

279-3124

2/7/2011

10 of 5



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Jill C. Holihan
FMC Corporation
1735 Market Street
Philadelphia, PA 19103

FEB - 7 2011

Subject: Label Notification(s) for Pesticide Registration
Notice 2007-4

Dear Ms. Holihan:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated January 19, 2011 for the following product(s):

Fury Technical

EPA Reg. No. 279-3124

The Registration Division (RD) has conducted a review of this request for applicability under PRN 98-10 and finds that the label change(s) requested falls within the scope of PRN 2007-4. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda A. DeLuise".

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 279-3124	2. EPA Product Manager Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fury Technical Insecticide	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) FMC Corporation 1735 Market Street Philadelphia, PA 19103 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: NOTIFICATION EPA Reg. No. _____ Product Name FEB - 7 2011	

Section - II

<input checked="" type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

FMC Corporation is submitting amended labels for the subject products. The label changes are to comply with container disposal language requirements from PR 2007-4. In this case, these statements have changed the rinsate from water to solvent due to the low solubility of the technical material in water. In addition, food handling establishments have been removed from the technical labels since food handling uses are not currently approved for zeta-cypermethrin.

jill.holihan@fmc.com

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
3. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Jill C. Holihan	Title Product Registration Manager	Telephone No. (Include Area Code) 215-299-6430
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Product Registration Manager	
4. Typed Name Jill C. Holihan	5. Date January 19, 2011	

FMC Agricultural Products

3095

FMC Corporation
1735 Market Street
Philadelphia, PA 19103
215.299.6000 Phone
215.299.6468 Fax
www.fmc.com

January 19, 2011

FEDERAL EXPRESS

U.S. Environmental Protection Agency
Document Processing Desk (AMEND)
Office of Pesticide Programs (7504P)
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Mr. Richard Gebken
Product Manager 10
Registration Division (7504P)

Dear Mr. Gebken:

Subject: Chemical Number/Name: 129064/zeta-cypermethrin

Zeta-cypermethrin Technical Insecticide (EPA Reg. No. 279-3250)
Fury Technical Insecticide (EPA Reg. No. 279-3124)

Non-PRIA Fast Track Label Amendment

FMC Corporation is submitting amended labels for the subject products. The label changes are to comply with container disposal language requirements from PR 2007-4. In this case, these statements have changed the rinsate from water to solvent due to the low solubility of the technical material in water.

In addition, food handling establishments have been removed from the technical labels since food handling uses are not currently approved for zeta-cypermethrin.

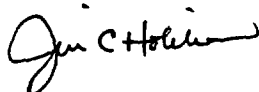
Enclosed please find the following documents:

1. EPA form 8570-1 for each of the subject products
2. Copies of the most recent approved stamped labels
3. Certification with Respect to Label Integrity form for the label e-submissions
4. ~~Five~~ copies of draft labeling (including one red line copy).

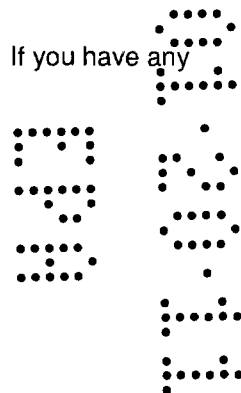
Three

We trust that the enclosed information is adequate for processing this request. If you have any questions pertaining to this application, please call.

Sincerely,



Jill C. Holihan
Product Registration Manager
(215) 299-6436
jill.holihan@fmc.com



Fury™ Technical Insecticide

An Insecticide for Formulating Use Only

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

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.

If 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

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, aquatic invertebrates, oysters and shrimp. 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); Citrus; 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; Oilseeds; Peanut; Pome Fruits; Rice and Wild Rice; Root and Tuber Vegetables; Safflower; Sorghum; Soybeans; Stone Fruits; Sugarcane; Sugar Beet; Sunflower; Sweet Corn; Tree Nuts; Wheat; Cattle Ear Tags. 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.

NOTIFICATION

FEB - 7 2011

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by 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.

In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills.

Call FMC: 1-(800)-331-3148.

Pesticide Disposal

Pesticide wastes may be hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal

Nonrefillable container. Do not reuse or refill this container. Triple rinse (or pressure rinse) as follows:

Triple rinse: Empty the remaining contents into a storage container or a mix tank. Fill the container ¼ full with appropriate solvent¹. Replace and tighten closures. Tip 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 a storage container for later use or disposal, or into a mix tank for product formulation. Repeat this procedure two more times.

Pressure rinse: Empty the remaining contents into a storage container or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over storage container or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Then offer for recycling if available or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities. If rinsate cannot be used, follow pesticide disposal instructions. If not triple rinsed, these containers are acute hazardous wastes and must be disposed in accordance with local, state and federal regulations. DO NOT cut or weld metal containers.

¹ An appropriate solvent would include a solvent that will dissolve technical material. The rinsate may be used later to formulate a product or may be disposed in accordance with local, state and national environmental laws, rules, standards and regulations.

January 6, 2011

This Material Requires Further Mixing Before Use
Formulators using this product are responsible for obtaining EPA registration for their formulated products.

4085

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 must 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. **EXCEPT AS WARRANTED BY THIS LABEL, 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 consistent with applicable law FMC or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW 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.

FMC – Trademark of FMC Corporation
© 2008 FMC Corporation All Rights Reserved

© 2008 FMC Corporation
All Rights Reserved
FMC Corporation
1000 ...
...

5045