



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

**OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION**

November 1, 2021

Ms. Karen Murphy
Regulatory Manager
Liberty Crop Protection, LLC
1880 Fall River Dr., Suite 100
Loveland, Col. 80538

Subject: Labeling Notification per Pesticide Registration Notice (PRN) 98-10 – Adding “SHAKE WELL BEFORE USE” to product directions
Product Name: LIBERTY BIOACT II
EPA Registration Number: 89168-77
Application Date: 10/13/2021
OPP Submission Number: 1076537
OPP Case Number: 00329779

Dear Ms. Murphy:

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.

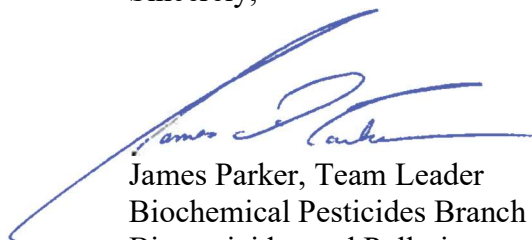
The labeling submitted with this application has been stamped “Notification” and will be placed in our records. You must submit one (1) copy of the final printed labeling with the modifications.

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 Nina Naimy via email at naimy.nina@epa.gov.

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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 right.

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

Enclosure

LIBERTY BIOACT II

Promotes Plant Growth In Agricultural, Turf and Ornamental Uses

ACTIVE INGREDIENTS:	By wt.
3-Indolebutyric acid (IBA)	0.85%
Cytokinin, as Kinetin	0.15%
OTHER INGREDIENTS	<u>99.00%</u>
TOTAL	100.00%

EPA Reg. No: 89168-77

EPA Est. No.:

Net Contents: ____ Gallon (____ L)

Manufactured for:
 Liberty Crop Protection LLC
 1880 Fall River Drive, Suite 100
 Loveland, CO 80538

KEEP OUT OF REACH OF CHILDREN WARNING/AVISO

*Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
 (If you do not understand the label, find someone to explain it to you in detail.)*

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 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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. • Call a poison control center or doctor for treatment advice.
HOT LINE	
Have the product container or label with you when calling a poison control center, or going for treatment. For chemical spill leak, fire or exposure, call CHEMTREC 800-424-9300	

SHAKE WELL BEFORE USE

050418RD101321

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
WARNING/AVISO**

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

ENVIRONMENTAL HAZARDS

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 washwaters or rinsate.

PERSONAL PROTECTION EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Protective eyewear
- Long-sleeved shirt and long pants
- Shoes and socks

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.

USER SAFETY RECOMMENDATIONS

Users should:

- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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 applications. For any requirements specific to your State or Tribe, consult the state or tribal agency responsible for pesticide regulation.

SHAKE WELL BEFORE USE

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 that are covered by the Worker Protections Standard. Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 4 hours. PPE required for early entry to treated areas that is permitted under the Worker Protections Standard and that involves contact with anything that has been treated such as plans, soil, or water is:

- Protective eyewear
- Long-sleeved shirt and long pants
- Shoes and socks

GENERAL INFORMATION

LIBERTY BIOACT II is specially formulated and contains two (2) plant growth regulators (PGRs) found in nature that stimulate seeding and plant growth and improve root development and enzymized plant protein Hydrolysate that aid transplanting and plant growth.

CHEMIGATION USE DIRECTIONS

Apply through fixed or standing irrigation systems or through foliar applications. Foliar applications are preferred. Apply this product only through the following types of irrigation systems:

1. Sprinkler including big gun, solid set or hand move irrigations systems.
2. Calibrated overhead watering booms
3. Drip (or micro sprinkler) irrigation systems.

Before applying this product through any type of irrigation system, perform a small-scale trial to determine if products performance and phytotoxicity results are acceptable. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water. If you have any questions about calibration, you should contact State Extension Service specialists, equipment manufacturers or other experts. Do not connect an irrigation system (including greenhouse systems), used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place. A person knowledgeable of the chemigation system and responsible for its operation or under the supervision of the responsible person shall shut the system down and make necessary adjustments should the need arise.

CHEMIGATION SYSTEMS CONNECTED TO PUBLIC WATER SYSTEMS

Public water system means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year.

Chemigation systems connected to public water systems must contain a functional, reduced pressure zone, backflow preventer (RPZ) or the functional equivalent in the water supply line upstream from the point of pesticide introduction. As an option to the RPZ, the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the flow outlet end of the fill pipe and the top or overflow rim of the reservoir tank of a least twice the inside diameter of the fill pipe. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump. The pesticide injection pipeline must contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops or in cases where there is not water pump, when the water pressure decreases to the point where pesticide distribution is adversely affected.

Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock. Do not apply when wind speed favors drift beyond the area intended for treatment.

Agitate the pesticide supply tank throughout the application of LIBERTY BIOACT II. Except for turfgrass, apply LIBERTY BIOACT II at the rate of 20 fl. oz. per acre at the end of the irrigation period in a sufficient amount of water to allow proper coverage of plant or crop. Fill the supply tank one-half full with water, add the appropriate amount of LIBERTY BIOACT II to the tank and finish filling the tank with water.

DRIP/TRICKLE OR SPRINKLER CHEMIGATION

The system must contain a functional check valve, vacuum relief valve, and low-pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump. The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops. The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected. Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock. Do not apply when wind speed favors drift beyond the area intended for treatment (this statement only applies to sprinkler chemigation).

Agitate the pesticide supply tank throughout the application of LIBERTY BIOACT II. Except for turfgrass, apply LIBERTY BIOACT II at the rate of 16-32 per acre at the end of the irrigation period in a sufficient amount of water to allow proper coverage of plant or crop.

SPRAY VOLUME (IN GALLONS) PER ACRE

Crop	Ground		Air
	Dilute	Concentrate	
Vegetables, Field Crops	15	--	5
Small fruits, vines, Miscellaneous	150	50	15
Tree Crops	400	50	20
Citrus	800	100	20

Spray volume applied per acre will differ depending upon the stage of plant growth, equipment used, and the specific crops.

Compatibility: LIBERTY BIOACT II compatibility with other agricultural products requires testing for crop safety and performance prior to large-scale use. Products mixed with LIBERTY BIOACT II must be **not** be in alkaline (pH >7) solution. LIBERTY BIOACT II can be mixed with any product having a pH less than 7. If rain occurs within 2 hours after initial application, a repeat application may be necessary.

Spray volume applied per acre will depend on the equipment used and specific crop. Apply sufficient water volume to ensure thorough coverage.

FOLIAR APPLICATION INSTRUCTIONS

Crop	Amount of product in Fl. Oz.	Application timing	Remarks
Seedling Alfalfa, Clover, Hay Brassica vegetables such as: Broccoli, Cauliflower, Cabbage, and Mustard Greens Canola(oil)* Corn(Sweet, field and Popcorn) Cotton** Cucurbit Vegetables such as: Cucumber, Muskmelon, Cantaloupe, Summer Squash, Watermelon and Honeydew Fruiting vegetables such as: Eggplants, Peppers and Tomato. Leafy Vegetables such as: Celery, Head lettuce, Leaf lettuce and Spinach Legume Vegetables (Succulent or dry) such as: Peas, Soybean, all types of beans. Peanut Tuber Vegetables such as: Potato and Yam. Root Vegetables such as: Carrot, Radish, Turnip, Ginseng, Parsley (turnip-rooted) and Sugar Beet Rice Strawberry Soybeans*** Sorghum Wheat	2 fl. oz. per acre	1 st : At 2-4 true leaf stage 2 nd : 10-14 days after first application.	Thorough spray coverage is necessary. Repeat application at fruiting stage may be needed.
Citrus fruits such as: Sweet orange, Lemon and Grapefruit Pome/Stone fruits such as: Apple, Apricot, Cherry, Plum, Plumcot and Peach	13 Fl. Oz. in 100 gallons of water	Apply when fruit size is 5 mm	Additional applications may be needed.

*Tank mix with Glyphosate products registered for use on Roundup Ready® canola.

**Can be tank mixed with Glyphosate products registered for use on Roundup Ready® cotton.

***Tank mix with Glyphosate products registered for use on Roundup Ready® soybeans.

DRENCH APPLICATION OF LIBERTY BIOACT II ON CROPS

Crop	Amount of LIBERTY BIOACT II (fl. oz.)	Application Timing
Brassica Vegetables such as broccoli, cauliflower and cabbage.	1.3 fl. oz. per 10 gallons water	1 st treatment at time of transplant. 2 nd treatment 10-14 days after first application.
Strawberry		Spray immediately after transplanting.

IN-FURROW APPLICATION OF LIBERTY BIOACT II ON CROPS

Crop	Amount of LIBERTY BIOACT II (fl. oz.)	Application Timing
Field Corn Grain Sorghum Sugar Beats Sugarcane Wheat, Barley, Oats, Rye Other in-furrow at planting crops	2 fl. oz. per acre Or 1.3 fl. oz. per 10 gallons water	Apply at planting in the seed furrow or 2 inches beside and 2 inches below seed or with a strip till machine 3 inches below the seed. Can be applied with or without starter fertilizer.

HYDROPONICS APPLICATION OF LIBERTY BIOACT II ON CROPS

13 Fl. Oz. of LIBERTY BIOACT II in 100 gallons reservoir to improve the root and plant growth.
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TURFGRASS

For Sod Grass: Apply LIBERTY BIOACT II by ground using 20-40 gallons of water per acre. Use 1.3 fl. oz per 10 gallons of water at a 1:1,000 dilution rate.

For Turfgrass: Warm and cool climate grasses such as St. Augustine, Bermuda, Centipede, bluegrass, Rye, and Fescue: Use 0.13-0.65 fl. oz./1-5 gallons of water per 1,000 sq. ft. For Dichondra: Use 0.65-1.3 fl. oz./1-5 gallons of water per 1,000 sq. ft.

Make application at 2-week intervals during the growing season.

ORNAMENTALS

Greenhouse and nursery ornamentals such as foliage plants, bedding and flowering plants, woody ornamentals and garden grown fruit trees:

Dilute 0.85 fl. oz. of LIBERTY BIOACT II in 10 gallons of water (1:1,500 dilution rate) for plants less than 2 years old. Dilute 1.3 fl. oz. of LIBERTY BIOACT II in 10 gallons of water (1:1,000 dilution rate) for mature plants. Repeat application at 10- to 14-day intervals when required. Apply 1-2 weeks prior to sale. Uniform and thorough coverage is necessary.

CUTTINGS

Soft wood, semi-hard wood, hard wood such as Dogwood, Douglas Fir, Forsythia, Hawthorne, Oak, Pine, Poplar:

Dip fresh cuttings in a solution of 1 part of LIBERTY BIOACT II in 5 parts of water for hard wood cuttings for 3-5 seconds.

Dip fresh cuttings in a solution of 1 part of LIBERTY BIOACT II in 10 parts of water for semi-hard wood cuttings for 3-5 seconds.

Dip fresh cuttings in a solution of 1 part of LIBERTY BIOACT II in 20 parts of water for soft wood cuttings for 3-5 seconds.

It is necessary to follow plant propagation practices.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a cool, dry locked place out of the reach of children and out of direct sunlight.

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. Triple rinse (or equivalent). 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 1/43 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for alter 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, or 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.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

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 the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Liberty Crop Protection, LLC or Seller, To the extent consistent with applicable law, all such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Liberty Crop Protection, LLC and Seller harmless for any claims relating to such factors.

Liberty Crop Protection, LLC 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 this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Liberty Crop Protection, LLC, and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, INNICTIS CROP CARE LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent consistent with applicable law, neither Liberty Crop Protection, LLC nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF INNICTIS CROP CARE LLC 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, Liberty Crop Protection, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

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