

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

JUL 2 8 2009

Jane Miller Agent for Univar USA, Inc. c/o Biologic Inc. 115 Obtuse Hill Brookfield, Connecticut 06804

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Ms. Miller:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated April 30, 2009 for:

#### **EPA Registration 73748-6**

#### Masterline Kontrol 31-67

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by nonnotification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader

Registration Division (7505P)

Office of Pesticide Programs



Form Approved. OMB No. 2070-0060. Approvel expires 2-2 Please read instructions on reverse before completing form **OPP Identifier Number** Registration **United States Environmental Protection Agency Amendment** Washington, DC 20460 Other Application for Pesticide - Section I 3. Proposed Classification 2. EPA Product Manager 1. Company/Product Number 73748-6 R. Gebken None Restricted PM# 4. Company/Product (Name) Masterline Kontrol 31-67 13 5. Name and Address of Applicant (Include ZIP Code) 6. Expedited Reveiw. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling Univar USA, Inc. NOTIFICATION 9430 Research Blvd., Suite 350, Echelon Bldg. IV EPA Reg. No. Austin, TX 78759 JUL 28 2009 Check if this is a new address **Product Name** Section - II Final printed labels in repsonse to Amendment - Explain below. Agency letter dated "Me Too" Application. Resubmission in response to Agency letter dated \_ Notification - Explain below. Other - Explain below. Explanation: Use additional page(s) if necessary. (For section I and Section II.) Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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: Child-Resistant Packaging Unit Packaging Water Soluble Packaging 2. Type of Container Yes Metal Yes **Plastic** No Nο No Glass If "Yes" Paper If "Yes" No. per No. per \* Certification must Unit Packaging wgt. Package wat Other (Specify) container container be submitted 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions 1, 2.5, 30, 55 gal. Container 6. Manner in Which Lebel is Affixed to Product Lithograph Paper glued Stenciled Section - IV 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) Title Name Telephone No. (Include Area Code) Jane M. Miller (203) 740-1200 Agent Certification 6. Date Application Received ficertify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowlinglly false or misleading statement may be punishable by fine or imprisonment or (Stamped) both under applicable law. 3. Title 2. Signature Agent 4. Typed Name 5. Date Jane M. Miller July 9, 2009

April 30, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Room S-4900, 4<sup>th</sup> Floor
Arlington, VA 22202

Attention:

Mr. Gebken (PM #13)

RE:

"Masterline Kontrol 31-67"; EPA Reg. No. 73748-6 Notification to revise Storage and Disposal Statement

Dear Mr. Gebken:

On behalf of Univar USA, Inc. please find enclosed a notification to update the Storage and Disposal statement as per PR Notice 2007-4.

The following documents are enclosed to process this Notification:

- 1. Application for Pesticide Notification (8570-1)
- 2. One (1) copy of the draft label with the additional language underlined.
- 3. One (1) copy of clean labeling.

Univar would appreciate having a stamped label returned so that it may provide this to the states.

Should you have any questions, or wish to reach me, please feel free to contact our office at 203-740-1200.

Sincerely,

Jane Miller

Agent to Univar USA, Inc.

115 Obtuse Hill • Brookfield, Connecticut 06804 • USA Voice: 203.740.1200 • Fax: 203.740.1220 • Email: lmiller@biologicconsulting.com

JUL 28 2009

# 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:	
<b>Permethrin:</b> (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	

# 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	Take off contaminated clothing. Rinse skin immediately with plenty of water for $15-20$	
Clothing:	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.	
	ntainer or label with you when calling a poison control center or doctor, or going for treatment.	
You may contact Po	ison Control Center at 800-222-1222 for emergency medical treatment information.	
	CIAN AND VETERINARIANS: Do not administer or instill milk, cream or other substances 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.

#### 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: Nonrefillable Container: Metal or Plastic Container. Do not reuse or refill container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities, such as burning of plastic containers. If burned, stay out of smoke. Triple rinse as follows:

Containers 5 gallons or less: Empty the remaining contents into application equipment and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Once cleaned, offer for recycling or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by State and local authorities. Do not cut or weld metal containers.

Containers larger than 5 gallons: Empty the remaining contents into application equipment. Fill the container ½ full with water. Replace and tighten closures. Tip container on its side and roll back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip 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. Once cleaned, offer for recycling or reconditioning if appropriate.

Pressure rinse as follows (all sizes): Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Refillable container: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

Return container to point of purchase for reuse with seal intact and in salable condition. Before refilling, inspect thoroughly for damage such as cracks, punctures, bulges, dents, abrasions, and damaged or worn threads on closure devices. After filling and before transporting, check for leaks. Do not refill or transport damaged or leaking container. To clean the container before final disposal, empty the remaining contents from the container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing process two more times.

(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 Almonds

Apples

Artichoke, globe Asparagus Avocado

Broccoli
Brussels Sprouts
Cabbage
Cauliflower
Celery
Cherries
Corn, fodder

Corn, forage Corn, grain (field and pop)

Corn, stover

Corn, sweet kernel plus cob with husks removed

Eggplant Filbert Garlic Range Grasses Horseradish

Lettuce, head

Mushrooms

Leafy Vegetables (except Brasssica)

Onion, dry bulb Peaches Pears Pepper, bell Pistachio Potato Soybeans Spinach

Vegetable, cucurbits

Walnuts

**Tomatoes** 

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 (Dv  $0.5 < 30 \mu m$ ) and that 90% of the spray is contained in droplets smaller than 48 microns (Dv  $0.9 < 48 \mu m$ ). 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.

Page 4 Last Approval Date: 10152003 Draft Notif Storage & Disposal Marked 04302009 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 alternative 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.

#### **Undiluted Use Rates for KONTROL 31-67 CONCENTRATE**

Permethrin Lbs./Acre	Application Rates/Fluid Ounces To Use Per Minute			Fi. 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	Appl	Application Rates/Fluid Ounces To Use Fl. Oz. Fini Per Minute per A		
	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  $50 - 120 \mu m$ . 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 spray is contained in droplets smaller than 115 microns (Dv  $0.9 < 115 \mu m$ ). The effects of flight speed and, for nonrotary 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. 9430 Research Blvd., Suite 350 Echelon Bldg. IV Austin, Texas 78759

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