



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

**OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION**

December 8, 2021

Georgia Anastasiou
Agent for Aqua Concepts, Inc.
c/o Lewis & Harrison
2461 S. Clark St., Suite 710
Arlington, VA 22202

Subject: Labeling Notification per Pesticide Registration Notice (PRN) 98-10 – To correct typographical error on label (percentage of active ingredient)

Product Name: Protec-T
EPA Registration Number: 87809-1
Application Date: 10/12/2021
OPP Case Number: 00329542

Dear Ms. Anastasiou:

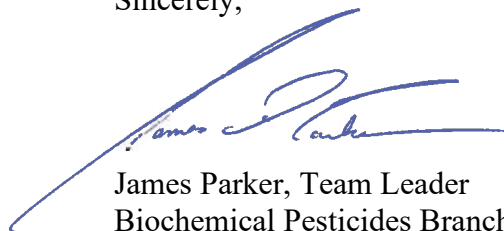
The U.S. Environmental Protection Agency (EPA) is in receipt of your application for notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Biopesticides and Pollution Prevention Division (BPPD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The labeling submitted with this application has been stamped “Notification” and will be placed in our records. You must submit one (1) copy of the final printed labeling with the modifications.

Should you wish to add/retain a reference to your company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and is subject to review by the EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the EPA find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance Assurance.

If you have any questions, please contact Cheryl Greene via email at green.cheryl@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Parker", is written over a large, sweeping blue line that extends from the left side of the page towards the center.

James Parker, Team Leader
Biochemical Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)
Office of Pesticide Programs

Enclosure

NOTIFICATION

87809-1

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

12/08/2021

Protec-T™

A unique biochemical pesticide for treatment of Subterranean and Surface Drip and Micro Irrigation Systems. Protec-T, as part of an IPM (Integrated Pest Management) program helps protect irrigation/chemigation lines from damage caused by burrowing gophers that chew and damage the system.

Active Ingredients:

| | |
|-------------------------------|----------------|
| Methyl Mercaptan..... | 0.01% |
| OTHER INGREDIENTS..... | 99.99% |
| TOTAL..... | 100.00% |

This product weighs 8.31 lbs. per gallon OK

EPA Reg No.: 87809-1

EPA Est. No.: XXXX

Net Weight: XXXX

Net Weight: Batch No. / Lot Code:

**WARNING
KEEP OUT OF REACH OF CHILDREN**

| FIRST AID | |
|---|--|
| 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. ● Call a poison control center or doctor for treatment advice. |
| If on skin or clothing | <ul style="list-style-type: none"> ● Take off contaminated clothing. ● Rinse skin immediately with water for 15 – 20 minutes. ● Call a poison control center or doctor for treatment advice. |
| If swallowed | <ul style="list-style-type: none"> ● Call poison control center or doctor immediately for treatment advice. ● Have person sip a glass of water if able to swallow. ● Do not induce vomiting unless told to do so by a poison control center or doctor. ● Do not give anything by mouth to an unconscious person. |
| If inhaled | <ul style="list-style-type: none"> ● Move person to fresh air. ● If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. ● Call poison control center or doctor for treatment advice. |
| HOTLINE 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 1-800-222-1222 for emergency medical treatment information. | |

MANUFACTURED BY:

ACQUA CONCEPTS, INC.
DBA AG WATER CHEMICAL
2665 S. CHESTNUT
FRESNO, CA 93725
(925) 413-9104

NET CONTENTS

(8.31 lb./gallon)

30 Gallon
55 Gallon Drum
275 Gallon Tote

IMPORTANT!

Before using this product read the entire Precautionary Statements, Conditions of Sale and Warranty, Directions for Use, Use Restrictions and Storage and Disposal Instructions. If the Conditions of Sale and Warranty are not acceptable, return the product unopened and unused within thirty days of purchase to the place of purchase.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMAN AND DOMESTIC ANIMALS

Warning. May cause mild eye irritation. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

Personal Protective Equipment (PPE)

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

- Long-sleeved shirt and long pants
- Chemical resistant gloves (e.g., barrier laminate, butyl rubber, neoprene rubber)
- Shoes and socks
- Goggles or face shield

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

- User should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- User should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.
- Wash the outside of gloves before removing.

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 high water mark. Do not contaminate water when disposing of equipment washwater or rinsate. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

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 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 intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow workers entry into treated areas during the restricted entry interval (REI) of 24 hours.

For early entry to treated areas that is permitted under the WPS 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 (e.g., barrier laminate, butyl rubber, neoprene rubber)
- Shoes and socks
- Goggles or face shield
- A NIOSH approved particulate filter with any N, R, P filter with NIOSH approval number prefix TC-84A or a NIOSH approved powered air purifying respirator with an HE filter with NIOSH approval number prefix TC-21C.

GENERAL INFORMATION

Protec-T™ is a unique biopesticide for treatment of Subterranean and Surface Drip and Micro Irrigation Systems. Protec-T protects irrigation/chemigation tubes, lines, tapes by discouraging infestation of agricultural fields by gophers which cause damage by burrowing around and chewing water distribution tubing, tapes, lines. Treatment deters gophers by a non-toxic mode of action, causing them to exit agricultural fields to forage, nest and mate elsewhere. Gophers are eliminated from the field without the use of harmful traps or poisons.

Protec-T is a nonlethal product for repelling gophers. The exiting migration of these animals encourages natural predation of gophers and minimizes harm to non-target organisms and their environment.

Treatment with Protec-T can help to:

- Conserve water by minimizing wasteful leakage from drip and micro irrigation systems due to damage caused by gophers.
- Increase yield by maintaining drip and micro irrigation system integrity. By eliminating system damage, allowing water and other agricultural products to be more accurately and consistently applied.
- Prevent harm to the environment and to natural predators often caused by the use of poisons, baits or traps.
- Allow successful conversion to drip/micro irrigation systems for the purpose of water conservation in crop land areas which are currently served by flood, sorrow and sprinkler irrigation.
- Allow successful utilization of drip/micro irrigation systems in order allow utilization of agricultural lands which are not levelled and are therefore not suitable to flood or furrow irrigation. Allows irrigated fields to remain in their natural topography.
- Enhance the bio diversity of populations of vertebrate species areas surrounding crop fields in a manner which contributes to the support of predatory animals, i.e. owls, coyotes, various snakes.

USE INSTRUCTIONS

For best results of Integrated Pest Control procedures, Protec-T applications can be made at strategic times i.e., prior to nesting season and mating season. Protec-T™ is most effective when applied regularly. When installing new subterranean and surface drip and micro irrigation systems, Protec-T should be applied before gopher infestation occurs. Protec-T users can observe pest activity in the area to determine the ideal time to apply Protec-T™ based on pest population and lifecycle. Consideration should be given to weather patterns and other factors which can influence pest movement, foraging, nesting, and mating habits. Prior to application, inspection of existing irrigation systems should be conducted to evaluate system integrity issues and to locate pre-existing areas of damage. Damaged tubing, tape, and lines should be repaired or replaced prior to application of Protec-T.

Protec-T may be applied at the maximum rate of two gallons per acre over two hours injection time. Application of Protec-T requires direct injection in to the flowing stream of irrigation water. Irrigation water flow rate may range from a minimum of 100 gpm to a maximum 2,000 gpm. Maximum concentration of a.i. must be no more than 100 ppb. Before application of Protec-T, the water pump propelling water through the irrigation system is stopped for a minimum period of one hour. When injection occurs, normal water flow is restarted. Water flow and Protec-T injection occur simultaneously until the irrigation delivery tubing are filled and the desired dosage of Protec-T has been used. After injection is completed, the flow of the irrigation water is again stopped and is not resumed for a period of 24 hours after the injection is complete. After the 24 hour waiting period is complete, the system may be re used for normal irrigation.

Direct injection of Protec-T: From its original package (tote or drum): Protec-T is transferred via a flexible tubing, affixed to the intake fitting of the injection pump with a hose clamp. This flexible fitting is secured to the Protect T tote or drum with a threaded fitting which is supplied as part of the opening into the tote or drum. Protec-T is pumped from the tote or drum into the flowing stream of irrigation water using a gear driven or peristaltic style pump capable of injection against 150 psi. The irrigation water delivery pipe has been previously fitted with an injection quill with check valve which allows connection to the flexible tubing leading to the injection pump. This injection quill is located upstream from the irrigation water in-line filter system.

Crops: Subterranean and Surface Drip and Micro Irrigation Systems may be associated with, but not limited to use on all crops listed in U S EPA Crop Groupings. Protec-T may be used with all crops so listed.

Examples of crops by Crop Group:

Crop Group 1: Root and Tuber Vegetables, i.e., Carrot, radish, sugar beet, Beet (garden), turnip, horseradish, potato, yam, sweet potato, cassava, artichoke (Jerusalem, Chinese), cultivars and hybrids.

Crop Group 2: Leaves of Root and Tuber vegetables (Human Food or Animal Feed), i.e. Beet, garden; Beet, sugar; Burdock; Carrot; Cassava; Celery; Chervil Chicory, Taro, Parsnip, Radish, Rutabaga, Salsify, Sweet Potato, Tarnier, Turnip, Yam, cultivars and hybrids.

Crop Group 3: Bulb Vegetables: i.e. Onion (green and dry and onion), Garlic, Leek, Shallot, Chives, Lilly, cultivars and hybrids.

Crop Group 4: Leafy Vegetables: i.e. Celery, Endive, Head lettuce, Spinach, cultivars and hybrids.

Crop Group 5: Brassica (Cole) Leafy Vegetables: i.e. Broccoli, cauliflower, cabbage, mustard greens, Brussel sprouts, cultivars and hybrids.

Crop Group 6: Legumes: i.e. podded beans, podded peas, succulent shelled beans, garden peas, dry beans and peas, cultivars and hybrids.

Crop Group 7: Foliage of legumes vegetables: i.e. bean, field pea, soybean, cultivars and hybrids.

Crop Group 8: Fruiting Vegetables Group: i.e. Egg plant, tomato(s), okra, tomatillo, peppers, chili peppers, bell peppers, cultivars and hybrids.

Crop Group 9: Cucurbit Vegetables Group: Cucumber, musk melon, summer squash, Cantaloupe, honeydew melon, Persian melon, Pumpkin, Squash(s), Watermelon, cultivars and hybrids.

Crop Group 10: Citrus Fruit Group: i.e., Calamondin, Citron, Citrus hybrids, Grapefruit, Kumquat, Lemon, Lime, Mandarin, Orange (sweet, sour), Pumelo, cultivars and hybrids.

Crop Group 11: Pome Fruit Group: i.e., Apple, Crabapple, Loquat, Pear, Pear, Quince, cultivars and hybrids.

Crop Group 12: Stone Fruits Group, i.e., Apricot, Sweet Cherry, Tart cherry, Peach, Plum, Fresh Prune, Nectarine, Plumcot, Jujube, cultivars and hybrids

Crop Group 13: Berries Group: i.e., Blackberry, Raspberry, Blueberry, Currant, Elderberry, Gooseberry, Huckleberry, Loganberry, Barberry, Grape, Kiwifruit, varieties, cultivars and hybrids.

Crop Group 14: Tree Nut Group: i.e., Almond, Pecan, Cashew, Chestnut, Hazelnut, Macadamianut, Walnut (black), Walnut (English), Pistachio, Pine nut, cultivars and hybrids.

Crop Group 15: Cereal Grains Group: i.e., Corn (dry field corn, fresh sweet corn), rice, Sorghum, Wheat, Barley, Buckwheat, Millet, Oats, Popcorn, Rye, Triticale, Wild Rice, cultivars and hybrids.

Crop Group 16: Forage, Fodder and Straw of Cereal Grains Group i.e., Forage, fodder, stover and straw, of all commodities included in the cereal grains group, cultivar and hybrids.

Crop Group 17: Grass Forage, Fodder and Hay Group i.e., all commodities include in the cereal group, any grass, all grasses grown for hay or silage, (Gramineae and Poaceae family), cultivars and hybrids.

Crop Group 18: Nongrass animal feeds (Forage, Fodder, Straw, Hay) Group i.e., Alfalfa, Clover, Including alfalfa, bean, clover, kudzu, lespedeza, lupin, trefoil, vetch (all varieties), cultivars and hybrids.

Crop Group 19: Herbs and Spices Group i.e., Celery seed, Clove, Coriander, Cumin, Juniper Berry, Lavender, Marigold, Mustard (seed), Parsley, Rosemary, Sweet bay, Thyme, Basil, cannabis, cultivars and hybrids.

Crop Group 20: Oilseed Group, i.e., Castor oil, cottonseed, euphorbia, flax seed, jojoba, mustard seed, niger seed, rape seed, safflower, sunflower, canola, cannabis cultivars and hybrids.

Crop Group 21: Edible Fungi Group, i.e., white button mushroom, oyster mushroom, Shitake mushroom, other mushrooms, cultivars and hybrids.

Crop Group 22: Stalk, Stem and Leaf Petiole Vegetable Group, i.e., Asparagus, Kale, pricklypear, rhubarb, cultivars and hybrids.

Crop Group 23: Tropical and subtropical fruits Group, edible peel group, i.e., acai, acerola, date, feijoa, fig, guava, natal plum, olive, papaya, rose apple, starfruit, cultivars and hybrids

Crop Group 24: Tropical and subtropical fruit, inedible peel group, i.e., avocado, banana, breadfruit, cherimoya, custard apple, lychee, mango, mangosteen, mesquite, papaya, passionfruit, pawpaw, persimmon, pineapple, plantain, pomegranate, pricklypear, rambutan, sapote, sabodilla, soursop, star apple, cultivars and hybrids

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| <p>NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product.</p> |
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Warranty Disclaimer

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks associated with the use of this product. Unintended consequences including crop injury or reduced efficacy may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, all of which are beyond the control of ACQUA CONCEPTS, INC (DBA Ag Water Chemical) or its direct or indirect distributors. To the extent permitted by applicable law, Buyer and User agree to hold ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL) and its distributors harmless from any claims relating to such factors. ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL) warrants that this product conforms to the chemical description on the label. To the extent permitted by applicable law: (1) this warranty does not extend to the use of the product contrary to label instructions or under conditions not reasonably foreseeable to or beyond the control of ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL) or its distributors, and, (2) Buyer and User assume the risk of any such use. To the extent permitted by applicable law, ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL) MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED IN THIS LABEL. To the extent permitted by applicable law, in no event shall ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL) or its distributors be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL) AND ITS DISTRIBUTORS, 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 ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL) OR ITS DISTRIBUTORS, THE REPLACEMENT OF THE PRODUCT.

ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL) and its distributors offer this product, and Buyer and User accept, 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 ACQUA CONCEPTS, INC (DBA AG WATER CHEMICAL).

LIMITATION OF REMEDIES

The exclusive remedy for losses or damages resulting from the use of this product (including claims based on contract, negligence, strict liability, or other legal theories) shall be limited to, at Acqua Concepts, Inc. election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used.

Acqua Concepts, Inc. shall not be liable for losses or damages resulting from the proper handling or use of this product unless Acqua Concepts, Inc. is promptly notified within 30 days of such loss or damage in writing. In no case shall Acqua Concepts, Inc. be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer above and the Limitation of Remedies cannot be modified by any written or verbal statements or agreements. No employee or Sales Agent of Acqua Concepts, Inc. of the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry ventilated place not below 40 degrees F. Keep out of direct sunlight.

Pesticide Disposal: Improper disposal of excess pesticide is a violation of State and Federal Law. Dispose of Protec- T per label instructions or contact your local State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

Container Disposal—Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. 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 $\frac{1}{4}$ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or 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 or reconditioning, if available, or dispose of in a sanitary landfill, or by incineration if allowed by state and local authorities. Do not reuse these containers.

If material is released or spilled: Appropriate PPE must be worn when handling a spill of this material. Transfer material to suitable containers for recovery and disposal. Contain spills immediately with inert materials (sand, earth, sawdust). Transfer remaining material to a suitable container for disposal.

Protect T™ is a Trademark of Acqua Concepts, Inc.

Acqua Concepts, Inc.
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