



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 7, 2015

Ms. Ann M. Tillman
Consultant for Absorbent Products, Ltd.
Pyxis Regulatory Consulting Inc.
4110 136th Street N.W,
Gig Harbor, WA 98332

Subject: Label Amendment – response to Agency letter dated July 29, 2015
Product Name: APL Diatomaceous Earth Insecticide
EPA Registration Number: 89104-2
Application Date: September 8, 2015
Decision Number: 507383

Dear Ms. Tillman:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements 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 Agency 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.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Linda A. DeLuise by phone at 703.305.5428, or via email at deluise.linda@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Gebken", written in a cursive style.

Richard Gebken
Product Manager 10
Invertebrate & Vertebrate Branch 2
Office of Pesticide Programs

Enclosure

APL DIATOMACEOUS EARTH INSECTICIDE

For Manufacturing Use Only

Active Ingredient:	% By Wt.
Silicon dioxide	67%
Other Ingredients:	<u>33%</u>
Total.....	100%

KEEP OUT OF REACH OF CHILDREN

CAUTION

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.
POISON CONTROL 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 1-800-222-1222 for emergency medical information.	

(See other side/back panel for additional Precautionary Statements.)

EPA Reg. No. 89104-2

EPA Est. No. 89104-CAN-001

NET CONTENTS:

Batch Number:

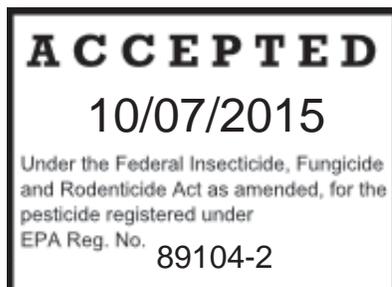
Manufactured by:

Absorbent Products Ltd.

724 E. Sarcee St.

Kamloops, BC Canada V2H 1E7

[1-800-667-0336]



Product of Canada

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Avoid breathing dust. Wear dust filtering masks or respirator approved by NIOSH/MSHA. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

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 Pollution 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.

APL DIATOMACEOUS EARTH INSECTICIDE consists of the skeletal remains of freshwater diatoms and contains amorphous silicon dioxide.

Only for formulation into insecticide products for the following uses: Indoor Non-Food; Residential Indoor; Residential outdoor, Terrestrial food crop.

Formulators using this product are responsible for obtaining EPA registration of their formulated products.

This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

STORAGE & DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a dry area. **In case of spill:** Vacuum or dampen with water and sweep. Dispose of in trash or at a local sanitary landfill.

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: Non-refillable container. Do not reuse or refill this container. Offer for recycling if available or dispose of according to procedures approved by state and local authorities.

SUPERSACK: NONREFILLABLE CONTAINER: Do not reuse or refill this container. Completely empty bag into formulation equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or by other procedures approved by state and local authorities.

WARRANTY STATEMENT

Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. 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. To the extent consistent with applicable law, Seller shall have no liability for consequential damages.