

80990-1

02/20/2005

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

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number AgroSource, Inc. 80990-1	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) FIRELINE 17 WP Fungicide/Bactericide	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) AgroSource, Inc. c/o Product & Regulatory Associates, LLC 4201 Church Road, Suite 334 Mount Laurel, NJ 08054 <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 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.

NOTIFICATION
FEB 10 2005

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Spanish advisory statement and grammar changes in use sites as described in cover letter per PR Notice 98-10. and PR Notice 95-2
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.

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"/>	
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 John F. Wright	Title Authorized Representative for AgroSource	Telephone No. (Include Area Code) 856.424.1528
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 Authorized Representative for AgroSource, Inc.	
4. Typed Name John F. Wright	5. Date 1/26/05	

2/7

NOTIFICATION
FEB 10 2005

FIRELINE™ 17 WP

Fungicide/Bactericide Agricultural Terramycin

GROUP	18	FUNGICIDE
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- For control of fire blight on pear and bacterial spot on peach and nectarine

Active Ingredient:

Oxytetracycline Hydrochloride*	18.30%
Related Compounds	0.17%
Other Ingredients:	<u>81.53%</u>
	100.00%

* Equivalent to 17% oxytetracycline

**KEEP OUT OF THE REACH OF CHILDREN
WARNING**



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

EPA Reg. No. 80990-1

EPA Est. No. 39578-TX-1

Product Number 1001

AgroSource, Inc.
P. O. Box 1341
Mountainside, New Jersey 07092-0341

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 undamaged, and the purchase price will be refunded.

NET CONTENTS: 2 pounds

FIRELINE™ 17 WP Fungicide/Bactericide

FIRST AID	
Call a poison control center or doctor immediately for treatment advice.	
If On Skin or Clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes.
If In Eyes:	<ul style="list-style-type: none"> • 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact InfoTrac at 1-800-535-5053 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS
Hazards To Humans & Domestic Animals

WARNING: Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Do not breathe dust or spray mist. May cause allergic skin reactions. This material is not to be used for medical, veterinary or human purposes.

Personal Protective Equipment (PPE):

Applicators and other handlers must wear:

- long-sleeved shirt
- long pants
- chemical-resistant gloves made of any waterproof material
- shoes plus socks
- protective eyewear
- NIOSH approved respirator with any N, R, P or HE filter

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.

Engineering Control Statements:

When handlers use closed systems or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

User Safety Recommendations:

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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 washwater.

DIRECTIONS FOR USE

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

Do not apply this product through any type of irrigation system. 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.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 12 hours.

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, wear:

- Coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear

Resistance Management Statements FIRELINE™ 17 WP fungicide/bactericide contains a Group 18 (fungicide/bactericide). Fungal isolates/bacterial strains with acquired resistance to Group 18 may eventually dominate the fungal/bacterial population if Group 18 fungicides/bactericides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. This may result in partial or total loss of control of those species by FIRELINE™ 17 WP fungicide/bactericide or other Group 18 products.

To delay fungicide/bactericide resistance consider:

- Avoiding the consecutive use of FIRELINE™ 17 WP fungicide/bactericide or other target site of action Group 18 fungicides/bactericides that have a similar target site of action, on the same pathogens.
- Using tank-mixtures or premixes with fungicide/bactericides from different target site of action Groups as long as the involved products are all registered for the same use and are both effective at the tank mix or prepack rate on the pathogen(s) of concern.
- Basing fungicide/bactericide use on a comprehensive IPM program.
- Monitoring treated fungal/bacterial populations for loss of field efficacy.
- Contacting your local extension specialist, certified crop advisors, and/or manufacturer for fungicide/bactericide resistance management and/or IPM recommendations for specific crops and resistant pathogens.

FIRELINE™ 17 WP Fungicide/Bactericide

Treatment of Pears, Peaches & Nectarines:

MIXING: To avoid possible pesticide contamination, use only clean metal or plastic containers in preparing all solutions.

MIXING INSTRUCTIONS			
Concentrate Desired	Quantity FIRELINE™ 17 WP Per Volume of Water		
	50 gals.	100 gals.	500 gals.
ppm*			
150	6.0 oz.	12.0 oz.	3 ¾ lbs.
200	8.0 oz.	16.0 oz.	5 lbs.

*ppm = parts per million

Crop	Disease	Recommended Concentration or Rate	Use Directions
Pears	Fire Blight	200 ppm	Begin spray application at 10% bloom at a rate of 50-100 gals. of solution per acre. Repeat applications at 4 to 6 day intervals. This may involve up to 8-10 applications. Do not apply within 60 days of harvest. Use of FIRELINE™ 17 WP may cause phytotoxicity to the fruit and/or foliage of sensitive varieties of pears, especially Asian varieties.
Peaches & Nectarines	Bacterial Spot	150 ppm	Begin application with shuck split using a rate of 3 gallons per tree (240 gals. spray solution per acre based on 80 trees per acre). Apply spray solution to point of runoff. Gallons of spray per acre may be increased for larger trees. Do not exceed 500 gals. per acre. Use pressure sprayer capable of delivering the spray at least 250 lbs pressure per square inch through a hand-held single nozzle gun, or 150 lbs. pressure per square inch using a wind-blast sprayer. For best results with air-blast sprayer, do not exceed 3 miles per hour ground speed or 100 miles per hour spray velocity. Note: The spray application schedules are based on a definite biological growth period for peaches, the shuck split. Shuck split stage for peaches varies North to South by state, in individual states and by varieties. Applications are weekly after shuck split stage. This may involve up to 8 or 9 applications. Do not apply within 3 weeks of harvest.

Additional information regarding use of FIRELINE™ 17 WP fungicide/bactericide may be obtained from your local Agricultural Extension Agent or State Experimental Station.

Use of FIRELINE™ 17 WP fungicide/bactericide may cause phytotoxicity to the fruit and/or foliage of sensitive varieties of pears and peaches.

STORAGE AND DISPOSAL

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

Pesticide Storage: Keep tightly closed and sealed. Product is moisture, temperature and light sensitive. Product is hygroscopic so protect from moisture. Store in a cool (<77°F, 25°C), dry place away from heat and open flames with minimum exposure to the atmosphere. Avoid extremes in temperature.

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: Completely empty bag into application equipment. Then dispose of bag in a sanitary landfill, by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Conditions of Sale and Limitation of Warranty and Liability

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. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials, resistant strains or other influencing factors in the use of the product, which are beyond the control of AgroSource, Inc. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold AgroSource, Inc. and Seller harmless for any claims relating to such factors.

AgroSource, Inc. 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 AgroSource, Inc., and Buyer and User assume the risk of any such use. **AGROSOURCE, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.**

In no event shall AgroSource, Inc. or Seller 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, AND THE EXCLUSIVE LIABILITY OF AGROSOURCE, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, 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 AGROSOURCE, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

AgroSource, Inc. and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of AgroSource, Inc.

Fireline is trademark of AgroSource, Inc.

7/7

Product & Regulatory Associates, L.L.C.

January 26, 2005

Ms. Sherada Hobgood
Document Processing DESK (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall-2
1801 South Bell Street
Arlington, VA 22202-5401

Subject: FIRELINE™ 17WP Fungicide/Bactericide
EPA Reg. No. 80990-1
Notifications per PR Notice 98-10 & 95-2

Dear Ms. Hobgood:

As its authorized representative, AgroSource, Inc has chosen to revise the subject labeling via the notification process. This notification is consistent with PR Notice 98-10.

The [redacted] highlighted changes include:

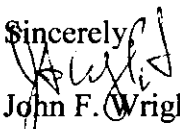
- Change grammar in use sites on front page, Section IV. A.
- Advisory statement in Spanish was provided, Section II. D.

To complete this notification application, enclosed please find:

- Application for Pesticide: Notification(EPA Form 8750-1) with PR Notice 98-10 Certification Statement
- FIRELINE™ 17WP Bactericide revised labeling with changes highlighted (1 copy)
- A self addressed stamped post card

I trust that this information will assist the Agency in its efforts to complete this notification. If you have any question in regard to this mater, feel free to contact me at (856) 424-1528 or JWrightCH@comcast.net.

Sincerely


John F. Wright
Product & Regulatory Associates, LLC
Authorized Representative of AgroSource, Inc

cc: Taw Richardson, AgroSource, Inc.