

85354-1



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Darek Czokajlo
Alpha Scents, Inc.
7676 Tuttle Road
Bridgeport, NY 13030

SEP 10 2009

Dear Mr. Czokajlo:

Subject: Application for Pesticide Notification (PRN 98-10)
Comply with Agency pyrethroid labeling letter dated June 4, 2009
MalEx ShootBorer
EPA Reg. No. 85354-1
Your submission dated July 7, 2009

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated July 7, 2009 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

Sincerely,

Dana R. Pilitt

for Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

MalEx ShootBorer

An easy to use attracticide product for control of the forest lepidopteran pest Western pine shoot borer (*Eucosma sonomana*), Eastern pine shoot borer (*E. gloriola*), and the Lodgepole pine shoot borer (*E. recissoriana*)

NOTIFICATION

SEP 10 2009

ACTIVE INGREDIENTS

Permethrin [CAS 52645-53-1].....6.00%

9-Dodecen-1-yl acetate.....0.16%

OTHER INGREDIENTS.....93.84%

TOTAL: 100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE BACK PANEL FOR PRECAUTIONARY STATEMENTS AND FIRST AID
READ ALL DIRECTIONS BEFORE USING THIS PRODUCT

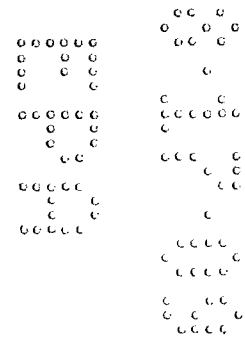
Alpha Scents, Inc.
7676 Tuttle Rd.
Bridgeport, NY 13030

EPA Reg. No. 85354-1 EPA Est. No. 85354-OR-001

Questions?? Telephone (315) 699-1991
Mon – Fri 9am – 4pm [EST]
or e-mail: sales@alphascents.com

NET CONTENTS: 5.28 oz [150 grams]

Batch No. AS MEx 0001



PRECAUTIONARY STATEMENTS

HAZARDOUS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through the skin. Causes moderate eye damage. 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.

FIRST AID

IF ON SKIN

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15 - 20 minutes.
- Call 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 5 minutes, then continue rinsing the eye.
- Call poison control center or doctor for treatment advice.

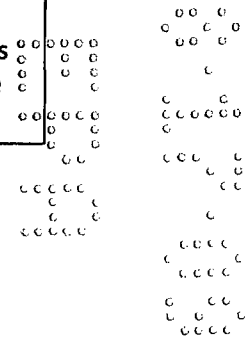
Have the product container or label with you when calling a poison control center, doctor, or going for treatment. For emergency information concerning this product, call the National Pesticides Information Center (NPIC) at 1-800-858-7378 seven days a week, 6:30 am to 4:30 pm Pacific Time (NPIC Web site: www.npic.orst.edu).

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long sleeved shirt and long pants, shoes plus socks, and chemical resistant gloves. Follow the 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.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to bees exposed to direct treatment or residues on flowers or blossoms. Do not apply this product to buds, flowers, or fruit of trees or to blooming weeds. This product is extremely toxic to fish and other aquatic invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.



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.
- Remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

STORAGE AND DISPOSAL

DO NOT CONTAMINATE WATER, FOOD OR FEED BY STORAGE OR DISPOSAL

Pesticide Storage: Store pesticide in the original container. Do not store near food or feed. Protect from temperatures below -10°C [14°F]. Avoid prolonged storage at temperatures above 35°C [95°F].

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: 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.

- Nonrefillable container. Do not reuse or refill this container.
- Offer for recycling, if available

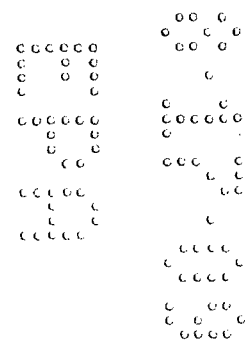
AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and in accordance with the Worker Protection Standard, 40 CFR 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 the label about personal protection equipment [PPE], and restricted re-entry intervals. The requirements in this box apply only to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during restricted entry interval [REI] of 12 hours.

PPE is 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 and water. Required PPE consists of:

- coveralls
- chemical resistant gloves
- shoes plus socks



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 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 requirement specific to your State or Tribe, consult agency responsible for pesticide regulation.

1. Crop: Ponderosa pine (*Pinus ponderosa*), Jeffrey pine (*P. jeffrey*), and Lodgepole pine (*P. contorta*).

2. Pest: Western pine shoot borer (*Eucosma sonomana*), Eastern pine shoot borer (*E. gloriola*) and the Lodgepole pine cone borer (*E. recissoriana*).

3. Rate: 600-1,200 droplets per acre (1,500-3,000 per hectare) which equals 30-60 grams of product per acre (75-150 g/hectare). This equates to 1.8-3.6 g permethrin per acre (4.5-9.0 g/hectare) and 0.048-0.096 g pheromone per acre (0.12-0.24 g/hectare)

4. Application: i] The product is supplied in a sealed canister, and comes with a custom designed pump head engineered to deliver 50 microliter droplets of formulation. Firmly push the pumping head into the nozzle end of the canister until it snaps and locks on. Turn the pumping head twice around the canister to cut the seal. This action cuts through the seal in the canister nozzle, the formulation is primed into the pumping head by pushing on the plunger at the bottom of the canister. Once locked in place the canister head cannot be removed.

ii] One full depression of the pump trigger delivers a 50-microliter droplet of formulation; for maximum biological activity, maintain small spherical shaped droplets. The canister contains approximately 2,500 droplets.

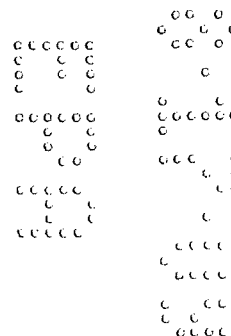
iii] Apply the droplets to the branches, needles, buds or cones on the upper half of the canopy or as high as you can reach.

5. Timing:

i] Apply immediately prior to start of pest emergence in the spring.

ii] Droplet release pheromone for up to 40 days depending on environmental conditions.

iii] No additional application is necessary.



6. Precautions: MalEx ShootBorer prevents shoot borers from mating by removing male moths from treated areas. However, if a source of mated females of this species is present in areas adjacent to the treated area, migration of these moths may significantly reduce the level of control achieved. This can be counteracted by treatment of infested sources with MalEx ShootBorer, (e.g. a strip at least 50 yards wide adjacent to the treated area or plantation).

WARRANTY

The seller warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purposes stated in the Directions for Use, subject to the risks that arise from weather conditions, soil factors, off target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of the seller, when used in accordance with the Directions for Use under normal conditions. Seller makes no other express or implied warranty. To the extent consistent with applicable law, Seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. In no event shall seller be liable for indirect or consequential damages. To the extent consistent with applicable law buyer and user acknowledge and assume all risks and liabilities resulting from the handling, storage and use of this product.

