

83359-4

05-20-2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Biopesticides and Pollution Prevention Division (7511C)  
1200 Pennsylvania Avenue NW  
Washington, DC 20460

EPA Reg. Number:  
83359-4

Date of Issuance:  
**MAY 20 2009**

NOTICE OF PESTICIDE:

Registration  Re-registration  
(under FIFRA, as amended)

Term of Issuance: Unconditional

Name of Pesticide Product:  
AVEX

Name and Address of Registrant (include ZIP Code):

Impec Inc.  
P.O. Box 336277  
Greeley, CO 80633

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Biopesticides and Pollution Prevention Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is unconditionally registered in accordance with FIFRA Sec. 3(c) (5) provided you:

1. Submit and/or cite all data required for registration/ reregistration of your product under FIFRA section 3(c)(5) and section 4 when the Agency requires all registrants of similar products to submit such data.
2. Make the following label change before you release the product for shipment: Revise the EPA Registration Number to read, "EPA Reg. No. 83359-4.
3. Submit three (3) copies of the revised final printed labeling before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

Signature of Approving Official:

*Michael McDavit*

Michael McDavit, Associate Director  
Biopesticides and Pollution  
Prevention Division

Date:

5-20-09

CONCURRENCES

SYMBOL	EPA Form 8570-6	7511C						
SURNAME		<i>[Signature]</i>						
DATE		5/15/09						

Master Label

FRONT PANEL

AVEX

For Use as a Bird Repellent

ACCEPTED

MAY 20 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 83359-4

Sublabel A: Commercial Use Sites: Turf and Ornamentals around Commercial Buildings and Public Parks, Commercial Building Structures, and Non-fish bearing Bodies of Water at Commercial and Public Facilities and Airports

Sublabel B: Agricultural Use Sites: Berries (such as cherry, apricot, peach, plum, and blueberries), Apples, Grapes, Pome and Stone Fruits, Cereal Grains, Sunflowers, Turf Farms and Outdoor Ornamental Nursery

Sublabel C: Residential Use Sites: Outdoor Residential Structures, Decorative Nonfish Bearing Fountains

KEEP OUT OF REACH OF CHILDREN  
WARNING

FIRST AID

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.

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.

Have the product container or label with you when calling a poison control center, doctor or going for treatment. For emergency information concerning this product call the national pesticides information center at 1-800-858-7378.

SEE REAR PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

<b>Active Ingredient</b>	<u>By Wt.</u>	
Methyl anthranilate	26.4%	
<b>Other ingredients</b>	<u>73.6%</u>	
Total	100.0%	

This product contains 2.29 lbs. of active ingredient per gallon.  
This concentrate has been formulated from food grade ingredients.

Impec Inc.  
P.O. Box 336277  
Greeley CO 80634

EPA EST. No.  
EPA REG. No. 83359-

Net contents One U.S. Gallon (3.78 liters) 128 fl. oz.

## REAR AND SIDE PANELS

### PRECAUTIONARY STATEMENTS

#### Hazards to Humans and Domestic Animals

**WARNING:** Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield or safety glasses). Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash clothing before reuse.

### ENVIRONMENTAL HAZARDS

Do not apply directly to fish-bearing bodies of water, to areas where surface water may contaminate streams or lakes or to intertidal areas below the mean high water mark.

### DIRECTIONS FOR USE

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

### GENERAL INSTRUCTIONS AND INFORMATION

Do not apply this product in any 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 state or tribal 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 only apply to uses of this product that are covered by the Worker Protection Standard.

The Re-Entry Interval (REI) for this product is 24 hours.

PPE required 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 is:  
Protective eyewear such as goggles, face shield or safety glasses.

### 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.

**Do not enter or allow others or pets to enter the treated area until sprays have dried.**

This product is used to limit birds from feeding on berries, pome and stone fruits, cereal grains and sunflowers. It discourages birds from using turf and ornamentals, drinking and bathing in non-fish bearing bodies of water such as water impoundments and fountains. It controls roosting in and on structures.

**Preparation and Mixing Instructions.** Warm, in the sun or a water bath, to 75° F if the formulation has frozen or solidified. Mix liquid concentrated until ingredients are evenly distributed before adding to water. Do not add adjuvants, stickers, spreaders or surfactants to tank mix. This product may be mixed with EPA approved *Bacillus thuringiensis*, insecticides, fungicides and herbicides

**Compatibility.** Incompatible with styrene and some plastic products, paints and finishes. If product is to be mixed with other pesticides, compatibility testing prior to mixing will avoid potential application problems. Test compatibility in a small container by combining all ingredients in the same ratio as the anticipated use. Apply a small amount to the area to be protected from the birds. If any indications of physical incompatibility develop, such as coagulation in the container or burning of the vegetation, do not use this mixture for spraying. Indications of incompatibility usually will appear within 5 to 20 minutes after mixing and application.

**Application Instructions -**

Agricultural and hand sprayers. Mix one part of repellent concentrate with 99 parts of water (1% solution). Use 0.5 to 2.7 gallons of concentrate (1.15 to 6.18 lbs. a.i.) per acre depending on vegetation density.

Aerial application. Mix one part of repellent concentrate with 39 parts of water (1 pint per 5 gallons). Apply 5 gallons of tank mix/ac. (0.28 lbs. a.i.) unless a different rate is specified for crop type.

Timing. Begin applications when crop begins to ripen or birds begin feeding. Reapply every 5 to 8 days if birds reappear. Repeat as necessary to maintain repellency. Harvest 5 to 8 days after last treatment or after all odor and taste of the product has dissipated. Do not apply this product to wet surfaces.

**Application Rates**

Stone Fruit and Berries [such as cherry, apricot, peach, plum, blueberries, and table grapes]. Follow Agricultural Sprayer Application Instructions. [California Only. Mixer/handlers and air blast applicators must wear coveralls over normal work clothes and not prepare spray solutions using more than 50 gallons of concentrate per day. Harvesters must wear gloves and long sleeved shirts. Blueberries: Apply at a rate of 0.5 to 1.0 gallon (1.15 to 2.29 lbs. ai) per acre. Table grapes: Apply at a rate of 0.5 gallons (1.15 lbs. ai) per acre.][New York Only - Aerial application is prohibited. This product is not to be used on grapes within Suffolk County.]

Cereal Grains [rice (including white and wild), corn, (including sweet corn & popcorn), millet, oats, and sorghum]. See aerial application instructions. Begin application 30 days before harvest when crop begins to ripen or birds begin feeding. Rice seed treatment. Coat imbibed seed with a 25% solution of repellent concentrate. Do not soak seed in the repellent. Apply to flooded fields. Do not apply to bare soil. Keep water in fields until seed is fully germinated. Sweet Corn Begin application 10 days before harvest when crop begins to ripen or birds begin feeding. Reapply at 5-day intervals until harvest. Harvest 5 days after last treatment.

Sunflowers. See aerial application instructions. Replant 22 days after application.

Pome Fruit [apples]. See agricultural sprayer instructions.

Non-fish bearing bodies of water, temporary pools associated with airports and decorative fountains.

Add 1 to 2 parts of concentrate per 500 parts of water in the body of water [2-4 gal (4.58 - 9.16 lbs. ai.)/130 cubic feet (1000 gallons) of water]. Mix concentrate with water before adding to pool. Reapply at 3 to 4 week intervals if necessary to maintain repellency. [New York only - This product may only be used on non-fish-bearing bodies of water and temporary pools of standing water on paved areas or construction sites at or near airports.]

Turf. 1 to 2 gallons of concentrate (2.29 to 4.58 lbs. ai.) per acre (0.105 to 0.420 lbs. ai./1000 square feet). See Agricultural and hand sprayers application instructions. Reapply product at intervals of 7 to 14 days, or after each mowing, if necessary to maintain repellency. Postpone irrigation for at least one hour after application. Feeding geese on or near areas where birds are to be excluded may reduce the effectiveness of this product.

Ornamentals. Mix 1 gallon of concentrate (2.29 lbs. ai.) with 30 gallons of water and apply to foliage in the morning or late afternoon. See Agricultural and hand sprayers application instructions. Allow to dry before watering.

Structures. Mix 1 part concentrate with 1 part water and apply with hand sprayer. Swallows and woodpeckers: Apply to nests before eggs or young are present. Animal feed facilities (barns): Remove all animals and/or cover feed before application. Apply the repellent with a quiet power sprayer after the birds have roosted or nested after dark for three consecutive nights.

**STORAGE AND DISPOSAL**

**Sublabel A and B: Commercial and Agricultural Use Sites**

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

**PESTICIDE STORAGE:** Store only in original container apart from pesticides, fertilizers, food or feed that may cause cross-contamination from odor; and inaccessible to children. Avoid freezing or placing containers in direct sunlight. If frozen thaw and remix contents. Keep tightly closed when not in use.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at a waste disposal facility by exposing to direct sunlight until all odor is gone or the product has dissipated or in accordance with Federal or State procedures.

**CONTAINER DISPOSAL:** Nonrefillable Container. Do not reuse or refill this container. Clean container promptly after emptying. Triple 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. 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. Then offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

**STORAGE AND DISPOSAL**

**Sublabel C: Residential Use Sites**

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

**PESTICIDE STORAGE:** Store only in original container apart from pesticides, fertilizers, food or feed that may cause cross-contamination from odor; and inaccessible to children. Avoid freezing or placing containers in direct sunlight. If frozen thaw and remix contents. Keep tightly closed when not in use.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at a waste disposal facility by exposing to direct sunlight until all odor is gone or the product has dissipated or in accordance with Federal or State procedures.

**CONTAINER DISPOSAL:** Nonrefillable Container. Do not reuse or refill this container.

If Empty: Place in trash or offer for recycling if available.

If Partly Filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

