

228-496

4/10/2009

1 of 10



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

APR 10 2009

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

RE: Notification to add language to Warranty Statement
EPA Registration Number: 228-496
Date of Submission: February 9, 2009

Dear Mr. Granahan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated February 9, 2009, for the product, Bifenthrin 0.115% Granule Insecticide. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions 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 Joyce Edwards of my staff at 703-308-5479.

Sincerely,

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

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

BIFENTHRIN 0.115% GRANULE INSECTICIDE

FOR RESIDENTIAL LAWN, HOME PERIMETER, ORNAMENTAL &
FLOWER GARDEN, AND HOME GARDEN USE

ACTIVE INGREDIENT:		
Bifenthrin		0.115%
OTHER INGREDIENTS:		99.885%
	TOTAL:	100.000%

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

KEEP OUT OF REACH OF CHILDREN
CAUTION
 SEE ADDITIONAL PRECAUTIONARY STATEMENTS ON BACK OF BAG.
 OR
 SEE (BACK PANEL, BOOKLET, SIDE PANEL) FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

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

NOTIFICATION

APR 10 2009

EPA REG. NO. 228-496
EPA EST. NO.

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



NET WEIGHT: 10 Lbs. (4.54 Kg)

000228-00496.20090209.EPA.PRN98-10



**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS (AND DOMESTIC ANIMALS)
CAUTION**

Harmful if absorbed through skin. Causes moderate eye irritation. 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.

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.
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	
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 or 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. Do not contaminate water when disposing of equipment washwaters or rinsate.

OPTION IB. (Use on Lawns, Home Foundations/Perimeter Treatment, Ornamental and Flower Gardens, Vegetable Gardens)

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. In New York State, this product may NOT be applied to any grass or turf area (lawns) within 100 feet of a water body (lake, pond, river, stream, wetland, 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.

PRODUCT FACTS

INSECTS CONTROLLED

Use this product to kill and control:

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> Ants (including Carpenter, Red Harvester, Pavement, Odorous, Pyramid, Argentine, Pharaoh, Black Turf) Armyworms (including Lawn Armyworm, Fall Armyworm) Billbugs (including Bluegrass Billbug, Hunting Billbug) Black Turfgrass Ataenius (adults) Bristletail Centipedes Chiggers Chinch Bugs Crickets Cutworms (including Black Cutworm, Bronzed Cutworm, Granulate Cutworm, Variegated Cutworm) Dichondra Flea Beetle | <ul style="list-style-type: none"> Earwigs European Crane Fly Fiery Skipper Fire Ants Firebrat Fleas Fruitfly Grasshoppers Greenbug Ground Beetles Ground pearl Leafhoppers Lucerne Moth Mealybugs Millipedes Mole Crickets (including Tawny Mole Cricket, Southern Mole Cricket, Short- | <ul style="list-style-type: none"> winged Mole Cricket) Pillbugs Seed Maggots Ticks (including ticks that may transmit Lyme Disease) Spiders Springtails Striped Grassworm Two-lined Spittlebugs Webworms (including Sod Webworm, Grass Webworm, Tropical Sod Webworm) Weevils (including Hyperodes and Bluegrass) Wireworms |
|--|--|---|

WHERE TO APPLY: Lawns, Around Home Foundations (Perimeter Treatment), Ornamental and Flower Gardens, and Vegetable Gardens.

WHEN TO APPLY: Apply early/proactively (in the spring/summer/fall) to prevent infestation. Otherwise, apply at the first sign of insect activity or damage.

HOW TO APPLY: See the specific pests for a recommended level. Irrigating or watering by 0.1 to 0.5 inches immediately after application improves the effectiveness of this product.

On Lawns

- Using a spreader designed for application of granular materials, uniformly apply 1 to 2 lbs over 1,000 sq. ft.
- For mole cricket control, apply 2 to 4 lbs over 1,000 sq. ft. area.
- For 3 month/season-long control, apply 4 lbs of product for every 1,000 sq. ft.*
- A 10- (20-) pound bag will treat up to 10,000 (20,000) sq. ft. area of lawn. [XX pound bag should treat XXXXX square feet.]

On Ornamentals & Flowers

- Apply 0.5 to 1 lb. evenly over each 500 sq. ft. area. Repeat if there are signs of renewed insect activity.
- Product can be applied just before planting or after plants emerge.

Vegetable Gardens

- A single application may be applied just prior to planting or after plants emerge and worked into the top 4 to 6 inches of soil. Use 1.0 lb of product for a 500 sq. ft. area.

Home Foundation/Barrier Treatment

Evenly apply a 2-foot wide band next to the house/home foundation. Use 0.5 to 1.0 lb for each 500 sq. ft. (2 ft. x 250 ft.).

****Food utensils such as tablespoons/teaspoons must not be used for food purposes after use in measuring pesticides.**

This product can be applied to the vegetables listed below:

CROP	DAYS TO WAIT TO HARVEST
Tomatoes, sweet corn	1
Green peas, sugar snap peas, snow peas, green beans (wax beans, snap beans), dry beans (black-eyed peas, cow pea), cucumber, gourds, muskmelon, pumpkin, squash, and watermelon	3
Artichoke	5
Broccoli, Chinese broccoli, cabbage, cauliflower, kohlrabi, Chinese mustard, eggplant, head lettuce, peppers (bell and non-bell)	7

SPREADER TIPS				
SPREADER	SPREADER SETTINGS			DIRECTIONS
	Pounds of Product / 1,000 sq. ft.			
	1 lb*	2 lbs	4 lbs	
Scotts Drop Spreader	XX	XX	XX	Mow lawn first if grass is tall enough to touch the bottom of the spreader. First apply two header strips. Operate spreader the longest way of the lawn. Overlap wheel marks to ensure uniform coverage. Shut off spreader when you have reach the header strips or stopped.
Scotts EasyGreen® Rotary	XX	XX	XX	Slide shut-off lever to the right; application automatically starts and stops when you do. For complete coverage make each pass about 30 inches from the previous one, so some overlapping occurs.
Scotts SpeedyGreen® or Edgeguard® Rotary	XX	XX	XX	Shut off speader anytime you stop. For complete coverage make each pass about five feet from the previous pass so some overlapping occurs.

* 1 lb/1,000 sq. ft. is equivalent to 0.5 lb/500 sq. ft.

Use this product for the control of:

Ants (including Carpenter, Red Harvester, Pavement, Odorous, Pyramid, Argentine, Pharaoh, Fire Ants and Foraging Fire Ants)
 Armyworms
 Billbugs
 Centipedes
 Chinch Bugs

Crickets
 Cutworms
 Earwigs
 European Crane Fly
 Fleas
 Grasshoppers
 Leafhoppers
 Mealybugs

Millipedes
 Mole Crickets
 Sod Webworms (Lawn Moth)
 Spiders
 Ticks (including ticks that transmit Lyme Disease)
 Weevils (including Hyperodes)

HOW TO USE

Insects (listed above): Uniformly apply 1 to 2 pounds over a 1,000 sq. ft. area of lawn using a spreader designed for the application of granular materials. A 10-pound bag will treat a 5,000 sq. ft. to 10,000 sq. ft. area of lawn. [A 20-pound bag will treat a 10,000 sq. ft. to 20,000 sq. ft. area of lawn.] Best results are obtained if the treated area is thoroughly water immediately after application.

For Centipedes, Millipedes, Pavement Ants: Uniformly apply 4 pounds over a 1,000 sq. ft. area of lawn. Best results are obtained if the treated area is thoroughly water immediately after application.

For Mole Crickets: Uniformly apply 2 to 4 pounds over a 1,000 sq. ft. area of lawn. For best results, treat in late spring and water thoroughly immediately after application.

For Fire Ant Mounds: Uniformly apply 1 tablespoon or 3 teaspoons** of granules to the surface of each mound. For best results: 1) Apply in cool weather, 65 to 80° F, in early morning or late evening hours. 2) Avoid disturbing ants. 3) Treat new mounds as they appear. 4) Thoroughly water the treated area after application.

****Food utensils such as tablespoons/teaspoons must not be used for food purposes after use in measuring pesticides.**

SPREADER TIPS				
SPREADER	SPREADER SETTINGS			DIRECTIONS
	Pounds of Product / 1,000 sq. ft.			
	1 lb*	2 lbs	4 lbs	
Scotts Drop Spreader	XX	XX	XX	Mow lawn first if grass is tall enough to touch the bottom of the spreader. First apply two header strips. Operate spreader the longest way of the lawn. Overlap wheel marks to ensure uniform coverage. Shut off spreader when you have reach the header strips or stopped.
Scotts EasyGreen® Rotary	XX	XX	XX	Slide shut-off lever to the right; application automatically starts and stops when you do. For complete coverage make each pass about 30 inches from the previous one, so some overlapping occurs.
Scotts SpeedyGreen® or Edgeguard® Rotary	XX	XX	XX	Shut off speader anytime you stop. For complete coverage make each pass about five feet from the previous one, so some overlapping occurs. Avoid applying this product on flower, vegetable and shrub plantings.

When using other spreaders, calibrate the spreader settings based on the manufacturer's recommendations.

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. For rigid containers after partial use, replace lids and close tightly. For bags after partial use, reseal opened bag by folding top down and securing.

PESTICIDE CONTAINER DISPOSAL:

If empty: Do not reuse this container. Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

WARRANTY DISCLAIMER

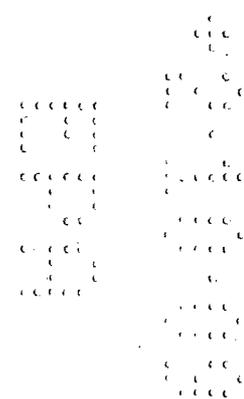
The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, 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.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

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.

(RV020909N)



OPTIONAL MARKETING TEXT

- Insect Protection
- Lawn Insect Protection
- Treats 5,000 Square Feet for insect control
- Kills Insects, Fleas & Ticks
- Treats up to 5,000 Square Feet for insect control
- Specially formulated for lawns
- Protects against listed damaging insects
- Low odor formula
- Fast Acting against insects, spiders and ticks
- Easy-to-use granules
- Ready-to-spread granules
- Easy to apply
- Fire Ant Killer
- Kills fire ants fast
- Kills mole crickets
- Kills most outdoor pests in lawns and around homes
- Broad-spectrum
- Multi-Purpose Insect Killer
- Kills pests on contact
- Not harmful to lawn grasses
- Kills insects that cause your lawn to thin and turn brown
- Kills lawn-damaging insects that cause your lawn to thin and turn brown
- Kills fleas and ticks
- Kills ticks that may transmit Lyme Disease
- Corrects most lawn insect problems (for grub control, use Scotts GrubEx)
- Controls many lawn insect problems
- Apply at first signs of insect damage or activity
- Corrects many lawn insect problems
- Controls chinch bugs, sod webworms (lawn moth), fleas, ticks (including ticks that may transmit Lyme Disease), and other lawn pests listed on the back
- A 10-lb bag treats up to 10,000 sq. ft.
- Treats up to 10,000 sq. ft. – 100%/twice more than 5,000 sq. ft. bags (for 10# bag)
- 2 X More Coverage* – *vs. Standard 5,000 sq. ft. Bags
- Treats up to 20,000 sq. ft. – 100%/twice more than 10,000 sq. ft. bags (for 20# bag)
- Kills [insects/pests] above and/& below the [lawn] surface
- Kills insects in/& under the lawn
- Guaranteed kill or your money back

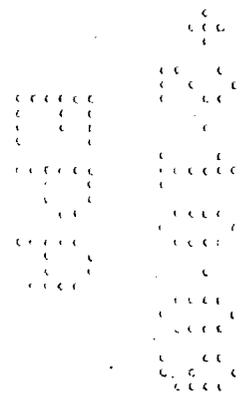
Optional - Abbreviated Warranty Language [due to packaging limitations]:

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. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of 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.

OPTION IB. Directions for Use for the ORTHO Group of The Scotts Company (Use on Lawns, Home Foundations/Perimeter Treatment, Ornamental and Flower Gardens, Vegetable Gardens)

- Kills in 24 hours
- Kills overnight
- Kills over 50 insects
- Kills [insects] on contact
- Use on residential lawns, home perimeters, ornamental & flower gardens, and vegetables
- Use on lawns, [ornamentals, vegetables] [&] as a barrier treatment around home foundations
- Kills [nuisance] pests/insects around home foundations
- Use around outside of homes, porches and/& patios
- One application kills/controls for up to 3 months
- Long-lasting! [Up to] 3-month control
- Up to 3-month control.
- Kills insects on contact [and keeps on killing] for [up to] 3 months
- Kills above and below the surface for [up to] 3 months



- Kills and/& prevents/protects for [up to] 3 months
- Keeps [on] killing for [up to] 3 months
- One application controls insects/bugs/pests for the entire season
- One application provides season-long control
- One application...season-long control
- Apply once for season-long control
- Season-Long Control
- Fast Acting
- Easy-To-Use
- For use on lawns, ornamentals, home perimeter/foundation, vegetables, and flower beds/gardens
- Kills chinch bugs, mole crickets, cutworms, billbugs, European crane fly, [and other listed lawn damaging/destroying] insects/pests [on contact]

NOTIFICATION

APR 10 2009

