

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

September 27, 2006

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

Subject: Label Amendment – Change in Formulation/ Submission of Acute tox and product chemistry
Menace 2.4% ME Insecticide
EPA Reg. No. 228-459
Your Submission Dated: May 6, 2006

Dear Mr. Meindl:

We have reviewed the data submitted in support of a alternate in formulation and find it acceptable as a change in formulation and not an alternate. Since the toxicity profile has changed due to the new acute toxicity studies the confidential statement of formula dated April 21, 2006 has been changed to the basic formulation and is now the formula of record and replaces all previously accepted CSF's

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. The acute toxicity profile for this product is as follows:

Acute oral toxicity	III
Acute dermal toxicity	IV
Acute inhalation toxicity	IV
Primary eye irritation	III
Primary skin irritation	III
Dermal sensitization	Negative

Based on the toxicity profile above revise the Precautionary Statements as follows:

“Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.”

2. Move “People and pets may enter treated area after application has dried.” to Directions for Use.

If you have any questions regarding this action, please contact BeWanda Alexander of my team at (703) 305-7460.

Sincerely,



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

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MENACE™ 2.4% ME

INSECTICIDE

- DO NOT USE INSIDE DWELLINGS
- FOR USE AROUND EXISTING STRUCTURES, NOT FOR PRE-CONSTRUCTION USE
- OUTDOOR HOMEOWNER POST-CONSTRUCTION USE ONLY
- KILLS CARPENTER ANTS
- KILLS ON CONTACT (GUARANTEED)
- TREATS UP TO 10,600 SQ. FT.
- 1 QUART MAKES 64 GALLONS FOR BROADCAST INSECT APPLICATION
- 1 QUART MAKES 10 GALLONS FOR TERMITE CONTROL
- CONTROLS/KILLS WOOD-DESTROYING INSECTS
- ALSO KILLS TICKS THAT MAY TRANSMIT LYME DISEASE

ACCEPTED
with COMMENTS
In EPA Letter Dated

SEP 27 2006

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

228-459

ACTIVE INGREDIENT:

Bifenthrin* 2.4%

OTHER INGREDIENTS: 97.6%

TOTAL: 100.0%

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

MENACE 2.4% ME should be shaken well before use.

Specially formulated for residential use.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

SEE BACK PANEL 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

EPA REG. NO. 228-459
EPA EST. NO.

MANUFACTURED BY
NUFARM AMERICAS INC.
BURR RIDGE, IL 60527-0866



NET 32 Fluid Ounces (1 Quart) 946mL

000228-00459.20060124.FIN

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS**

CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

People and pets may enter treated area after application has dried.

FIRST AID (Pyrethroid)	
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 a 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 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER (Pyrethroid)	
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, the stomach and intestine should be evacuated. Treatment is symptomatic and supportive. Digestible fats, oils and alcohol 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, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when cleaning equipment. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops and weeds. Do not allow this product to drift to blooming crops if bees are visiting the treatment area.

An easy to apply product to control wood-destroying, home-invading and lawn insects.

This product should be shaken well before use.

Product Facts	
Treats up to 10,600 sq. ft.	
KILLS INSECTS	Termites, carpenter ants and other insects including argentine ants, boxelder bugs, carpenter bees, chinch bugs, clover mites, crickets, elm leaf beetles, firebrats, fleas, grasshoppers, German cockroaches, harvester ants, sod webworms, millipedes, mole crickets, mosquitoes, pharaoh ants, scorpions, spiders, termites (workers and winged), and ticks
WHERE TO USE	Lawns, porches, patios, foundations, wood piles and stored lumber
AMOUNT TO USE	<ul style="list-style-type: none"> • Termites: 3.2 fl. oz. (6-1/2 Tbs.) per gallon of water for each 2-1/2 linear feet of trench. • All other pests: 0.5 fl. oz. (1 Tbs.) per gallon of water sprayed over 167 sq. ft.
HOW TO APPLY	Easy to apply with Ortho Dial 'N Spray, or Ortho Lawn & Garden tank sprayer.
Questions, Comments or Medical Information call 1-877-325-1840.	

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

This insecticide/miticide is a high-performance product. This product has a long residual, providing up to 16 weeks control of Cockroaches and up to 12 weeks of other pests.

This product is:

- Virtually odor-free

- Fast-acting
- Water-based
- Easy-to-use
- Non-staining
- Broad-spectrum
- Kills Ants, Earwigs, Fleas, Insects, Mites, Roaches, Silverfish, Spiders, Ticks & Other Listed Pests
- For Outdoor Use Only

1 Tablespoon (Tbs.) = 3 teaspoons (tsp.); 1 fl. oz. = 2 Tbs.; 4 fl. oz. = 1/2 cup. Do not use household utensils to measure this product.

SUBTERRANEAN TERMITES (OUTDOORS)

Kills and controls subterranean termites. Chemicals for soil treatment are used to establish a barrier against termites. The chemical emulsion must be adequately dispersed in the soil to provide a barrier between the wood in the structure and the termite colonies in the soil. Barriers may be established in the soil on the outside perimeter of the house by trenching using a rate of 4 gallons of emulsion per 10 linear feet per foot of depth. A complete termite barrier may require treatment with another EPA registered product to the inside perimeter of the foundation and to other interior critical areas. For these situations contact a licensed pest control operator for treatment. Prevents subterranean termite infestations. For outdoor homeowner post-construction use only. DO NOT use under slabs, in crawl spaces or indoors. If termites are found within the house or structure, contact a licensed pest control operator for treatment. Keeps termites away for up to 5 years in areas treated.

MIXING INSTRUCTIONS for Termites

USE A SPRINKLING CAN. Add 3.2 fl. oz. (6-1/2 Tbs.) to 1 gallon of water for each 2-1/2 linear feet*.

* 1 quart of this product will make 10 gallons of diluted solution and cover 25 linear feet.

HOW TO APPLY

Trench Treatment

- Remove all wood debris and wood forms.
- Poured Concrete Foundations: Dig a trench next to the foundation 6 inches wide and 4 inches deep or down to the top of the footing, whichever is less.
- Brick and Block Foundations: Dig a trench 6 inches wide and 12 inches deep. If the footing is more than 12 inches deep, make holes with a crowbar, pipe or steel rod about 1 foot apart that extend from the bottom of the trench to the top of the footing. Make holes closer together in hard-packed clay soils.
- To avoid shifting your house foundation, never dig below the top of the footing.
- Apply the diluted solution (emulsion) in the trench at a rate of 4 gallons per 10 linear feet per foot of depth.
- Apply half volume of the diluted product with a sprinkling can in the trench. Apply other half to the backfill as the trench is refilled.

Fence Posts

- Use a sprinkling can. Pour 1/2 gallon of diluted product into fence post hole and add another 1/2 gallon to the soil when filling the hole so that all the fill soil is treated to form a protective barrier.

Fence Posts – Termite Prevention

Create an insecticidal barrier in the soil around wooden constructions such as signs, fences and landscape ornamentation.

- Previously installed poles and posts may be treated by gravity-flow through holes made from the bottom of the trench around the pole or post. Treat on all sides to create a continuous insecticidal barrier around the hole.
- Use 1 gallon of emulsion per foot of depth for poles and posts less than six inches in diameter.
- For larger poles, use 1.5 gallons of emulsion per foot of depth.
- Apply to a depth of 6 inches below the bottom of the wood.
- For larger constructions, use 4 gallons per 10 linear feet per foot of depth.

WHEN TO REAPPLY

Reapplication for subterranean termites should only be made when there has been a disruption of the chemical barrier in the soil due to construction, excavation, landscaping, etc. Reapplication should be made as a spot treatment to those areas. Annual reapplication of the entire premises must be avoided.

CARPENTER ANTS, CARPENTER BEES, WOOD-DESTROYING BEETLES, AND OTHER HOME-INVADING PESTS (OUTDOORS)

Ants (Including Carpenter ant, red harvester, pavement, odorous pyramid, Argentine and pharaoh) carpenter bees, beetles, boxelder bugs, centipedes, chiggers, crickets, earwigs, firebrats, fleas, German cockroaches, house flies, hornets, millipedes, scorpions, silverfish, sowbugs, spiders (including black widow and brown recluse), springtails, ticks, wasps, wood-destroying beetles, and yellow jackets – **OUTDOORS**

For use against hornets, wasps and yellow jackets: Application should be made in the late evening when insects are at rest. Aim spray at nest openings in ground, bushes and in cracks and crevices which may harbor nests, saturating nest openings and contacting as many insects as possible.

MIXING INSTRUCTIONS for Home-Invading Pests

AMOUNT TO USE

When using a tank sprayer

- 0.5 fl. oz. (1 Tbs.) per gallon of water to be sprayed over 167 sq. ft.

When using the Ortho® Dial 'N Spray®

1. Set dial to 0.5 fl. oz.
2. Add 3.2 fl. oz. (6-1/2 Tbs.) to sprayer jar. **DO NOT** add water.
3. Spray evenly over 1,000 sq. ft. until jar is empty.

Treatment For Wood-Destroying Pests (Outdoors)

Localized Areas Outdoors: For the control of insects such as termites, ants, carpenter ants, and wood-infesting beetles such as Old House Borer and Powder Post in localized areas of infested wood around structures, apply emulsion to voids and galleries in damaged wood and in spaces between wooden members of a structure and between wood and foundations where wood is vulnerable. Paint on or fan spray applications may also be used.

HOW TO APPLY

Wood Treatment

- Fences and Outdoor Wood Surfaces of Buildings: Apply evenly on wood surfaces. Allow to dry and repeat to ensure the insecticide soaks into the wood.
- Wood Piles and Stored Lumber: Use a Dial 'N Spray or Ortho garden tank sprayer or a sprinkling can to deliver a coarse drenching spray. Treated wood can be burned or used for building one month after treatment.

Perimeter Treatment

- To keep insects from entering the house, use a hose-end or tank sprayer to spray a 3 to 10 foot band of soil around the house next to the foundation. Also spray the foundation of the house to a height of 2 to 3 feet. House siding may be treated if pests such as gypsy moth adults and caterpillars, boxelder bugs, elm leaf beetles, earwigs, or silverfish are present.

LAWN PESTS (OUTDOORS)

For above the ground insects including armyworms, chiggers, chinch bugs, clover mites, crickets, cutworms, dichondra flea beetles, earwigs, fleas, grasshoppers, sod webworms, ticks – **OUTDOORS**

For below the ground insects including mole crickets and European crane flies – **OUTDOORS**

MIXING INSTRUCTIONS for Lawn Pests

AMOUNT TO USE

When using a tank sprayer

- 0.5 fl. oz. (1 Tbs.) per gallon of water to be sprayed over 167 sq. ft.

When using the Ortho® Dial 'N Spray®

1. Set dial to 0.5 fl. oz.
2. Add 3.2 fl. oz. (6-1/2 Tbs.) to sprayer jar.
3. **DO NOT** add water.
4. Spray evenly over 1,000 sq. ft. until jar is empty.

HOW TO APPLY

- Measure lawn. Calculate square feet by multiplying length times width.
- Spray evenly over measured lawn. Treat entire lawn.

WHEN TO REAPPLY

- Repeat application is necessary only if there are signs of renewed insect activity. Repeat application should be limited to no more than once per seven days.

MOSQUITOES (OUTDOORS)

Mosquitoes coming to rest on areas treated for the control of lawn and home-invading pests will be killed for varying periods of time after application, depending on exposure of treated areas to environmental conditions.

For Ant and Fire Ant Mounds use this product as a Drench Method

Apply 1-2 gallons of emulsion to each mound area by sprinkling the mound until it is wet and treat a 4-foot diameter circle around the mound. Use the higher volume for mounds larger than 12". For best results, apply in cool weather, such as in early morning or late evening hours, but not in the heat of the day. Treat new mounds as they appear.

IMPORTANT

DO NOT treat structures that contain cisterns, wells, french drains or sump systems. Soil in the vicinity of wells, cisterns or ponds should not be treated. For those situations, contact your County Cooperative Extension Agent or consult a commercial pest control service. DO NOT treat soil that is water saturated or frozen, or in any conditions where run-off or movement from the treatment area (site) is likely to occur. DO NOT apply while it is raining. DO NOT use on pets. DO NOT use on edible or ornamental plants. Spray drift onto these plants should be rinsed off immediately with water.

STORAGE AND DISPOSAL

STORAGE: Keep out of reach of children and animals. Store in original containers only. Protect from freezing. Store in a cool, dry place, preferably in a locked storage area and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into drink containers.

DISPOSAL: PRODUCT – Partially-filled plastic bottle: Securely wrap original plastic bottle in several layers of newspaper and put in trash.

CONTAINER – Do not reuse empty plastic bottle for concentrate. Wrap plastic bottle and put in trash.

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. Desirable plant 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 Nufarm or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Nufarm 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. NUFARM 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 Nufarm, and Buyer assumes the risk of any such use.

To the extent allowed by law, Nufarm or Seller shall 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 NUFARM 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 NUFARM OR SELLER, THE REPLACEMENT OF PRODUCT.

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

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