

228-435

11/06/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Matthew Granahan
Registration Manager
Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

NOV 6 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10

1. Updated warranty statement
2. Added optional spreader instructions

Dear Mr. Granahan:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated September 16, 2009 for:

EPA Registration 228-435

Bifenthrin 0.069% Plus Fertilizer

The Registration Division (RD) has conducted a review of the request(s) for applicability under 2007-4 and 98-10 and finds that the label changes requested fall within the scope of 2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identify the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

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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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 228-435		2. EPA Product Manager Gebken	
4. Company/Product (Name) Bifenthrin 0.069% Plus Fertilizer		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
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.	
NOTIFICATION NOV - 6 2009			
Explanation: Use additional page(s) if necessary. (For section I and Section II.) Notification of label change per PR Notice 2007-4 and PR Notice 1998-10. This notification is consistent with the guidance in PR Notice 2007-4 and PR Notice 1998-10 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of PR Notice 1998-10 and 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 - 50 Lbs Bags	
5. Location of Label Directions <input checked="" type="checkbox"/>		6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	
Section - IV			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Matthew Granahan matthew.granahan@us.nufarm.com		Title Registration Manager	
		Telephone No. (Include Area Code) 630.455.2048	
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 Matthew Granahan		5. Date 11/04/09	



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Nufarm Americas Inc.

150 Harvester Drive, Suite 200

Burr Ridge, IL 60527

Telephone: (630) 455.2000 Facsimile: (630) 455.2001

www.us.nufarm.com

September 16, 2009

Via Overnight Courier

U. S. Environmental Protection Agency (7504P)
Document Processing Desk (NOTIF)
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 per PR N 07-04 & 98-10

Dear Ms. Hobgood:

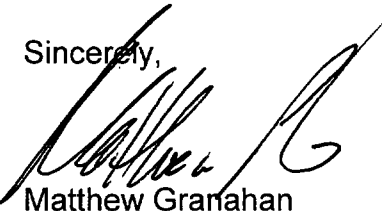
Nufarm Americas Inc. would like to add language to subject product's label. The proposed language is consistent with PR Notice 2007-04 & 1998-10. We have updated the Storage and Disposal Section and Warranty and Added Optional Spreader Instructions on referenced label.

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)

If you should have any questions regarding this matter, please feel free to contact at matthew.granahan@us.nufarm.com or at (630) 455-2048.

Sincerely,


Matthew Granahan
Registration Manager
Nufarm Americas Inc.

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BIFENTHRIN 0.069% PLUS FERTILIZER

FOR USE TO CONTROL ANTS (INCLUDING IMPORTED FIRE ANTS), MOLE
CRICKETS AND OTHER LISTED PESTS ON LAWNS IN LANDSCAPED AREAS
AROUND RESIDENTIAL, INSTITUTIONAL, PUBLIC, COMMERCIAL AND
INDUSTRIAL BUILDINGS, PARKS, RECREATIONAL AREAS AND ATHLETIC
FIELDS.

NOTIFICATION

NOV - 6 2009

ACTIVE INGREDIENT:

Bifenthrin* 0.069%

OTHER INGREDIENTS: 99.931%

TOTAL: 100.000%

*Cis isomers 97% minimum, trans isomers 3% maximum.

REFER TO FERTILIZER TAG FOR ANALYSIS

**KEEP OUT OF REACH OF CHILDREN
CAUTION / PRECAUCION**

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.)

SEE SIDE PANELS FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

NOTE: Spanish language is optional

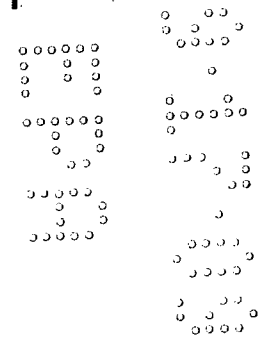
EPA REG. NO. 228-435
EPA EST. NO.

Manufactured For
NUFARM AMERICAS INC.
150 Harvester Drive
Burr Ridge, IL 60527



NET CONTENTS Lbs. (Kg)

000228-00435.20090915.EPA.PRN98-10;2007-04



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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION / PRECAUCION**

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	

¹**Imported 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.vagr.gov/agr>.

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

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.regulatory-info-xx.com>.

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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: Nonrefillable Container. DO NOT reuse or refill this container. After completely emptying container into application equipment, offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

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If you do not agree with or do not accept any of the directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV091509N)

Optional Spreader Instructions:

CALIBRATION INSTRUCTIONS: To provide proper distribution, calibrate spreader before application. For 4.0 pounds of product (or x pound of product) per 1,000 square feet (or per acre) of turfgrass: Check your spreader on 250 square feet (or x square feet) and adjust to apply at the rate of 1 pound of product (or x pounds of product) per 250 square feet (or x square feet).

