



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. George Meindl
Product Registration
Nufarm Americas, Inc.,
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

JUL 20 2007

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Deletion of Self-Limiting statement
EPA Reg. No. 228-435
Application Dated May 30, 2007

Dear Mr. Meindl:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 05/30/07 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



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Nufarm Americas, Inc.
George Meindl
Registration Manager
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630.455-2017 Fax: 630.455.2030
george.meindl@us.nufarm.com

May 30, 2007

Via Overnight Courier

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject: Bifenthrin 0.069% plus fertilizer
EPA Reg. No. 228-435
Label notification – Deletion of Self-Limiting statement per PR98-10

Dear Ms. Hobgood:

Nufarm Americas, Inc would like to remove a self-limiting statement on the subject product's labeling, where the phrase "For Use by Individuals/Firms Licensed or Registered by the State to Apply Insecticide Products" is removed. This phrase was initially added to the label at the request of the registrant and this product is not considered a Federal Restricted Use Product. However with this self-limiting statement certain states, like New York, consider this product state restricted use.

Since this language was not mandated by the USEPA, we believe this can be removed via notification and is consistent with PRN98-10 section II (Labeling notifications). The change is highlighted for ease in review. Nufarm Americas certifies that no other changes to the label have been made.

To process this request please find enclosed the following:

- Application for Pesticide Registration (EPA form 8570-1)
- Revised labeling with areas of change clearly identified (1 copy)
- Revised labeling – clean (1 copy)

Thank you for processing this notification. If you should have any questions regarding this matter, please feel free to contact me at 630.455.2017 or email at george.meindl@us.nufarm.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'George Meindl', is written over the typed name.

George Meindl
Registration Manager
Nufarm Americas, Inc.



<p>United States Environmental Protection Agency Washington, DC 20460</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"><input type="checkbox"/></td> <td style="padding: 2px;">Registration</td> </tr> <tr> <td style="width: 20px; height: 20px;"><input type="checkbox"/></td> <td style="padding: 2px;">Amendment</td> </tr> <tr> <td style="width: 20px; height: 20px;"><input checked="" type="checkbox"/></td> <td style="padding: 2px;">Other</td> </tr> </table>	<input type="checkbox"/>	Registration	<input type="checkbox"/>	Amendment	<input checked="" type="checkbox"/>	Other	OPP Identifier Number
<input type="checkbox"/>	Registration							
<input type="checkbox"/>	Amendment							
<input checked="" type="checkbox"/>	Other							

Application for Pesticide - Section I

1. Company/Product Number 228-435	2. EPA Product Manager George LaRocca	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bifenthrin 0.069% plus fertilizer	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas, Inc. 150 Harvester Drive Suite 200 Burr Ridge, IL 60527 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Label notification per PR notice 98-10, removal of self-limiting statement, see cover letter for detailed explanation. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 95-2 and 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt No. per container			
3. Location of Net Contents Information		4. Size(s) Retail Container		5. Location of Label Directions	
<input type="checkbox"/> Label <input type="checkbox"/> Container				<input type="checkbox"/> _____	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph Paper glued Stenciled		
			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name George Meindl (george.meindl@us.nufarm.com)	Title Registration Manager	Telephone No. (include Area Code) 630.455.2017
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Registration Manager	
4. Typed Name George Meindl	5. Date 5/30/2007	

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION - CAUCION**

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

FIRST AID	
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor 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 1-877-325-1840 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
This product is a pyrethroid. If large amounts have been ingested, milk, cream and other digestible fats and oils may increase absorption and so should be avoided.	

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and aquatic invertebrates. 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 apply when weather conditions favor drift from treated areas. 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 or rinsate.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production or for research purposes.

Do not apply more than 580 pounds of this product per acre per year.

Not for use on golf courses, sod farms, nurseries, commercial greenhouses or grass grown for seed.

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.

LAWN AND PERIMETER APPLICATIONS

Perimeter Application: Apply to lawn area 6 to 10 feet wide around and adjacent to the structure using an application rate of 3.33 to 6.66 pounds per 1,000 square feet.

Lawn Application: Broadcast this product with suitable application equipment to ensure uniform coverage over the treatment area. Apply 3.33 to 6.66 pounds per 1,000 square feet to control the following pests.

Annual Bluegrass Weevils (Hyperodes) (Adult)	Black Turfgrass Ataenius (Adult)	Fleas ²	Mole Crickets ²
Ants ²	Centipedes ²	Imported Fire Ants ^{1,2}	Sod Webworms
Armyworms	Chinch bugs ²	Leafhoppers	Ticks ²
Billbugs (Adult)	Cutworms	Mealybugs	
		Millipedes ²	

¹Imported fire ants: Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound treatments that will control existing colonies. Use an EPA registered product for treating individual mounds.

²The higher application rate may be required to control Ants, Centipedes, Chinch Bugs, Fleas, Imported Fire Ants, Millipedes, Mole Crickets and Ticks.

RECOMMENDED SPREADER SETTINGS

Note: Following will be a list of application spreaders and approximate settings. This list will vary depending on market or spreader. This note will not appear on final printed label.

Note: These spreader settings were established using standard equipment available from the spreader manufacturer at swath widths and speeds typically used within the industry. It is recommended that all spreader equipment be calibrated at the time of application to achieve the desired application rate.

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.wa.gov/agr>.

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.aarfc.org/metals>.

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STORAGE AND DISPOSAL

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

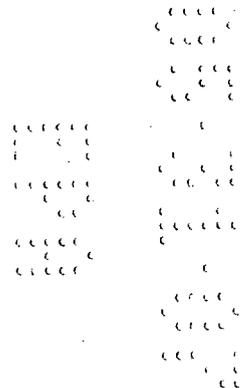
PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use close tightly. In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call ChemTrec (800) 424-9300. To confine spill: Cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

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: Paper and plastic bags: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY

Seller warrants that this insecticide conforms to the chemical description on its label. When used in accordance with label directions under normal conditions, this insecticide is reasonably fit for its intended purposes. Since timing, method of application, weather, plant and soil conditions, mixtures with other chemicals, and factors affecting the use of this product are beyond our control, no warranty is given concerning the use of this product contrary to label directions or under conditions which are abnormal or not reasonably foreseeable. The user assumes all risks of any such use. (RV080706)



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