

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Joe Blake
Control Solutions, Inc.
5903 Genoa-Red Bluff
Pasadena, TX 77507-1041

JUN 21 2006

Dear Mr. Blake:

Subject: Amendment - Revise per copyright infringement litigation action
Bifenthrin 7.9 Insecticide
EPA Registration Number 53883-159
Your submission dated May 18, 2006

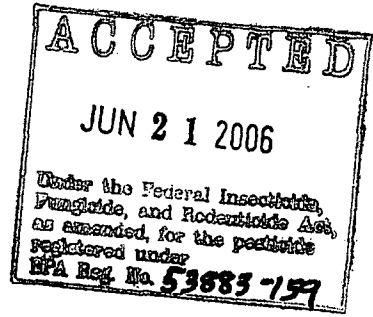
The amendment referred to above, submitted in connection with registration under with registration under FIFRA section 3(c)(7)(a), is acceptable and a stamped copy of the label is enclosed for your records. When preparing the actual finished labeling please incorporate the following revisions/corrections:

1. In the second sentence of the Environmental Hazards, delete "For terrestrial uses," and then capitalize the "D" of "Do".
2. In the second sentence of the third paragraph under the heading "Conditions of Sale and Limitation of Warranty and Liability", correct the spelling of "PRODUCT".
3. In the first sentence of the fourth paragraph under the Warranty heading, the Agency assumes you meant to say "seller shall not be liable" rather than "seller not be liable".

Sincerely,

George LaRocca.
Product Manager 13
Insecticide Branch
Registration Division (7505P)

2 8 8



BIFENTHRIN 7.9 INSECTICIDE

For Agricultural and Commercial Use Only

Active Ingredients:

Bifenthrin *

Other Ingredients:

Total

By Wt.

7.9%

92.1%

100.0%

*Cis isomers 97% minimum, trans isomers 3% maximum.
Bifenthrin 7.9 Insecticide contains 2/3 pound active ingredient per gallon.

EPA Reg. No. 53883 – 159

EPA Est. No. 53883-TX-002

Control Solutions, Inc.
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Net Contents _____

KEEP OUT OF REACH OF CHILDREN CAUTION

(See back/side [attached booklet] for additional precautionary information, First Aid and complete Directions for Use.)

First Aid	
If swallowed:	<ul style="list-style-type: none"> • Call a 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.
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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For medical emergency you may contact SafetyCall® at (866) 897-8050.	
Note to physician: This product is a pyrethroid. If large amounts have been ingested, the stomach and intestine should be evacuated. Treatment is symptomatic and supportive.	

Digestible fats, oils, or alcohol may increase absorption and so should be avoided.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution

Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection chart.

Applicators and other handlers (other than mixers and loaders) must wear:

- Long-sleeved shirt and long pants.
- Chemical-resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, neoprene, rubber, polyvinyl chloride or viton.
- Shoes plus socks.

Mixers and Loaders must wear:

- Long-sleeved shirt and long pants.
- Chemical-resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or viton.
- Shoes plus socks.
- Protective eyewear.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately for other laundry.

User Safety Recommendations

Users should:

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

ENVIRONMENTAL HAZARDS

Bifenthrin 7.9 Insecticide is extremely toxic to fish and aquatic invertebrates. 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. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters.

Bifenthrin 7.9 Insecticide is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow to drift to blooming crops if bees are visiting the treatment area.

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 agency responsible for pesticide regulation.

Do not apply this product through any kind of irrigation system.

AGRICULTURE 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 worker entry into treated areas during the restricted entry interval (REI) of 12 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:

- Coveralls.
- Chemical-resistant gloves, such as barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton.
- Shoes plus socks.

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 children and pets off treated areas following application until the lawn has dried.

APPLICATION RECOMMENDATIONS

Landscape Ornamentals, Greenhouse and Home Lawn Uses (including interiorscapes, Plantscapes, and Ornamental Plantings Grown for Aesthetic Purpose)

GENERAL APPLICATION INSTRUCTIONS

General Application Instructions:

Bifenthrin 7.9 Insecticide formulation can be used on Landscape Ornamentals, Home Lawn and Greenhouses (including interiorscapes, Plantscapes, and Ornamental Plantings Grown for Aesthetic Purpose) using a wide variety of spray equipment, and mixes readily with water and other aqueous carriers.

Bifenthrin 7.9 Insecticide can be used to control a wide variety of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees, flowers in greenhouses and interiorscapes including hotels, shopping malls, office buildings, etc., and outdoor plantscapes, such as around residential dwellings, parks, institutional buildings, recreational areas, athletic fields and home lawns.

Bifenthrin 7.9 Insecticide can be tank-mixed with other products including insect growth regulators.

When tank mixing Bifenthrin 7.9 Insecticide All precautions and restrictions on each separate product label must be observed. It is not necessary to add spreader stickers.

In New York State, this product may not be applied to any grass or turf area within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, do make a single repeat application of this product if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

Application Rates For Landscape Ornamentals And Greenhouses

Pests Controlled	Rate lb. ai/10 gal.	Rate oz/10 gal.	Comments
Ants Aphids Bagworms Blackvine Weevil Brown Soft Scales Broad Mites Budworms California Red Scale (crawlers) Centipedes Clover Mites Crickets Cutworms Earwigs Elm Leaf Beetles Fall Webworms Flea Beetles Fungus Gnats Grasshoppers Lacebugs Leafhoppers Leaf feeding Caterpillars Mealybugs Millipedes Orchid Weevil Pillbugs Pine Needle Scales (crawlers) Plant Bugs (Incl. Lygus spp) San Jose Scales (crawlers)	0.004 to 0.02	0.80 to 4.0	Apply the specified rate as a full coverage foliar spray. As foliage and pest pressure increase, repeat as needed to achieve control using higher rates. To control Bagworms: Spray larvae directly and treat when larvae begin to hatch. Treating the larvae when they are young will yield optimum results. To control scale crawlers and twig borers: Make application to trunks, stems, and twigs. Before treating the entire planting, treat a small number of plants because some cultivars may be sensitive to the final spray solution. To avoid or postpone resistance, use of an alternate class of chemistry in a treatment program is recommended.

Sowbugs Spiders Tent Caterpillars Tip Moths Weevils Whiteflies			
Citrus Thrips Beet Armyworm European Red Mite Leafrollers Spider Mites Thrips Twig Borers	0.006 to 0.02	1.2 to 4.0	
Japanese Beetles (adult) Leafminers Pecan Leaf Scotch Mite	0.01 to 0.02	2.0 to 4.0	

Rate Bifenthrin 7.9 Insecticide in oz. (lbs. a.i.)/10 gals.	Bifenthrin 7.9 Insecticide				
	1 gal.	3 gal.	5 gal.	25 gal.	100 gal.
0.80 (0.004)	-	¼	½	2	8
1.2 (0.006)	1/8	1/3	2/3	3	12
2.0 (0.010)	1/4	2/3	1	5	20
4.0 (0.020)	1/2	1 1/3	2	10	40

Home Lawns: Make a broadcast application of solution to the lawn using 2 to 10 gallons of carrier per 1,000 square feet. For dense foliage, use higher volumes.

Lawn Application Rates:

Pests Controlled	Bifenthrin 7.9 Insecticide	Comments
Ants Armyworms Bluegrass billbugs Chinchbugs Crane Flies Crickets (Mole)* Cutworms Earwigs Fall Webworms Fleas Grasshoppers Mites Sod Webworms Ticks	0.23 – 0.46 oz. per 1000 ft ² or 10 – 20 oz. per Acre or 0.05 – 0.1 lbs. ai per Acre	* Apply the lower rate in early Spring to control overwintered Mole crickets, and apply the higher rate to control the adult Mole Crickets in late-Summer or early Fall. A non-ionic surfactant or a silicon based surfactant (0.25% w/v) may be added to solution for optimum control of late Summer or Fall Adult Mole Crickets. Follow treatment with at least 0.25 inch of water for best control.
Imported Fire Ants Japanese Beetles (adult)	0.46 – 0.92 oz. per 1000 ft ² or 20 – 40 oz. per Acre	

STORAGE AND DISPOSAL

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

Storage: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use replace lids and close tightly. Do not put concentrate or dilute material into food or drink container.

To Confine Spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

Pesticide Disposal: Pesticide wastes are toxic. Do not contaminate water, food or feed by storage or disposal. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of federal law. Dispose of excess or waste pesticide by use according to label directions, or contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal: Plastic Container: Triple rinse (or equivalent). 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.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call 1-800-424-9300 (CHEMTREC).

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 should 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 beyond the control of Control Solutions, Inc. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Control Solutions, Inc. and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. CONTROL SOLUTIONS, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) seller or Control Solutions, Inc., and buyer assumes the risk of any such use.

To the extent allowed by law Control Solutions, Inc. or seller not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF CONTROL SOLUTIONS, INC. 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 CONTROL SOLUTIONS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.