

75624 -2

6/13/2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D C 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Pat Dinnen  
Staff Label Group Leader,  
Circle One Global, Inc  
P O Box 18300  
Greensboro, NC 27419

RE Product Name Afla-Guard®  
EPA Reg No 75624-2  
Notification Dated March 3, 2011 to remove expired patent numbers from label  
as per PRN 98-10

Dear Ms Dinnen

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticides Registration Notice (PRN) 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PRN 98-10 and it has been determined that the action(s) requested falls within the scope of PRN 98-10. Our records have been duly noted, and the label submitted with this application has been stamped as "Notification Accepted" and will be placed accordingly in our records.

Questions concerning this action should be directed to Mary Paden (703) 308-0411 or email at [paden\\_mary@epa.gov](mailto:paden_mary@epa.gov)

Sincerely,

*Sheryl K Reilly*

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

JUN 13 2011

CONCURRENCES

SYMBOL ▶	7511(P)						
SURNAME ▶	Paden						
DATE ▶	13 Jun 11						



United States  
 Environmental Protection Agency  
 Washington DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number  
**NOTIFICATION**

**Application for Pesticide - Section I**

1 Company/Product Number 75624-2	2 EPA Product Manager Ms. Shanaz Bacchus Microbial Pesticide Branch	3 Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company/Product (Name) Afla-Guard	PM# BPPD 92	
5 Name and Address of Applicant (Include ZIP Code) Circle One Global Inc P O Box 18300 Greensboro NC 27419 <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 _____	<b>Notification Accepted</b> Date 06/13/2011 Reviewer <i>Mary Paden</i>

**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)  
 This notification is consistent with the provisions of PR Notice 98-10 and 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 I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Notification to remove expired patent numbers

**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 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 Unit Packaging wgt	No per container
3 Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4 Size(s) Retail Container 50 and 2000 pounds		5 Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6 Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Other Pressure Sensitive <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

**Section - IV**

1 Contact Point (Complete items directly below for identification of individual to be contacted if necessary to process this application)					
Name Pat Dinnen		Title Staff Label Group Leader Circle One Global		Telephone No (Include Area Code) 336-632 2494	
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 <i>Pat Dinnen</i>		3 Title Staff Label Group Leader Circle One Global			
4 Typed Name Pat Dinnen		5 Date March 3 2011			

Afla-Guard®

For agricultural use to displace aflatoxin-producing fungi in peanuts and corn

Active Ingredient

*Aspergillus flavus* NRRL 21882\*

0.0094%

Inert Ingredients

99.9906%

Total

Notification Accepted

\*Contains 0.0094% active ingredient with a minimum of  $1.2 \times 10^8$  CFU

Date 06/13/2011  
Reviewer Mary Paden

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye(s) open and rinse slowly and gently with water for 15-20 minutes</li> <li>• Remove contact lenses if present after the first five minutes and continue rinsing</li> <li>• Call a poison control center or doctor for 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 swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice</li> <li>• Have person sip a glass of water if able to swallow</li> <li>• Do not induce vomiting unless told to do so by a 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 by mouth-to-mouth if possible</li> <li>• Call a poison control center or doctor for further treatment advice</li> </ul>
Have the product container or label with you when calling a poison control center or doctor or going for treatment	

See precautionary statements and directions for use on the label to the right

EPA Reg No 75624-2

Manufactured for  
Circle One Global Inc

EPA Est No 5905-GA-001

P O Box 18300  
Greensboro North Carolina 27419-8300

50 pounds [Product ID 42359]  
Net Weight

2000 pounds [Product ID 42358]  
Net Weight

COG 2A-L1 0310 [Product ID 42358]  
COG 2A-L2 0310 [Product ID 42359]

Not for sale or use after \_\_\_\_\_  
Lot No \_\_\_\_\_

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

**CAUTION** Causes moderate eye irritation Harmful if absorbed through skin swallowed or inhaled Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals Avoid contact with skin eyes or clothing Avoid breathing dust Wash thoroughly with soap and water after handling and before eating drinking chewing gum using tobacco or using the toilet Remove and wash contaminated clothing before reuse Wear the appropriate Personal Protective Equipment (PPE) as specified below

### Personal Protective Equipment (PPE)

Applicators mixers loaders and other handlers must wear

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks
- Goggles

Mixers/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95 R-95 P-95 Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization

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

### USER SAFETY RECOMMENDATIONS

#### Users should

- 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

For terrestrial uses 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 by cleaning equipment or disposal of equipment washwaters or rinsate

## DIRECTIONS FOR USE

It is a violation of Federal law to apply 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 Do not apply in the vicinity of schools daycares nursing homes and residential areas For any requirements specific to your State or Tribe consult the State or Tribal agency responsible for pesticide regulation

**General Information** Afla-Guard® is a biological control agent for displacing the strains of *Aspergillus flavus* (*A. flavus*) that produce the carcinogen aflatoxin The active ingredient in Afla-Guard® is a naturally occurring nontoxigenic strain of *A. flavus* (NRR# 21882) The primary mode of action is by competition of the nontoxigenic strain of *A. flavus* with the toxigenic

strains of *A. flavus* which displaces aflatoxin-producing fungi in treated crops Afla-Guard® is for use on peanuts and corn (field sweet and popcorn) only

#### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance 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 statement 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

#### Restricted Entry Interval

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 4 hours unless wearing appropriate PPE

#### Early Entry PPE

- Coveralls
- Waterproof gloves
- Shoes plus socks
- Dust/mist filtering respirator meeting NIOSH standards of at least N-95 R-95 or P-95
- Goggles

**Use Directions** For aerial applications Avoiding drift at the application site is the responsibility of the applicator The interaction of many equipment and weather-related factors determine the potential for drift The applicator and treatment coordinator are responsible for considering all these factors when making decisions

#### ***Peanuts***

Ground Application Apply Afla-Guard® at 20 lb/acre in a band over crop rows by using a tractor-mounted Gandy box or by broadcast application Apply at full canopy (40-80 days after planting) At the time of application the width of a peanut row (measured from the outer edges of the foliage canopy) is ideally about 18 inches

Aerial Application Apply by air at 20 lb/acre broadcast Apply as soon as practical after closure of the peanut canopy within 90 days after planting

Do not exceed 20 lb/acre per growing season

#### ***Corn (field corn, sweet corn and popcorn)***

Ground and Aerial Application Apply Afla-Guard® between growth stages V10-V12 and R1 (this is a period from about 14 days before tasselling with 10-12 visible leaf collars present up to the onset of active silking) using broadcast application equipment

Do not exceed 20 lb/acre per growing season

Apply Afla-Guard® at a use rate of 10-20 lb/acre

Under environmental conditions that promote severe aflatoxin levels or when historically high levels of aflatoxin have occurred in the past in your area use the 20 lb/acre rate

Rescue treatment If an initial rate of 10 lb/acre was applied a rescue treatment of 10 lb/acre may follow if environmental conditions are anticipated to reduce the efficacy of Afla-Guard® (i.e. flooding) or when higher than usual levels of aflatoxin are expected

**STORAGE AND DISPOSAL**

Do not contaminate water food or feed by storage and disposal

**Pesticide Storage** Store in a dry cool place out of direct sunlight and away from heat sources Keep from overheating Storage temperatures are not to exceed 90°F Any product not used within 4 months of purchase should be properly disposed Do not hold product for use in the subsequent season

**Pesticide Disposal** To avoid wastes use all material in this container by application according to label directions If wastes cannot be avoided offer remaining products to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry) or dig a trench place product in trench and cover with soil or scatter on farmland and disk to cover with soil

**Container Disposal** Nonrefillable container Do not reuse or refill this container Completely empty bag into application equipment by shaking and tapping the sides and bottom to loosen clinging particles Then dispose of empty bag in a sanitary landfill or by incineration Do not recycle Do not burn unless allowed by state and local ordinances

**WARRANTY**

To the extent consistent with applicable law Circle One Global Inc warrants that the product conforms to the description on the label and is reasonably fit for the purposes set forth on the label when used according to directions under normal use conditions To the extent consistent with applicable law neither this warranty nor any other warranty of merchantability or fitness for a particular purpose expressed or implied extends to the use of this product contrary to the label instructions the buyer assumes the risk of any such uses

Circle One Global Inc has a federal trademark registration for Afla-Guard®

AFLA GUARD 75624 2 0310 PATENT NOTIF MAR2011 CLEAN – pl – 3/2/11  
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