

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

NOY 23 2009

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

RE: Notification per PR Notices, 2008-1, 2007-1, 2007-4, and 98-10 for Bifenthrin 0.115%

Granule Insecticide

EPA Registration Number: 228-496 Date of Submission: August 21, 2009

Dear Mr. Granahan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10, 2008-1, 2007-1, 2007-4, dated August 21, 2009, for the above mention product. 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 me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

					•
Flease read instructions on reverse before completing for	m.		F	Form Appr	oved. OMB No. 2070-0060
United States Environmental Protection Agency Washington, DC 20460				Registration Amendment Other	
Ap	plication for F	esticide - Sect	ion I		
1. Company/Product Number		2. EPA Product Mana	ger .	3. Pro	posed Classification
228-496 4. Company/Product (Name)		Gebken PM#		$-$ \Box	None Restricted
Bifenthrin 0.115% Granule Insecticide		13			
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas, Inc. 150 Harvester Drive, Suite 200 Burr Ridge, IL 60527 Check if this is a new address	-	•	similar or identi		FIFRA Section 3(c)(3) mposition and labeling
	Sect	ion - II			
Amendment - Explain below. Resubmission in response to Agency letter date X Notification - Explain below.	d	Final printed Agency lette "Me Too" Al	•		2 3 2009
CFR 156.146, 40 CFR 156.156, 40 CFR 156.80 and 40 CFR 152 understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully PR Notice 2008-1, PR Notice 2007-01 and PR Notice 1998-10 ar CFR 156.80 and 40 CFR 152.46, this product may be in violation	make any false stateme of the requirements of 40 of FIFRA and I may be	nt to EPA. I further underst 0 CFR 156.10, 40 CFR 156	and that if this notifica 5.140, 40 CFR 156.144	tion is not co	onsistent with the guidance of 56.146, 40 GFR 156.156, 40
1. Material This Product Will Be Packaged In:					
* Cerunication must Unit Packaging wot. co			2. Type of C	Container Metal Plastic Glass Paper Other (S	pecify)
be submitted 3. Location of Net Contents Information 4. S	ize(s) Retail Contain		i. Location of Labe	i Dissala	
	2.5, 5, 10, 25 lbs	1	ON LABE	n Dilectoi	18
6. Manner in Which Lebel is Affixed to Product x Glue, Silk Screen	Lithograph Paper glued Stenciled	Other			
		on - IV			
1. Contact Point (Complete items directly below for ide	ntification of individ	lual to be contacted, if	necessary, to pro	cess this i	application.) -
Name · Matthew Granahan matthew.granahan@us.nufari	Titte n.com Registra	tions Manager		Felephone 630.455	No. (Include Area Code) 5.2048
I certify that the statements I have made on this I scknowledge that any knowlingly false or misle both under applicable law.	Certification form and all attachm ading statement me	nents thereto ere true, y be punishable by find	accurate and com or imprisonment	plete.	6. Date Application Received (Stamped)
2. Signature	3. Titte Regis	trations Mana	ager		
4. Wpodbiblie	5. Date		-3°.		
Matthew Granahan	10/0	5/09			



Nufarm Americas Inc.

150 Harvester Drive, Suite 200 Burr Ridge, IL 60527 Telephone: (630) 455.2000 Facsimile: (630) 455.2001 www.us.nufarm.com

August 21, 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 0.115% Granule Insecticide

EPA REG. No. 228-496

Label Notification per PR Notices 08-01, 07-01, 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 Notices 2008-01, 2007-01, 2007-04, and 1998-10. Additionally Nufarm has changed the **HOW TO APPLY** Section to be compliant with the EPA's memo dated June 4, 2009 for Pyrethroid homeowner products.

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 Registrations Manager Nufarm Americas, Inc.

BIFENTHRIN 0.115% GRANULE INSECTICIDE

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

NOV 2 3 2009

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
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

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)

000228-00496.20091117.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:	 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:	 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. 			
1967	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. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

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:

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

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, Shortwinged 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: Apply this product directly to lawns, gardens, or landscaped areas. Water treated area as directed on this label. Do not water to the point of run-off. See specific pest directions below for amount of product to use.

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		READER SETTI of Product / 1,0 2 lbs	DIRECTIONS	
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.

^{* 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	SPREADER SETTINGS Pounds of Product / 1,000 sq. ft. 1 lb* 2 lbs 4 lbs			DIRECTIONS	
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 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.

CONTAINER DISPOSAL: If empty: Nonrefillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available. If partly filled: If product cannot be used as directed, call your local solid waste agency for disposal instructions. Never place unused product down any indoor (including toilet) or outdoor (including sewer) 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 RISING 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.

(RV111709N)

9-10

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
- Kills over [insert # depending on total # of listed pests] insect pests

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