies of the following to process the notification:

- EPA Form 8570-1, Application for Pesticide Notification
- One (1) copy of revised labeling.

Should you have any questions or need additional information, please feel free to contact our office at (203) 740-1200.

Sincerely,



Jane M. Miller
BIOLOGIC, Inc.
Agent for Univar USA, Inc.

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NOTIFICATION

FEB 09 2007

MASTERLINE

KONTROL 31 - 67 CONCENTRATE

For Mosquitoes, Flies and Gnats

A Quick Knockdown, Low Odor, Non-Corrosive Synergized Synthetic Pyrethroid for the Control of Adult Mosquitoes, in Residential, Recreational, and Other Areas.
Also for Use Against Biting and Non-Biting Midge and Black Flies

For use only by federal, state, tribal, or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications, or by persons under their direct supervision.

ACTIVE INGREDIENTS:

Permethrin: (3-phenoxyphenyl) methyl (+/-) cis/trans 3-(2,2-dichloroethenyl) 2,2-dimethyl- cyclopropanecarboxylate, (+/-) cis (min) 35%, (+/-) trans (max) 65%.....31.15%
Piperonyl Butoxide Technical*:.....66.85%
INERT INGREDIENTS:.....2.00%

TOTAL..... 100.00%

*Equivalent to 80% (butylcarbityl)(6-propylpiperonyl) ether and 20% related compounds
Contains 2.86 pounds of Permethrin and 6.13 pounds of Piperonyl Butoxide per gallon.

KEEP OUT OF REACH OF CHILDREN
CAUTION
See [Side Panel][Inside Attached Booklet] For Additional Precautionary Statements.

“PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta haya sido explicado ampliamente”

NET CONTENTS:

1.0 GAL _____ 2.5 GAL _____ 30 GAL _____

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PRECAUTIONARY STATEMENTS HAZARDS TO DOMESTIC ANIMALS AND HUMANS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear long sleeved shirt and long pants, socks, shoes and chemical resistant (such as nitril or butyl) gloves.

| | |
|--|--|
| First Aid | |
| If Swallowed: | Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Have person sip a glass of water if able to swallow. 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 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. <i>You may contact Poison Control Center at 800-222-1222 for emergency medical treatment information.</i> | |
| NOTE TO PHYSICIAN AND VETERINARIANS: Do not administer or instill milk, cream or other substances containing vegetable or animal fats which will enhance absorption of lipophilic substances. | |

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to aquatic organisms, including fish and aquatic invertebrates. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the area, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence or disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body. Do not contaminate bodies of water when disposing of equipment rinsate or washwaters.

PHYSICAL AND CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame. Flashpoint greater than 230°F.

DIRECTIONS FOR USE

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

Note: Before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

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STORAGE AND DISPOSAL

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

Pesticide Storage and Spill Procedures: Store upright at room temperature. Avoid exposure to extreme temperatures. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

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

Container Disposal: (Metal) Triple rinse or equivalent. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or by other approved State and local procedures. (Plastic) Triple rinse or equivalent. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Container Disposal for Refillable Containers: Replace the dry disconnect cap, if applicable, and seal all openings which have been opened during use.

CONDITIONS AND RATES TO USE FOR MOSQUITO CONTROL

KONTROL 31-67 CONCENTRATE may be applied either diluted or undiluted as a thermal or non-thermal fog.

KONTROL 31-67 CONCENTRATE is recommended for application as an ultra low volume (ULV) non-thermal aerosol (cold fog) to control adult mosquitoes, flies and gnats in residential and recreational areas where these insects are a problem, such as, but not limited to parks, campsites, woodlands, athletic fields, golf courses, residential areas, municipalities, gardens, playgrounds, recreational areas and overgrown waste areas. For best results, treat when insects are most active and conditions are conducive to keeping the fog close to the ground.

Both ground and aerial applications should be made when meteorological conditions are conducive to keeping the spray cloud close to the ground, such as when an air temperature inversion is present. Applications during the cool hours of early morning or evening are preferable. Air temperatures should be greater than 50° F when conducting all types of applications. Application in calm air conditions is to be avoided. Apply only when ground wind speed is greater than 1 mph. Do not apply when wind speeds exceed 10 mph. Applications cannot exceed the recommended rates.

Do not re-treat a site more than once in 12 hours. Do not apply more than 0.18 lbs. of permethrin per acre per year to any site. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

KONTROL 31-67 CONCENTRATE can be applied over specific growing crops and range grasses prior to harvest for the control of adult mosquitoes and biting flies within or adjacent to these areas. Application can only be made where the following crops are present:

- | | |
|------------------|------------------------------------|
| Alfalfa | Range Grasses |
| Almonds | Horseradish |
| Apples | Kiwifruit |
| Artichoke, globe | Leafy Vegetables (except Brassica) |
| Asparagus | Lettuce, head |
| Avocado | Mushrooms |
| Broccoli | Onion, dry bulb |
| Brussels Sprouts | Peaches |
| Cabbage | Pears |
| Cauliflower | Pepper, bell |
| Celery | Pistachio |
| Cherries | Potato |
| Corn, fodder | Soybeans |
| Corn, forage | Spinach |

- | | |
|--|----------------------|
| Corn, grain (field and pop) | Tomatoes |
| Corn, stover | Vegetable, cucurbits |
| Corn, sweet kernel plus cob with husks removed | Walnuts |
| Eggplant | Watercress |
| Filbert | |
| Garlic | |

In the treatment of corrals, feedlots, animal confinements/houses, swine lots, poultry ranges and zoos, cover any exposed drinking water, drinking fountains and animal feed before application. Do not contaminate non-approved sites with spray drift.

GROUND APPLICATION INSTRUCTIONS (Thermal and Non-Thermal Applications)

DROPLET SIZE CALIBRATION FOR GROUND APPLICATION EQUIPMENT: Spray equipment must be adjusted so that the volume median diameter is less than 30 microns ($D_v 0.5 < 30 \mu m$) and that 90% of the spray is contained in droplets smaller than 48 microns ($D_v 0.9 < 48 \mu m$). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

THERMAL AEROSOL FOGGING

TRUCK MOUNTED: Apply diluted or undiluted with suitable Thermal Fogging equipment. Do not exceed the maximum a.i./acre rates. May be applied at speeds of 5 to 20 mph, treating a 300 ft. swath. To reduce oil requirement and sludge buildup in equipment, use a suitable mineral oil of 60 – 100 second viscosity. For use with hand foggers, use the same a.i./acre rates and a swath width of 50 ft with a walking speed of 2 mph. Do not wet foliage since the oil base formulation may be phytotoxic. Do not fog when wind conditions exceed 10 miles per hour. Use well maintained and properly calibrated fogger.

Suggested Dilution Rates to Achieve 0.00175# a.i. per Acre

| | | | HAND HELD THERMAL FOGGERS 50 FT SWATH AT 2 MPH 0.00318# A.I. PER ACRE | |
|----------------------------|---|--|---|---------------|
| MACHINE OUTPUT GAL/HOUR | DILUTION RATIO WITH FOG OIL 5 MPH | DILUTION RATIO WITH FOG OIL 10 MPH | MACHINE OUTPUT | DILUTION RATE |
| 10 gal/hr | 1 : 79 | 1 : 39 | 0.25 gal/hr | 1 : 15.5 |
| 20 gal/hr | 1 : 159 | 1 : 79 | 2.0 gal/hr | 1 : 131 |
| 30 gal/hr | 1 : 239 | 1 : 119 | 5.0 gal/hr | 1 : 330 |
| | | | 8.0 gal/hr | 1 : 496 |

NON-THERMAL AEROSOL (COLD FOG)

KONTROL 31-67 CONCENTRATE Non-Thermal Aerosol (cold fog) Application: To control mosquitoes, midges, black flies and other biting flies, apply **KONTROL 31-67 CONCENTRATE** using any standard ULV ground applicator capable of producing a non-thermal aerosol spray. Apply the product undiluted at a flow rate of 1.0 to 6.00 ounces per minute at an average vehicle speed of 10 mph. If a different vehicle speed is used, adjust the rate accordingly. These rates are equivalent to 0.0035 to 0.021 pounds of permethrin and 0.0075 to 0.047 pounds of piperonyl butoxide per acre. Vary flow rates accordingly to vegetation density and mosquito population. Use higher flow rates in heavy vegetation or when populations are high. An accurate flow meter must be used to ensure the proper flow rate. **KONTROL 31-67 CONCENTRATE** may also be applied by diluting with a suitable solvent such as mineral oil and applying so as not to exceed the maximum pounds of active ingredient per acre as shown in the first column of the following tables. The following charts represent some suggested dilution and application rates for ground ULV applications. If an alternate dilution rate is used, adjust the flow rate accordingly.

For proper ground application, mount the fog applicator so that the nozzle is at least 4 ½ feet above ground level and directed out the back of the vehicle. Failure to follow the above directions may result in reduced effectiveness.

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Undiluted Use Rates for KONTROL 31-67 CONCENTRATE

| Permethrin Lbs./Acre | Application Rates/Fluid Ounces To Use Per Minute | | | Fl. Oz. KONTROL 31-67 CONCENTRATE per Acre |
|-------------------------|---|--------|--------|--|
| | 5 mph | 10 mph | 15 mph | |
| 0.021 | 3.0 | 6.0 | 9.0 | 1.0 |
| 0.0105 | 1.5 | 3.0 | 4.5 | 0.5 |
| 0.007 | 1.0 | 2.0 | 3.0 | 0.33 |
| 0.0035 | 0.5 | 1.0 | 1.5 | 0.16 |

For a 1:2 KONTROL 31-67 CONCENTRATE/Solvent Dilution Ratio

Mix one (1) part KONTROL 31-67 CONCENTRATE with two (2) parts solvent and apply at the following rates.

| Permethrin Lbs./Acre | Application Rates/Fluid Ounces To Use Per Minute | | | Fl. Oz. Finished Spray per Acre |
|-------------------------|---|--------|--------|------------------------------------|
| | 5 mph | 10 mph | 15 mph | |
| 0.007 | 3.0 | 6.0 | 9.0 | 1.0 |
| 0.0035 | 1.5 | 3.0 | 4.5 | 0.5 |
| 0.00175 | 0.75 | 1.5 | 2.25 | 0.25 |

For a 1:4 KONTROL 31-67 CONCENTRATE/Solvent Dilution Ratio

Mix one (1) part KONTROL 31-67 CONCENTRATE with four (4) parts solvent and apply at the following rates.

| Permethrin Lbs./Acre | Application Rates/Fluid Ounces To Use Per Minute | | | Fl. Oz. Finished Spray per Acre |
|-------------------------|---|--------|--------|------------------------------------|
| | 5 mph | 10 mph | 15 mph | |
| 0.007 | 5.0 | 10.0 | 15.0 | 1.6 |
| 0.0035 | 2.5 | 5.0 | 7.5 | 0.8 |
| 0.00175 | 1.25 | 2.5 | 3.5 | 0.4 |

For a 1:8 KONTROL 31-67 CONCENTRATE/Solvent Dilution Ratio

Mix one (1) part KONTROL 31-67 CONCENTRATE with eight (8) parts solvent and apply at the following rates.

| Permethrin Lbs./Acre | Application Rates/Fluid Ounces To Use Per Minute | | | Fl. Oz. Finished Spray per Acre |
|-------------------------|---|--------|--------|------------------------------------|
| | 5 mph | 10 mph | 15 mph | |
| 0.007 | 9.0 | 18.0 | 27.0 | 3.0 |
| 0.0035 | 4.5 | 9.0 | 13.5 | 1.5 |
| 0.00175 | 2.25 | 4.5 | 6.75 | 0.75 |

AS A BARRIER SPRAY USING A MISTER TYPE UNIT: For use in non-thermal equipment, apply KONTROL 31-67 CONCENTRATE with a mist blower adjusted to deliver droplets with a volume median diameter of 50 – 120µm. Use undiluted or diluted to achieve an application of 0.00175 / 0.00376 # a.i./acre. Use a 50 ft (15.2m) swath while walking at a speed of 2 mph (3.2 kph). If using a different speed, swath or dilution, do not exceed the maximum a.i./acre. When this product is applied as a barrier treatment, do not apply within 100 feet (30 meters) of lakes and streams.

AERIAL APPLICATION INSTRUCTIONS

The use of aircraft specially equipped and capable of applying ULTRA LOW VOLUMES of KONTROL 31-67 CONCENTRATE may be necessary.

DROPLET SIZE CALIBRATION FOR AERIAL APPLICATION EQUIPMENT: Spray equipment must be adjusted so that the volume median diameter produced is less than 60 microns ($Dv\ 0.5 < 60\ \mu m$) and that 90% of the

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spray is contained in droplets smaller than 115 microns ($D_v 0.9 < 115 \mu\text{m}$). The effects of flight speed and, for non-rotary nozzles, nozzle angle on the droplet size spectrum must be considered. Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a wind tunnel and laser based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Aerial applications should be done by suitable ULV equipment. Flow rate should be set so as to achieve 0.16 to 1.0 fluid ounces **KONTROL 31-67 CONCENTRATE** per acre of the undiluted product. **KONTROL 31-67 CONCENTRATE** may also be diluted with a suitable solvent such as mineral oil and applied by aerial ULV equipment so long as 1.0 fluid ounces per acre of **KONTROL 31-67 CONCENTRATE** is not exceeded.

Aerial application shall be made at altitudes ranging from 75 to 300 feet. For fixed wing aircraft with flat fan or rotary nozzles, or rotary wing aircraft equipped with rotary nozzles, apply at a sufficient airspeed to deliver the appropriate amount of a.i./acre (0.00175 to 0.021 # a.i./acre) and to achieve the appropriate droplet range. Apply only when ground wind speed is greater than 1 mph.

PROHIBITION FOR AERIAL USE: Not for aerial application in Florida unless specifically authorized by the Bureau of Entomology and Pest Control, Florida Department of Agriculture and Consumer Services.

NOTICE: Buyer and user assume all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label.

BUYER GUARANTEE LIMITED TO LABEL CLAIMS

Univar USA, Inc.
11149 Research Blvd., Suite 260
Austin, Texas 78759

EPA Registration Number: 73748-6
EPA Establishment Number: 53883-TX-002