



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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

June 23, 2015

Robert M. Sielaty  
Agent for Roth Chemical Company, Ltd.  
2141 Nantucket Drive  
Sun City Center, FL 33573-7154

Subject: Non-PRIA (Pesticide Registration Improvement Act) Labeling Amendment – Revising the Ingredient Statement to list the correct active ingredient concentration of 39.0% and adding Worker Protection Standard (WPS) language.  
Product Name: EcoBird 4.0  
EPA Registration Number: 86583-4  
Application Date: May 22, 2015  
OPP Decision Number: 505940

Dear Mr. Sielaty:

The amended labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable.

This approval does not affect any terms or conditions that were previously imposed on this registration. You continue to be subject to existing terms or 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 (1) copy of the final printed labeling before you release this 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 your company's website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the U.S. Environmental Protection Agency (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

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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.

Your release for shipment of this product constitutes acceptance of these terms. If these terms are not complied with, this registration will be subject to cancellation in accordance with FIFRA section 6.

If you have any questions, please contact Colin G. Walsh of my team by phone at (703) 308-0298 or via email at walsh.colin@epa.gov.

Sincerely,



Andrew C. Bryceland, Team Leader  
Biochemical Pesticides Branch  
Biopesticides and Pollution  
Prevention Division (7511P)  
Office of Pesticide Programs

Enclosure

**EcoBird® 4.0**  
 BIRD REPELLENT  
 ecological • economical • econtrol

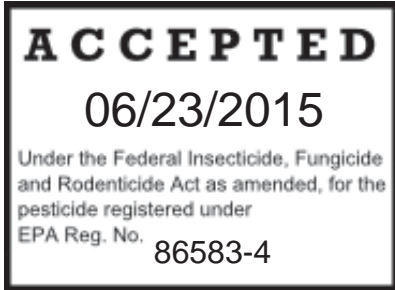
**ACTIVE INGREDIENT:**

Methyl Anthranilate (MA) methyl 2-aminobenzoate.....39.0%

**OTHER INGREDIENTS** .....61.0%

**TOTAL**.....100.0%

This product contains 3.3 pounds of Methyl Anthranilate per gallon of product.



**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

<b>FIRST AID</b>	
If on skin or clothing:	<ul style="list-style-type: none"> <li>- Take off contaminated clothing.</li> <li>- Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>- Call a poison control center or doctor for treatment advice.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor; or going for treatment.	

EPA Reg. No. 86583-4

EPA Est. No. 82661-IL-001

Manufactured for:  
 Roth Chemical Company, Ltd.  
 4745 West 136<sup>th</sup> Street, Suite 24  
 Leawood, Kansas 66224  
 (913) 663-9920 · (866) 663-9920

Net Contents: \_\_\_ gal.

Net Weight: \_\_\_ lbs.

Batch Code:

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS & DOMESTIC ANIMALS

**CAUTION:** Harmful if absorbed through skin. Avoid contact with skin, eyes, and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash before reuse.

### ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water, 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 wash water or rinsate. This pesticide is slightly toxic to fish and aquatic invertebrates.

### PERSONAL PROTECTIVE EQUIPMENT (PPE):

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

Follow the manufacturer's instructions for cleaning/ maintaining PPE. If no such instructions for washables, use detergents 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.

### 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 labeling about PPE, restricted-entry intervals, and notification to workers. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard (WPS).

Do not enter or allow worker entry into treated area during the restricted-entry interval (REI) of 24 hours.

PPE 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, or water is: Long-sleeved shirt and long pants, shoes plus socks, and waterproof gloves.

## NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Keep unprotected persons out of treated areas until sprays have dried.

## NON-FOGGING APPLICATIONS LANDFILLS AND NON-FISH BEARING BODIES OF WATER

**USE RESTRICTIONS:** Use this product in areas to repel birds that congregate in large numbers, including these passerine birds: starlings (*Sturnus vulgaris*), gulls (subfamily *Larinae*), blackbirds including grackles (Family *Icteridae*), and rock dove and domestic pigeons (*Columba livia*), cliff swallow (*Hirundo fulva*), house (English) sparrow (*Passer domesticus*), house finch (*Corpodacus mexicanus*), American crow (*Corvus brachyrhynchos*, *Corvus ossifragus*), as well as these wild migratory waterfowl: geese (*Anserinae*), mute swan (*Cugus olor*), and Coot (*Fulica americana*). These listed birds are reservoirs or vectors for human disease causing agents, bacterial, parasitic, fungal, and ectoparasitic pathogens that can be transmitted to humans and may present a health risk to humans and domestic poultry.

Areas where the above types of wild birds or their drops and humans or domestic birds come in close contact pose a risk to human health and in these settings, birds are considered pests.

Use this product to repel birds from landfills; non-fish bearing bodies of water (tailing ponds, commercial or industrial water impoundments); and temporary pools of standing water located at or near airports. This product can also be used in non-crop areas that contain temporary surface water caused by the management activities, such as water collected in equipment ruts. EcoBird Bird Repellent can also be applied near intermittently flooded low-lying areas, transitional areas between upland and lowland sites, marshes, swamps, bogs, and seasonally dry flood plains and/or deltas provided no water is present or water has receded where birds are a hazard or nuisance. However, this product cannot be applied in these areas when non-target birds (i.e. those birds not listed above) or Threatened or Endangered Birds may be present Do not apply directly to water; such as lakes, reservoirs, ponds, streams and canals; however, overspray to water bodies can be expected with proper use of this product.

[**New York only** - Use this product only on landfills; non-fish bearing bodies of water and temporary pools of standing water on paved areas or construction sites at or near airports.]

### APPLICATION DIRECTIONS:

**Non-fish bearing bodies of water** (tailing ponds, commercial or industrial water impoundments, and decorative fountains): Apply EcoBird Bird Repellent at a rate of 2.5 gallons per acre (8 lbs. a.i. per acre) of water surface at 3-4 week intervals. Adjust timing of subsequent applications as required by bird activity and anticipated seasonal migrations. Best applied undiluted or with a surfactant approved for use in water applications to ensure water surface coverage.

**Landfills:** Apply EcoBird Bird Repellent at a rate of 2.5 gal per acre (8 lbs. a.i. per acre) directly to the active site face as soon as the birds start to arrive. Repeat applications as long as birds persist. Make applications with conventional spray equipment, hydroseeders and other liquid

application equipment. Product is best applied undiluted or with surfactant to ensure uniform coverage.

## **FOGGING APPLICATIONS NON-CROP AREAS, DOMESTIC STRUCTURES OR BUILDINGS**

**USE RESTRICTIONS:** Use this product in areas to repel birds that congregate in large numbers, including these passerine birds: starlings (*Stumus vulgaris*), gulls (subfamily *Larinae*), blackbirds including grackles (Family *Icteridae*), and rock dove and domestic pigeons (*Columba livia*), cliff swallow (*Hirundo fulva*), house (English) sparrow (*Passer domesticus*), house finch (*Corpodacus mexicanus*), American crow (*Corvus brachyrhynchos*, *Corvus ossifragus*), as well as these wild migratory waterfowl: geese (*Anserinae*), mute swan (*Cugus olor*), and Coot (*Fulica americana*). These listed birds are reservoirs or vectors for human disease causing agents, bacterial, parasitic, fungal, and ectoparasitic pathogens that can be transmitted to humans and may present a health risk to humans and domestic poultry.

This product can also be used in non-crop areas that contain temporary surface water caused by the management activities, such as water collected in equipment ruts. EcoBird Bird Repellent can also be applied near intermittently flooded low-lying areas, transitional areas between upland and lowland sites, marshes, swamps, bogs, and seasonally dry flood plains and/or deltas provided no water is present or water has receded where birds are a hazard or nuisance. However, this product cannot be applied in these areas when non-target birds (i.e. those birds not listed above) or Threatened or Endangered Birds may be present. Do not apply directly to water, such as lakes, reservoirs, ponds, streams and canals; however, overspray to water bodies can be expected with proper use of this product.

Areas where the above types of wild birds or their droppings and humans or domestic birds come in close contact pose a risk to human health and in these settings, birds are considered pests. For use on or near domestic structures or buildings.

Use EcoBird Bird Repellent with thermal and mechanical foggers as well as specialized fogging and aerosol equipment as long as the product is applied at <30 microns. For best results, ensure the product comes in direct contact with target birds (see above) through direct fogging or proper air circulation via natural or artificial air movement.

Direct outlet or nozzle away from surfaces and greenery or hold the fog or aerosol generator at least 5 feet from any object, painted surface, and especially plants and shrubbery to avoid discoloration from direct contact with concentrated EcoBird Bird Repellent or the heat when using thermal foggers. Do not smoke while applying this product.

**[New York Only:** Fogging application must be done by certified applicators. Applicators must use dust/mist filtering respirator (MSHA/NIOSH) approval number prefix TC-21C, or a NIOSH approved respirator with any N, R, P, or HE filter. A minimum separation distance equal to 100 ft or the windward length of the proposed treatment area, whichever is greater, is required between the outer perimeter of the proposed area and any adjacent area of natural bird habitat such as a clump of trees, wood lot, forested area, etc. Shut the fogger off when the EcoBird Bird Repellent bearing fog has reached the downwind perimeter of the treatment area or sooner if the birds have been repelled. Use precautionary measures to ensure that there is no direct exposure to humans, pets, domestic animals or non-target wildlife.]



**INDOOR FOGGING APPLICATIONS:** (Warehouses, hangers, garages, assembly plants, etc.) Apply EcoBird Bird Repellent undiluted at a rate not to exceed one (1) ounce per 10,000 cubic feet of space to be treated. Point fog generator in the general direction of the nuisance birds, keeping the fog generator at least 5 feet away from any structure or object to allow for complete dissipation of the fog. A distance of at least 5 feet from any structure or object prevents any damage to desired materials. Expose as many birds as possible to the fog for fast and lasting results. Best product performance is achieved with a dry fog. Consult the fog generator owner's manual for proper settings to assure a dry fog. Both ULV and thermal foggers may be used to apply this product. Several treatments, 1 to 4 days apart may be required for removal of all nuisance birds.

For automated fogging applications, point the fogger in the direction of the birds or their expected approach. Set the fog generator for an appropriate duration as needed to repel target birds, such as 10 second to 5 minute fogging pulses during the time of expected bird activity.

### **OUTDOOR FOGGING APPLICATIONS:**

**General Application Directions:** Apply EcoBird Bird Repellent undiluted at a rate of 6-8 ounces per acre (43,500 sq ft) of area to be treated. Point the fog generator in the general direction of the nuisance birds, keeping the fog generator at least 5 feet away from any structure or object to allow for complete dissipation of the fog. A distance of at least 5 feet from any structure or object prevents any damage to desired materials. Best product performance is achieved with a dry fog. Consult the fog generator owner's manual for proper settings to assure a dry fog. ULV, thermal, and other foggers and aerosol generating equipment with a minimum application size of < 30 microns may be used to apply this product. Several treatments, 1 to 4 days apart may be required for removal of all nuisance birds.

For automated fogging applications, point the fogger in the direction of the birds or their expected approach. Set the fog generator for an appropriate duration as needed to repel target birds, such as 10 second to 5 minute fogging pulses during the time of expected bird activity.

### **Electrical Substations, Farmsteads, Agricultural Sites, Structures, Buildings, Airports, and other Open Areas**

Apply EcoBird Bird Repellent undiluted using a thermal or mechanical fog generator that will deliver a dry fog with a droplet size within the aerosol size range (below 30 microns). Expose as many birds as possible to the fog for fast and lasting results. Apply EcoBird Bird Repellent when birds have settled down or are roosting in the structure and/or wires of the substation. Withhold treatment until conditions favoring successful use arise (temperature, direction, and speed of wind) to be able to cover all the infested structure. For best results, make applications in the evening, when most of the birds have arrived, but before it gets too dark for the birds to leave once exposed to the fog.

### **Trees and Shrubs**

Apply EcoBird Bird Repellent undiluted using a thermal or mechanical fog generator that will deliver a dry fog with a droplet size below 20 microns that will penetrate the foliage without wetting it. Expose as many birds as possible to the fog for fast and lasting results. Apply EcoBird Bird Repellent when birds have settled down. Withhold treatment until conditions favoring successful use arise (temperature, direction, and speed of wind). For best results, make applications in the evening, when most of the birds have arrived, but before it gets too dark for the birds to leave once exposed to the fog. Application in the morning after the birds normally

leave does not have much effect. To prevent damage to foliage, do not allow EcoBird Bird Repellent to accumulate to the point of runoff.

**Turf (Golf courses, lawns, spoils fields, parks, etc.)**

Apply EcoBird Bird Repellent undiluted using a thermal or mechanical fog generator that will deliver a dry fog with a droplet size within the aerosol size range (below 30 microns) that stay suspended and do not settle to the ground. Set fogger upwind so that the wind will carry the fog in the general direction of the birds. Apply at any time of the day when birds are present. To control Canada geese, apply at any time when they are feeding or roosting, except when they sit on a nest during breeding season.

**Lakes and Ponds, Harbors and Boat Docks, Aquatic Production Sites (non-fish bearing sites such as hatchery buildings and around culture ponds)**

Do not apply directly to water. However, it is expected that overspray may occur. Apply when wind and drift conditions are minimal. Apply EcoBird Bird Repellent undiluted using a thermal fog generator that will deliver a dry fog with a droplet size below 20 microns that will stay suspended and does not settle on the water surface. Set fogger upwind so that the wind will carry the fog in the general direction of the birds. Apply as soon as birds arrive. For roosting birds, the product is best applied in the evening when most of the birds have arrived but before it gets too dark for the birds to leave.

**Fruit Applications (Agricultural Uses: For application to cherries, blueberries, grapes, apples, stone fruits (apricots, cherries, peaches, plums) cereal grains (sweet and popcorn, millet, oats, sorghum), and sunflowers).** Use this product to limit damage caused by birds on ripening crops. Withhold treatment until fruit is susceptible to bird damage. Apply EcoBird Bird Repellent undiluted using a thermal or mechanical fog generator that will deliver a dry fog with a droplet size within the aerosol size range (below 30 microns). To avoid damage to foliage or fruit discoloration, do not allow EcoBird Bird Repellent to accumulate to the point of runoff. Birds must be exposed to the airborne EcoBird Bird Repellent if it is to achieve lasting results. Direct fog into crop area. Do not apply when crop is wet or if rain is expected. This product may be applied up to the day of harvest. Repeat treatment if significant bird damage begins to occur.

**California:** Handlers must wear coveralls over normal work clothes. Harvesters must wear gloves and long-sleeved shirts.

**New York:** This product is not to be used on grapes within Suffolk County.

**STORAGE & DISPOSAL**

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

**STORAGE:** Store only in original container, in a dry place inaccessible to children, pets and domestic animals. Store apart from pesticides, fertilizers, food or feed that may cause cross-contamination from odor. Keep container closed when not in use.

**PESTICIDE DISPOSAL:** Product or rinse water that cannot be used according to label instructions must be disposed of according to Federal or approved State procedures. Water resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.



### **CONTAINER HANDLING:**

Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying.

(Non-refillable  $\leq$  5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begin to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a 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.

(Non-refillable  $>$  5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

### **WARRANTY**

The statements on this label are believed to be true and accurate; however, because usage and conditions which may be or are beyond our control, Roth Chemical Co., Ltd. does not make, nor does it authorize any agent and/or representative to make any oral or written warranty, guarantee, or representation, express or implied, concerning this material or the use thereof beyond the statements of the product label and product MSDS. To the extent consistent with applicable law, neither Roth Chemical Co., Ltd., nor the seller, shall be held responsible in any manner for any claim of personal injury and/or property damage and/or loss resulting from the handling, storage, and/or the use of this material. To the extent consistent with applicable law, neither Roth Chemical Company, Ltd., nor the seller shall be held responsible in any manner for any claim of personal injury and/or property damage and/or loss resulting from the use of either an Ultra-Low-Volume (ULV) Cold Fogger and/or Thermal Fogging equipment in conjunction with this product. To the extent consistent with applicable law, the buyer assumes all risk(s) and liability(s) resulting from the handling, storage, and/or use of this product. Accordingly, the purchaser accepts and uses this material on these conditions. No other warranty(s) exists.