

279-3057

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

FEB 24 2006

Mr. Christopher Davis
FMC Corporation
1735 Market Street
Philadelphia, Pennsylvania 19103

Subject: Response to Agency Letter of December 20, 2004 -- Acute Inhalation Toxicity Study and Revised Label

EPA Registration No. 279-3057
Talstar® WP Insecticide/Miticide
Your submission dated June 27, 2005

Dear Mr. Davis:

The labeling submitted for the subject product in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the following conditions. A stamped copy of the label is enclosed for your records.

- As stated in your June 14, 2004 letter FMC does not currently market this product. Prior to marketing this product FMC must provide certification that the product is packaged in CRP, or delete all residential use sites on the label, or limit package sizes to 50 lbs or greater.

The acute inhalation toxicity study with MRID No. 46583401, submitted to support registration of the subject product has been reviewed and found acceptable. Based on the data submitted the toxicity profile for this product is as follows:

Table with 4 columns: Acute oral (II), Acute dermal (III), Acute inhalation (IV), Primary Eye Irritation (III), Primary Skin Irritation (IV), Dermal Sensitization (Negative)

If you have any questions regarding this action, please contact Olga Odiott at (703) 308-9369.

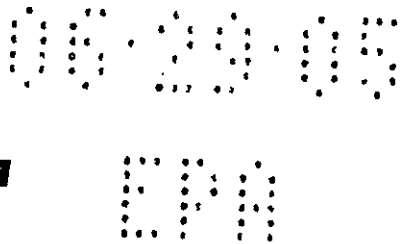
Sincerely,

Handwritten signature of George W. LaRocca
George W. LaRocca
Product Manager 13
Insecticide Branch
Registration Division (7505C)

Enclosure

Code 1482

Net Contents



WP INSECTICIDE/MITICIDE

For Agricultural and Commercial Use Only

EPA Reg. No. 279-3057

EPA Est. 279-

Active Ingredient:	By Wt.
Bifenthrin:*	10.0%
Inert Ingredients:	90.0%
	100.0%

*Cis isomers 97% minimum, trans isomers 3% maximum.
U.S. Patent No. 4,238,505

KEEP OUT OF REACH OF CHILDREN

WARNING AVISO

Si usted no entiende la etiqueta, busque a alguien a quien 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 other panels for additional precautionary information.

NOT FOR USE IN NEW YORK STATE WITHOUT THE
PRODUCT BULLETIN FOR TALSTAR WP
INSECTICIDE/MITICIDE.

ACCEPTED
with COMMENTS
In EPA Letter Dated
FEB 24 2006
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
279-3057



FMC Corporation
Agricultural Products Group
Philadelphia PA 19103

279-3057 6/05 Df2

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 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.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
HOTLINE 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-(800)-331-3148 for Emergency Assistance.	
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, or alcohol may increase absorption and so should be avoided.	
For Information Regarding the Use of this Product Call 1-800-321-1FMC (1362).	

PRECAUTIONARY STATEMENTS Hazards to Human (and Domestic Animals)

WARNING
May be fatal if swallowed. Harmful if inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing.

- Personal Protective Equipment:**
Applicators and other handlers must wear:
- Long-sleeved shirt and long pants
 - Waterproof gloves
 - Shoes plus socks

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendations

Users Should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. For terrestrial uses, do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply where 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.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow to drift if bees are visiting the treatment area.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected applicators may be in the area during application.

For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Do not apply this product through any kind of irrigation system.

AGRICULTURE USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE). The requirements in this box only apply to users of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as, plants, soil, or water is:

- Coveralls
- Waterproof gloves
- Shoes plus socks

Exception: If the product is soil injected or soil incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Keep children and pets off treated areas following application until the lawn has dried.

STORAGE AND DISPOSAL

Prohibitions: Do not contaminate water, food or feed by storage or disposal.

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 replace lids and close tightly. Do not put concentrate or dilute material into food or drink container.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call FMC: 1-800-331-3148.

To Confine Spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

Pesticide Disposal: Pesticide wastes are toxic. Do not contaminate water, food or feed by storage or disposal. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of federal law. Dispose of excess or waste pesticide by use according to label directions, or contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal Plastic Container: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

APPLICATION RECOMMENDATIONS

Landscape Ornamentals, Greenhouse and Home Lawn Uses
(Including Interiorscapes, Plantscapes, and Ornamental Plantings
Grown for Aesthetic Purpose)

General Applications Instructions

Talstar is a 10% Wettable Powder formulation which mixes readily with water and other aqueous carriers, and may be used in all types of spray equipment. Talstar may be tank-mixed with other products, including insect growth regulators, to control a wide spectrum of insects and mites on trees, shrubs, foliage plants, flowers and non-bearing fruit and nut trees in greenhouses and interiorscapes including hotels, shopping malls, office buildings, etc., and, outdoor plantscapes, such as around residential dwellings, parks, institutional, recreational, athletic fields and home lawns.

When tank mixing Talstar with other products read and observe all precautions and limitations on each separate product label.

RECOMMENDED APPLICATION RATES FOR LANDSCAPE ORNAMENTALS AND GREENHOUSES

Pest	Rate lb ai/ 10 gal.	Rate oz/ 10 gal.	Comments
Ants Aphids Bagworms Blackvine Weevil Brown Soft Scales Broad Mites Budworms California Red Scale (crawlers) Centipedes Clover Mites Crickets Cutworms Earwigs Elm Leaf Beetles Fall Webworms Flea Beetles Fungus Gnats Grasshoppers Hyperoides Weevils Lacebugs Leafhoppers Leaf feeding Caterpillars Mealybugs Millipedes Pillbugs Pine Needle Scales (crawlers) Plant Bugs (incl. Lygus spp) San Jose Scales (crawlers) Sowbugs Spiders Tent Caterpillars Tip Moths Weevils Whiteflies	0.004 to 0.01	0.64 to 1.6	Apply the specified rate as a full coverage foliar spray. Repeat as necessary to achieve control using higher rates as pest pressure and foliage area increases. To control Bagworm: Apply when larvae begin to hatch. Spray larvae directly. Applications made when larvae are young will be most effective. To control scale crawlers and twig borers: Treat trunks, stems, and twigs in addition to plant foliage. Certain cultivars may be sensitive to the final spray solution. A small number of plants should be treated prior to application of the entire planting. Use of an alternate class of chemistry in a treatment program is recommended to prevent or delay pest resistance.
Citrus Thrips Beet Armyworm European Red Mite Leafrollers Spider Mites Thrips Twig Borers	0.006 to 0.01	0.96 to 1.6	
Japanese Beetles (adult) Leafminers Pecan Leaf Scorch Mite	0.006 to 0.02	0.96 to 3.2	

1 Ounce of Talstar WP by weight = 6 tablespoons

Application to Home Lawns: Apply Talstar WP as a broadcast treatment in 2 to 10 gallons of carrier per 1000 ft². Use higher volumes to get uniform coverage when treating dense grass foliage.

RECOMMENDED LAWN APPLICATION RATES

Pest	Talstar WP	Comments
Ants Armyworms Bluegrass billbugs Chinchbugs Crane Flies Crickets (Mole)* Cutworms Earwigs Fall Webworms Fleas Grasshoppers Mites Sod Webworms Ticks	0.18 - 0.36 oz. per 1000 ft ² -or- 8 - 16 oz. per Acre -or- 0.05 - 0.1 lbs. ai per Acre	*For control of overwintered Mole Crickets apply the lower rate early Spring. For the control of adult Mole Crickets late-Summer or early Fall apply the higher rate. To enhance control a non-ionic surfactant or a silicon based surfactant (0.25% w/v) may be applied as a tank-mix for the control of late Summer or Fall Adult Mole Crickets. For best results irrigate immediately after application with a minimum of 0.25 inches of water.
Imported Fire Ants Japanese Beetles (adult)	0.36 - 0.72 oz. per 1000 ft ² -or- 16- 32 oz. per Acre	

Rate Talstar WP in oz. (lbs. a.i.)	Talstar WP/Gallons of Finished Spray					
	1 gal.	5 gal.	10 gal.	30 gal.	50 gal.	100 gal.
0.64 (0.004)	1t	5½t	3¾T	10¼T	1C	2¼C
1.0 (0.006)	1¾	2¾T	5½T	1C	1¾C	3½C
1.6 (0.010)	2¾	4½T	9T	1¾C	2¾C	5¾C

t = teaspoon
T = Tablespoon
C = Cup

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

QUARANTINE TREATMENT

Against Imported Fire Ants (IFA) in Potting Media (including balled and containerized nursery grown ornamental trees, shrubs, plants, flowers, conifers, bushes, Christmas trees, and non-bearing fruit and nut-trees.

General Application Instructions

Talstar WP Insecticide is approved and can be used in accordance with the USDA Imported Fire Ant (IFA) Quarantine Program. Talstar WP may be applied either soil incorporated, as a topical application, or as a high volume drench treatment.

Soil Incorporation: Incorporate the appropriate amount of Talstar WP by thoroughly mixing the appropriate amount of product per cubic yard of potting media. The application rate is determined by calculating the bulk density (dry weight) of the potting media, then incorporating the appropriate amount of Talstar WP with the mix to give proper distribution of the product in the mix. When used in accordance with USDA guidelines, this application will provide a 6 month certification period.

Recommended Soil Incorporation Rate of Talstar WP for Control of IFA in Potting Media

Potting Media Bulk Density (lbs. cubic yard)	Ounces of Talstar WP in one cubic yard
200	1.6
400	3.2
600	4.8
800	6.4
1000	8.0
1200	9.8
1400	11.2

Use proportional amounts of Talstar WP for potting media with bulk densities not listed.

Topical Application: Mix Talstar WP in 1000 ounces of water based on container size and bulk density of the potting media. Apply one (1) ounce of the mix to each container evenly distributed over the surface of the potting media. Irrigate all treated containers with 1.5 inches of water following application. When used in accordance with USDA guidelines, this application will provide a 6 month certification period.

Recommended Topical Drench Application Rate of Talstar WP for Control of IFA in Potting Media

Potting Media Bulk Density (lbs. cubic yard)	Ounces of Talstar WP/1000 Ozs. Water	
	3 Qt. Container	4 Qt. Container
200	3.0	4.3
400	5.9	8.6
600	8.6	12.5
800	11.6	16.2
1000	14.2	20.5
1200	17.2	24.4
1400	20.1	28.7

Use proportional amounts of Talstar WP for potting media with bulk densities not listed.

High Volume Drench: Apply Talstar WP as a high volume drench by mixing the appropriate amount of product based on the bulk density in 100 gallons of water. Apply mix to individual containers to the point of saturation. The amount of mix used for each plant is generally 1/5 volume of the container. When used in accordance with USDA guidelines, this application will provide a 6 month certification period.

Recommended High Drench Application Rate Talstar WP for Control of IFA in Potting Media

Potting Media Bulk Density (lbs. cubic yard)	Ounces of Talstar WP in 100 Gallons
200	2.0
400	3.9
600	5.7
800	7.7
1000	9.4
1200	11.3
1400	13.3

Use proportional amounts of Talstar WP for potting media with bulk densities not listed.

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. Crop 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 FMC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold FMC 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. FMC 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 FMC, and buyer assumes the risk of any such use.

To the extent permitted by law, FMC 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 FMC 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 FMC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

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

Talstar and FMC —Trademarks of FMC Corporation (1482-11-3-94)

Revisions:

1. First Aid update per PR Notice 2001-1.
2. New warranty statement per PR Notice 98-10.