

Ms. Nancy Hilton  
FMC Corporation  
1735 Market Street  
Philadelphia, PA 19103

JAN 18 2007

Dear Ms. Hilton:

Subject: Amendment- Add New Crop Uses  
Fury Technical Insecticide  
EPA Registration Number 279-3124  
Your submissions dated April 21, 2003, December 17, 2004,  
May 12, 2006 and December 12, 2006

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(7)(B), is acceptable provided that you:

1. Submit and/or cite all data or other material required for registration/reregistration of your product under FIFRA section 3(c)(5) or FIFRA section 4 when the Agency requires all registrants of similar products to submit such data.
2. You will submit the studies listed below to be conducted in accordance with 40CFR Part 158 Test Guidelines:
  - (a) Honey Bee- Toxicity of Residues in Foliage- Guideline 141-2- Due January 18, 2008
  - (b) Life cycle, Aquatic Invertebrate Freshwater- Guideline 72-4- Due January 18, 2008
3. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:
  - a. Add oysters and shrimp to the first sentence of the Environmental Hazards paragraph i.e., "This product is extremely toxic to fish, aquatic invertebrates, oysters and shrimp."
  - b. Revise sections of the warranty statement as follows:
    - (1) Change "should" to "must" in the first sentence.
    - (2) Add, "Except as warranted by this label "to the beginning of the statement" FMC makes no warranties... etc.
    - (3) Replace "In no event shall FMC or seller" with "To the extent consistent with applicable law FMC or seller shall not be liable... etc.
    - (4) Add "To the extent consistent with applicable law" to the beginning of the sentence, "The exclusive remedy of the user or buyer ... etc."

4. Submit three (3) copies of your final printed labeling before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact Linda A. DeLuise of my team at (703) 305-5428.

Sincerely yours,

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

Enclosure

# Fury™ Technical Insecticide

An Insecticide for Formulating Use Only

EPA Reg. No. 279-3124 EPA Est. 279-MD001

## Active Ingredient

S-Cyano (3-phenoxyphenyl)methyl  
(±) cis/trans 3-(2,2-dichloroethenyl)-  
2,2 dimethylcyclopropane carboxylate,  
and related isomers\* ..... 88.00%  
Inert Ingredients ..... 12.00%  
100.00%

Cis/trans isomer ratio: Max 55% (±) cis and Min. 45% (±) trans  
U.S. Patent Pending

## KEEP OUT OF REACH OF CHILDREN WARNING FIRST AID

**If Inhaled:** 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.

**If on Skin or Clothing:** 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.  
**In Eyes:** 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 Swallowed:** 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 the poison control center or doctor. Do not give anything by mouth to an unconscious person.

## 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 medical treatment information.

**Note to Physician:** Vomiting should be supervised by a physician or the professional staff because of the possible pulmonary damages by aspiration of the solvent. For Emergency Assistance Call (800) 331-3148.

# FMC.

FMC Corporation  
Agricultural Chemical Group  
Philadelphia PA 19103  
Fury\_Technical 01/16/2007

## PRECAUTIONARY STATEMENTS Hazards to Humans

### Warning

May be fatal if swallowed. Harmful if absorbed through the skin, eyes or clothing. Wash thoroughly with soap and water after handling. The active ingredient may cause sensitization in some individuals.

### Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. For guidance, contact your State Water Board or Regional Office of the EPA.

### DIRECTIONS FOR USE

Only for formulation into an insecticide for the following use(s): Alfalfa and Nongrass Animal Feeds; Berries; Brassica (Cole) Leafy Vegetables Group; Bulb Vegetables; Canola (Rapeseed); Field, Seed, and Pop Corn; Cotton; Cucurbit Vegetables; Fruiting Vegetables Group; Grapes; Grass Forage, Fodder and Hay and Grass Grown for Seed; Leafy Vegetables Group; Legume Vegetables Group; Peanut; Pome Fruits; Rice; Root and Tuber Vegetables; Sorghum; Soybeans; Stone Fruits; Sugarcane; Sugar Beet; Sunflower; Sweet Corn; Tree Nuts; Wheat; Cattle Ear Tags; and for Food/Feed Items in Food/Feed Handling Establishments. Uses for which U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and uses for experimental purposes that are in compliance with U.S. EPA requirements. It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

ACCEPTED  
with COMMENTS  
in EPA Letter Dated

JAN 18 2007

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

279-3124

## STORAGE AND DISPOSAL

### Pesticide Storage

Do not store below 40°F. 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 containers. Do not contaminate other pesticides, fertilizers, water, food or feed by storage or disposal.

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

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

### Container Disposal

Triple rinse (or equivalent) 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. Do not cut or weld metal containers.

### This Material Requires Further Mixing Before Use

Formulators using this product are responsible for obtaining EPA registration for their formulated products.

3  
2  
4

**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.

In no event shall FMC or seller 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

4  
7  
4