

228-524

10-28-2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

NuFarm Americas, Inc.
c/o Ms. Georgia Anastasiou
Lewis & Harrison
122 C Street, N.W. Suite 740
Washington, DC 20001

OCT 28 2010

Dear Ms. Anastasiou:

Subject: Amendment: Add restrictions per Agency pyrethroid labeling letter dated June 4, 2009, Update per PR Notices 2000-5, 2007-1 and 2008-1, and Revise Warranty section Menace GC 0.029% Plus Fertilizer EPA Reg. No. 228-524 Your submission dated September 3, 2010.

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) section 3(c)(7)(a), is acceptable provided the following revisions are made prior to release for shipment under the amended labeling:

- 1) Since the only directions for use of this product against Imported Fire Ants is broadcast application to lawns and landscaped areas and there are no directions (just a referral to another product) for Fire Ant mound application, which is also required for a "control" claim, the claim regarding Fire Ants must be downgraded to "Aids in Control" for this pest. Revise the front panel claim accordingly, i.e., remove "(including Imported Fire Ants)" after "to control ants" and add as a second sentence of the front panel claim "Aids in the control of Imported Fire Ants". On page 3, in the Insects Controlled table either revise "Fire Ants" to "Foraging Fire Ants" or add an asterisk after "Fire Ants" to lead down to footnote "Aids in Control". In the Comments, revise the entry for Imported Fire Ants to read: "This product aids in the control of Fire Ants by killing foraging Fire Ants. Control of Fire Ants also requires treatment of the Fire Ant mounds with a product registered for that use, such as 7.9% bifenthrin flowable [or any other product name from your product line registered for that use]. Be sure to follow the directions for use on Fire Ant mounds on that product's label."
- 2) Since this is a ready-to-use non-dilutable granular product, there is no requirement for residue removal when packaged in nonrefillable containers (see PR Notice 2007-4 page 4, item III B ii). Therefore, replace the nonrefillable plastic container section (including the "5 gallons or less" and the "larger than 5 gallons" triple rinse directions sections) with the following:
"CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty container into application equipment, then offer for recycling, if available, or

dispose of empty container in a sanitary landfill or by incineration. Do not burn unless permitted by state and local ordinance. If burned, stay out of smoke.” Alternately, if no such nonrefillable plastic containers are actually used for this product, then the direction for that type of container should be deleted. The remainder of the new Container Disposal directions may appear as proposed.

A stamped copy of the label is enclosed for your records. Please submit two copies of the revised amended labeling prior to release for shipment.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying 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 regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at pilitt.dana@epa.gov.

Sincerely,



Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

MENACE[®] GC 0.029% PLUS FERTILIZER

RESTRICTED USE PESTICIDE
Toxic to Fish and Aquatic Organisms
For retail sale to and use only by certified applicators, or persons under direct supervision and only for those uses covered by the certified applicator's certification.

For use to control Ants (including Imported Fire Ants), mole crickets and other insect pest on lawns in landscaped areas and perimeters around residential, institutional, public, commercial and industrial buildings, parks, recreational areas, golf courses and athletic fields.

ACTIVE INGREDIENT:

Bifenthrin* 0.029%

OTHER INGREDIENTS: 99.971%

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 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

NOTE: Spanish language is optional

EPA REG. NO. 228-524
EPA EST. NO.

MANUFACTURED BY
NUFARM AMERICAS INC.
BURR RIDGE, IL 60527



NET CONTENTS ____ lbs / (____ kg)

000228-00524.20100903.PRN2000-5.2007-4.2008-1.Letter6-4-10

**ACCEPTED
with COMMENTS
In EPA Letter Dated:
OCT 28 2010**

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
228-524

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

Harmful if absorbed through the skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. 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 | |
| <p>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.</p> | |
| NOTE TO PHYSICIAN | |
| <p>This product is a pyrethroid. If large amounts have been ingested, milk, cream and other digestible fats and oils may increase absorption and should be avoided.</p> | |

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 avoid run off to water bodies or drainage system. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas.

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 grass grown for seed, or for research purposes.

In New York State, **DO NOT** apply 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, 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.

Do not allow children and pets to enter the treated area until dry.

Do not apply by air.

Do not apply more than 800 pounds of this product per acre per year.

Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds.

Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water to the point of run-off.

Do not make application during rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage into sewers, storm drains, water bodies, or aquatic habitat can occur. **DO NOT** allow the product to enter any drain during or after application.

INSECTS CONTROLLED

Use to control the following lawn insects:

| PEST | USE RATE PER 1,000 SQ. FT. |
|--|----------------------------|
| Chiggers Chinch Bugs Sod Webworms (Lawn Moth) | 4 pounds |
| Annual Bluegrass Weevils (Hyperodes) (Adult) Armyworms Billbugs (Adult) Black Turfgrass Ataenius (Adult) Centipedes Crickets Leafhoppers Mealybugs Millipedes Pavement Ants Pillbugs Red Ants Sowbugs Weevils | 4 to 8 pounds |
| Ants Fire Ants Feas Imported Fire Ants Mole Crickets Ticks | 8 to 16 pounds |

Treat when insects first appear. Apply this product evenly over the turfgrass area using a properly calibrated drop or rotary spreader. Check frequently to make sure the equipment is working properly and the granules are being evenly distributed. A more uniform application will be achieved by spreading half of the required amount of product over the area and then applying the remaining half in swaths at a right angle to the first. Best results will occur if the treated area is thoroughly irrigated with water immediately after application.

COMMENTS:

American Dog Ticks: These ticks tend to gather along paths or roadways where humans are likely to be found.

Annual Bluegrass Weevil: Treat to control the adult weevils as they migrate from their overwintering sites and move into grass areas. Contact your State Cooperative Extension service for more specific information.

Armyworms, Cutworms, and Sod Webworms: For best results, the treated area should be irrigated immediately after application with up to 0.1 inches of water to activate the insecticide.

Billbugs: Apply when adult Billbugs are first observed during April and May. Consult your State Cooperative Extension Service for information on degree days and timing in your region.

Black Turfgrass Ataenius: Apply treatments during May and July to control both generations of adults. Time May application to coincide with the full bloom stage of Vanhoutte spiraea and the Horse chestnut. Time July application to coincide with the blooming of Rose of Sharon.

Chinch Bugs: These bugs infest the base of the plant and are usually found in the thatch layer. Watering the treated area with up .25 inches immediately after application will result in quicker control.

Deer Ticks: These ticks have a life cycle that ranges over a two year period and involves four life stages. Treat in mid-to-late spring to control larvae and nymphs that are present on the soil.

Flea Larvae: These larvae develop in the soil and shady areas. Irrigate the treated area with up to 0.5 inches of water immediately after application.

Imported Fire Ants: Control will be optimized by combining broadcast applications and mound drenching. When mound drenching, a product such as a 7.9% bifenthrin flowable, must be used. Irrigate prior to application if the soil is not moist. For best results, apply in cool weather or in the early morning or late evening hours. Food utensils such as teaspoons and measuring cups used for pesticide application must not be used for food purposes.

Mole Cricket Adults: These adults can be difficult to control because of their extremely active stage in the early spring. Apply as late in the day as possible and water up to 0.5 inches immediately after treatment. If the soil is not moist prior to application, irrigate to ensure control.

Mole Cricket Nymphs: Optimum control can be reached by treating young nymphs because they are more susceptible to the insecticide. Irrigate soil if it is not moist before application. Treat as late in day as possible. Water the treated area with up to 0.5 inches directly after application.

Ticks: Do not make spot applications. Treat the entire area where ticks occur. Use the higher application rate if heavy leaf litter or dense ground cover exists. Retreat if animals reintroduce new populations.

SPREADER SETTINGS

Note: *Following will be a list of application spreaders and approximate settings. This list will vary dependent on market of spreaders. (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. Calibrate all spreader equipment at the time of application to achieve the desired application rate.

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 container only. Store in a cool, dry place and avoid excess heat.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

[Nonrefillable plastic containers]

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

[Nonrefillable Containers 5 Gallons or Less:]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless permitted by state and local ordinance. If burned stay out of smoke.

[Nonrefillable containers larger than 5 Gallons:]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless permitted by state and local ordinance. If burned stay out of smoke.

[Nonrefillable bags]

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available, or dispose of empty bag in a sanitary landfill or by incineration. Do not burn unless permitted by state and local ordinance. If burned, stay out of smoke.

[Refillable drum with a Nonrefillable liner]

CONTAINER HANDLING: Refill this container with pesticide only. Do not use this container for any other purpose. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of in the same manner required for its liner. To recycle, contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.

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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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