



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460**

**OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION**

December 22, 2022

Rob Jones
Agent for Earth Ag Corporation
c/o Delta Analytical Corp.
12510 Prosperity Drive, Suite 160
Silver Spring, MD 20904

Subject: PRIA Label and CSF Amendment – Adding a new unregistered source of active ingredient to Basic CSF, and label updates due to company transfer.
Product Name: EAC Oxytetracycline Manufacturing Use Product
EPA Registration Number: 91275-2
Application Date: April 5, 2022
Decision Number: 583346

Dear Rob Jones:

The amended label and Confidential Statement(s) of Formula (CSF) referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, are 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.

Please note that the record for this product currently contains the following CSF(s):

- Basic CSF dated 04/20/2022

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 FIFRA 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) lists 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

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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.

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 Stephanie Suarez at 202-566-2918 or at Suarez.Stephanie@epa.gov.

Sincerely,



Nathan Mellor, Product Manager 21
Fungicide Branch
Registration Division (7505T)
Office of Pesticide Programs

Enclosure

EAC™ Oxytetracycline Manufacturing Use Product

This material is a non-sterile, non-pharmaceutical grade, manufacturing use antibiotic/fungicide/bactericide product for formulation into EPA-registered end-use pesticide products.

Not for Resale Under This Label

Active Ingredient:

Oxytetracycline Hydrochloride*98.30%

Related Compounds.....0.92%

Other Ingredients:.....0.78%

100.00%

* Equivalent to a minimum of 83.5% oxytetracycline

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EPA Est. No. 91275-CHN-003

**KEEP OUT OF THE REACH OF CHILDREN
DANGER**

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. • Call a poison control center or doctor immediately for treatment advice.
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 immediately for treatment advice.
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 InfoTrac at 1-800-535-5053 for emergency medical treatment information.	

NET CONTENT: 55.1 Lbs. (25 KG)

Earth Ag Corporation

P. O. Box 3091

Lequesta, FL 33469

ACCEPTED

12/22/2022

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

91275-2

PRECAUTIONARY STATEMENTS Hazards to Humans & Domestic Animals

DANGER: Corrosive. Causes irreversible eye damage. **DO NOT** get in eyes or on clothing. Wear protective eyewear (goggles, face shield or safety glasses). May cause allergic skin reactions. **DO NOT** breathe dust. Wear dust mask and rubber gloves. Wash thoroughly with soap and water after handling and before eating drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. This material is not to be used for medical, veterinary or human purposes.

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 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.

This manufacturing use product is for use as an active ingredient to be formulated into end-use antibiotic/fungicide/bactericide products. The manufacturer of such products shall be responsible for registering its product with EPA as a pesticide for acceptable use patterns.

Only for formulation into an antibiotic/fungicide/bactericide for the following uses:

Terrestrial Crops – Apple, Citrus Crop Group 10-10, Nectarine, Peach, Pear.

Terrestrial Non-Food Non-Agricultural Uses – Ornamentals non-crop bearing trees, woody shrubs and palms

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product.

Storage & Disposal

DO NOT contaminate water, food or feed by storage or disposal.

Storage: Keep container tightly closed and sealed. Product is moisture, temperature and light sensitive. Product is hygroscopic so protect from moisture. Store in a cool (<77°F, 25°C), dry place away from heat and open flames with minimum exposure to the atmosphere. Avoid extremes in temperature.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Handling: Nonrefillable Container.

Fiber Drums with Liners – DO NOT reuse or refill this container. Completely empty paper or plastic bag, fiber sack or drum liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulating or manufacturing equipment. Then offer for recycling if available or dispose of empty paper or plastic bag, fiber sack or fiber drum and liner in a sanitary landfill, or by incineration. **DO NOT** burn, unless allowed by State and local ordinances.

Container Handling: Refillable Container. Refill this container with pesticide only. **DO NOT** reuse the container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into the formulation equipment. Return to supplier when empty.

Conditions of Sale and Limitation of Warranty and Liability

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. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials, resistant strains or other influencing factors in the use of the product, which are beyond the control of EARTH AG CORP. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold EARTH AG CORP. and Seller harmless for any claims relating to such factors.

EARTH AG CORP. 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 the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or EARTH AG CORP., and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, EARTH AG CORP. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent consistent with applicable law, in no event shall EARTH AG CORP. or Seller 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 EARTH AG CORP. 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 EARTH AG CORP. OR SELLER, THE REPLACEMENT OF THE PRODUCT.

EARTH AG CORP. and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of EARTH AG CORP.