

74779-4

07/10/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. David Anderson  
Rainbow Treecare Scientific Advancements  
11571 K-Tel Drive  
Minnetonka, MN 55343

JUL 10 2009

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

Dear Registrant,

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated May 7, 2009 for:

**EPA Registration 74779-4 Arbor Guard 20-S**

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 non-notification/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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

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

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

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, 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 74779-4	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Arbor Guard 20-S	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Rainbow Treecare Scientific Advancements 11571 K-Tel Drive Minnetonka, MN 55343 <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. _____ <b>NOTIFICATION</b> Product Name <b>JUL 10 2009</b>	

### Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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 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 of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 qt, 1 gal		5. Location of Label Directions <input checked="" type="checkbox"/> On label	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph Paper glued 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 David L. Anderson	Title Director of Regulatory Affairs	Telephone No. (Include Area Code) 952-252-0541
<b>Certification</b> 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 <b>(Stamped)</b>
2. Signature 	3. Title Director of Regulatory Affairs	
4. Typed Name David L. Anderson	5. Date July 9, 2009	



May 7, 2009

Document Processing Desk [NOTIF]  
Office of Pesticide Programs (7504P)  
Registration Division  
US Environmental Protection Agency  
One Potomac Yard  
2777 South Crystal Drive (South Building)  
Arlington, VA 22202

ATTENTION: Tony Kish  
Product Manager, Team 22

SUBJECT: Rainbow Treecare Scientific Advancements  
Arbor Guard 20-S  
(EPA Reg. No. 74779-4)  
Notification

Dear Mr. Kish:

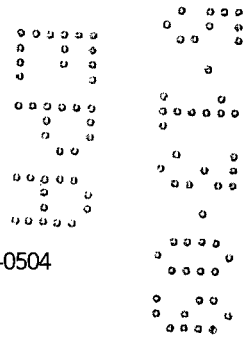
Rainbow Treecare Scientific Advancements is submitting a notification to update the Storage and Disposal statement for our Arbor Guard 20-S (EPA Reg. No. 74779-4) per PR Notice 2007-4.

I am submitting one (1) clean copy of draft labeling for your review and acceptance along with one (1) marked copy that tracks the changes that were made. If you have any questions, please contact me either by phone at 952-252-0541 or by email at [danderson@treecare-science.com](mailto:danderson@treecare-science.com).

Sincerely,

David Anderson  
Director of Regulatory Affairs  
Rainbow Treecare Scientific Advancements  
11571 K-Tel Drive  
Minnetonka, MN 55343

Enclosures:



[www.treecare-science.com](http://www.treecare-science.com)

11571 K-Tel Drive Minnetonka, MN 55343 office 952.922-3810 fax 952.252-0504

*Scientifically Proven Products with Predictable Results*

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ArborGuard 20-S  
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# ArborGuard 20-S Fungicide

**NOTIFICATION**

**JUL 10 2009**

Active Ingredient:	
Thiabendazole Hypophosphite (CAS No.28558-32-9).....	26.6
(equivalent to 20% Thiabendazole)	
Other Ingredients .....	<u>73.4</u>
Total .....	100.0%

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

See Side/Back Panel for Additional Precautionary Statements, First Aid and Directions for Use

EPA Reg. No. 74779-4

EPA Est. No. 74779-MN-1

**Net Contents:**

Distributed by:  
Rainbow Treecare Scientific Advancements  
2239 Edgewood Ave. South  
Minneapolis, MN 55426  
1-877-ARBORIST  
1-877-272-6747  
www.rainbowscivance.com

<b>FIRST AID:</b>	
<b>IF SWALLOWED</b>	<ul style="list-style-type: none"> <li>• Call poison control center or doctor immediately for treatment advice.</li> <li>• Do not give any liquid to the person</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF INHALED</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth to mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>IF ON SKIN OR CLOTHING</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF IN EYES</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	
<b>HOT LINE NUMBER</b>	
For 24 hour medical emergency assistance (human or animal), or chemical emergency assistance (spill, leak, fire, or accident). Call CHEMTREC at 1-800-424-9300	

**PRECAUTIONARY STATEMENT  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION:** Harmful if swallowed. Harmful if inhaled. Avoid breathing spray mist. May irritate skin. Avoid contact with skin or eyes.

**Personal Protective Equipment (PPE)**

Mixers, loaders, applicators, and other handlers must wear:

- Long sleeved shirt
- Shoes plus socks

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

<p><b>User Safety Recommendations:</b></p> <p>Users should:</p> <ul style="list-style-type: none"> <li>• Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.</li> <li>• Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.</li> <li>• Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.</li> </ul>
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### Environmental Hazards

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

### DIRECTIONS FOR USE

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

FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN PLANT INJURY OR POOR DISEASE CONTROL.

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 interval. The requirements in this box apply to uses that are covered by the Worker Protection Standard.

The restricted entry interval (REI) is 0 hours.

### NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this 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.

The restricted entry interval (REI) is 0 hours.

### General Information

ArborGuard 20-S is a systemic fungicide that is highly effective against the fungal pathogens that cause Dutch Elm Disease and Sycamore Anthracnose. ArborGuard 20-S is highly resistant to degradation and has the unique ability to move into newly formed tissue each year. When injected into the root flares, ArborGuard 20-S distributes evenly throughout the tree canopy providing protection for up to 3 years before reapplication is needed.

## APPLICATION METHODS

### Elm Trees – 3 growing season treatment – For Preventative Treatment of Dutch Elm Disease

Inject 12 fl. oz. of ArborGuard 20-S for each 5 inches of trunk diameter. Dilute each 2 fl. oz. of ArborGuard 20-S with 1 gallon of water. Inject into any exposed root flares, below ground, once every three years. Place injection sites into root flares at 3-10 inch intervals around the tree with a maximum hole diameter of ¼ inch. Where needed, the root flares will need to be exposed through soil excavation. Trees treated into trunk wood will not be as effectively protected. A typical tree will require 1.3 injections sites per diameter inch. For best results, infusions should be made after the tree is fully leafed and the seeds have dropped, through late summer or early fall.

- Do not use this treatment if trees are less than 10 inches in diameter.
- If pressure injection is to be used, do not exceed 30 psi.
- Do not dilute ArborGuard 20-S with highly alkaline water as a precipitate may form. Pre-test your water source by mixing a small amount of ArborGuard 20-S with water. If the solution turns white – use different water.

**Re-treatment**

ArborGuard 20-S will provide 3 growing seasons of protection in most situations. However, protection in the third year after treatment will be slightly less than the first 2 years. In high disease pressure situations and for trees over 30 inches in diameter, re-treatment may need to be considered during the 3<sup>rd</sup> growing season after the tree was initially treated.

**Therapeutic Treatment of Elms**

Before treating a diseased elm with ArborGuard 20-S, it is important to first isolate the disease from the tree using tracing techniques or limb removal. Macro-infusing an elm tree that has the Dutch elm disease fungus actively growing will result in the failure of the treatment. More information on saving elms that are infected with the Dutch elm disease fungus can be found at [www.ArborGuard-ELM.com](http://www.ArborGuard-ELM.com)

**Sycamore Trees – 3 Year Treatment – Aid in the Control of Sycamore Anthracnose**

For each 5 inches of trunk diameter, macro-infuse 4 fl. oz. of ArborGuard 20-S. (One part ArborGuard 20-S should be diluted with between 20 and 40 parts of water). For large trees over 30” diameter, infuse up to 12 fl. oz. of ArborGuard 20-S per 5 inches of trunk diameter. For best results, infusions should be made after the tree is fully leafed (post infection) through late summer or early fall. Treatments will aid in the control of sycamore anthracnose for up to 3 growing seasons. Trees over 50 inches diameter may need 2 consecutive treatments 1 year apart to obtain the desired level of protection.

Place injection sites at 3 to 10 inch intervals around the root flares. Trees treated into trunk wood will not be as effectively protected. Use a maximum hole diameter of ¼ inch using a minimum of 3 or 4 equally spaced injection points per tree. A typical tree will require 1.3 injection sites per diameter inch. It is important that injection sites be placed in root flares at or below ground level.

- Trees that are 5 inches or less in diameter at chest height should not be treated.
- If pressure injection is to be used, do not exceed 30 psi.
- Do not dilute ArborGuard 20-S with highly alkaline water as a precipitate may form. Pre-test your water source by mixing a small amount of ArborGuard 20-S with water. If the solution turns white – use different water.

For information on how to manage Dutch Elm Disease as well as most effectively and efficiently treat elms please contact Rainbow Treecare Scientific Advancements at 1-877-272-6747 or visit the website [www.ArborGuard-ELM.com](http://www.ArborGuard-ELM.com).

ArborGuard 20-S is intended for use by trained arborists others trained in the use of injection equipment and in the identification of oak anthracnose, sycamore anthracnose and Dutch elm disease.

**STORAGE AND DISPOSAL**

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

**Pesticide Storage:** Store in original containers only. Keep container closed when not in use. Do not store near food or feed.

**Pesticide Disposal:** Pesticide, spray mixture, or rinsate that cannot be used according to label instructions must be disposed of according to Federal, State, or local procedures under the Resource Conservation and Recovery Act.

**Container Disposal:**

**Non-refillable container:** Do not reuse or refill this 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 incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

(non-refillable <5 gallons) Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank 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 application equipment or a 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.

Pressure rinse as follows: 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 for 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.

For minor spill, leaks, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of wastes. In the event of a major spill, fire, or other emergency, call 800-424-9300, day or night.

**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. Tree injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or tree conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS or seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS and seller harmless for any claims relating to such factors. RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS, and Buyer and User assume the risk of any such use. RAINBOW TREECARE MAKES NO WARRANTIES OR MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the fullest extent permitted by law, RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT,**



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**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 RAINBOW TREECARE OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of RAINBOW TREECARE SCIENTIFIC ADVANCEMENTS.

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Patent Pending

The RAINBOW logo is trademark of a RAINBOW Treecare Scientific Advancements

**OPTIONAL MARKETING CLAIMS**

Committed to advancing the science of tree care.

Committed to bringing tools inside protocols that get predictable results for the arborist practitioner.

Protects trees for up to 3 years

**SCIENTIFIC ADVANCEMENTS**

Formulated in the USA



For Dutch Elm Disease, Sycamore Anthracnose and Oak Anthracnose

**NOTIFICATION**  
JUL 10 2009