

279-3131

4-9-2003

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

Registration
Amendment
Other

OPP Identifier Number
299601

Application for Pesticide - Section I

1. Company/Product Number 279-3131	2. EPA Product Manager G.T. LAROCCH	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) PREVAIR TC TERMITICIDE/INSECTICIDE	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) FMC CORPORATION AGRICULTURAL PRODUCTS GROUP 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: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION APR 09 2003
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

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

NOTIFICATION: CHANGE IN ~~WARRANTY~~ WARRANTY STATEMENT PER PR NOTICE 98-10

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
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
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"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> 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 MICHAEL C. ZUCKER	Title SENIOR REGISTRATION + LABEL SPECIALIST	Telephone No. (include Area Code) (215) 299-5876
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 Michael C. Zucker	3. Title SENIOR REGISTRATION + LABEL SPECIALIST	
4. Typed Name MICHAEL C. ZUCKER	5. Date 3/31/03	

CERTIFICATION STATEMENT

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the Confidential Statement of Formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Michael C. Zucker

Michael C. Zucker
Senior Registration & Label Specialist
APG Specialty Products Business
FMC Corporation

NOTIFICATION
APR 09 2003

Date: 3/31/03

Prevail[®]

TC Termiticide/Insecticide



NOTIFICATION

APR 09 2003

For use by individuals/firms licensed or registered by the State to apply termiticide/pesticide products. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the pest control regulatory agency of your State prior to use of this product.

EPA Reg. No. 279-3131

EPA Est. 279-

Active Ingredient:	By Wt.
Cypermethrin**	30.6%
Other Ingredients***	69.4%
	100.0%

**Cis/trans ratio: Max. 55% (±) cis and min. 45% (±) trans

***Contains xylene range aromatic solvents.
Contains 2.5 pounds cypermethrin per gallon.
U.S. Patent No. 4,024,163

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID

If swallowed: Do not cause vomiting. Call a physician.

If on skin: Wash thoroughly with water.

If in eyes: Flush thoroughly with water. If signs of irritation persist, contact physician.

If inhaled: Exposure to vapor or dust may cause tingling or numbness of exposed areas, especially the face, but this is temporary and requires no treatment. Lung irritation from breathing vapors is possible, and medical attention should be obtained if it is severe.

See other panels for additional precautionary information.

Active ingredient made in China, formulated and packaged in U.S.A.

FMC[®]

FMC Corporation
Agricultural Products Group
Philadelphia PA 19103

3/03 New Warranty and Active Ingredient Statement

Note to Physician:

May pose an aspiration pneumonia hazard. Induction of vomiting may increase the likelihood of chemical pneumonia and should be avoided or done only under medical supervision. Ingestion of a large amount calls for gastric lavage, with care (Trendelenburg position, suction available, cuffed endotracheal tube if patient is unconscious) to avoid intrapulmonary aspiration. A saline cathartic (sodium or magnesium sulfate), 15-30 gm. dissolved in water should be given, as should 15-20 gm. activated charcoal as a slurry in water. Digestible fats, oils, or alcohols, may increase absorption and so should be avoided. Skin contact (vapor or powder) may be followed by transient tingling or numbness, usually of the face, but this subsides without treatment.

For Emergency Assistance call (800) 331-3148.

PRECAUTIONARY STATEMENTS Hazards to Humans (and Domestic Animals)

Caution

Harmful if absorbed through skin, inhaled or swallowed. Causes eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, may cause sensitization reaction in some individuals. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

Product should be opened and poured in a well ventilated.

All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved shirt and long pants, socks, shoes and chemical-resistant gloves. In addition, all pesticide handlers must wear a respiratory protection device when working in a non-ventilated space and all pesticide handlers must wear protective eyewear when working in a non-ventilated space or when applying termiticide by rodding or sub-slab injection.

Use one of the following Mine Safety and Health Administration (MSHA) /National Institute for Occupational Safety and Health (NIOSH) air purifying respirator types with approval number prefixes such as: TC-23C, TC-21C, TC-19C, TC-13F and TC-14G.

or a NIOSH approved respirator with any R, P or HE filter.

or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE prefilter.

When treating adjacent to an existing structure, the applicator must check the area to be treated, and immediately adjacent areas of the structure, for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the high water mark. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label. Care should be used when spraying to avoid fish and reptile pets.

Physical/Chemical Hazards

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this pesticide in a manner inconsistent with its labeling.

STORAGE AND DISPOSAL

Pesticide Disposal

Do not store below 10°F, (-12°C).

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 (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. 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 of the nearest EPA Regional Office for guidance.

Container Disposal

Metal Containers: 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.

Plastic Containers: 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.

Returnable/Refillable Sealed Containers: Do not rinse container. Do not empty remaining formulated product. Do not break seals. Return intact to point of purchase.

GENERAL INFORMATION ON THE USE OF THIS PRODUCT

The use of this product prevents and controls termite infestations in and around structures and constructions.

The dilute insecticidal emulsion must be adequately dispersed in the soil to establish a barrier between the wood and the termites in the soil. As a good practice: 1) all non-essential wood and cellulose containing materials, should be removed from around foundation walls, crawl-spaces, and porches; 2) eliminate termite access to moisture by repairing faulty plumbing and/or construction grade. Soil around untreated structural wood in contact with soil should be treated as described below.

To establish an effective insecticidal barrier with this product the service technician must be familiar with current termite control practices such as: trenching, rodding, sub-slab injection, coarse fan spraying of soil surfaces, crack and crevice (void) injection, excavated soil treatment, and brush or spray applications to infested or susceptible wood. These techniques must be correctly employed to prevent or control infestations by subterranean termites such as: *Coptotermes*, *Heterotermes*, *Reticulitermes* and *Zootermopsis*. The biology and behavior of the species involved should be considered by the service technician in determining which control practices to use to eliminate or prevent the termite infestation.

Choice of appropriate procedures should include consideration of such variable factors as the design of the structure, location of heating, ventilation, and air conditioning (HVAC) systems, water table, soil type, soil compaction, grade conditions, and location and type of domestic water supplies and utilities.

For advice concerning current control practices with relation to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies.

SUBTERRANEAN TERMITE CONTROL

Important: Contamination of public and private water supplies must be avoided by following these precautions: Use ant-backflow equipment or procedures to prevent siphonage of insecticide into water supplies. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen or in any conditions where runoff or movement from the treatment area (site) is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

Note: Crawlspace are to be considered inside of the structure.

Critical Areas: Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where cement constructions have been poured adjacent to the foundation such as stairs, patios and slab additions.

Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

- Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:
 - Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.
 - Treat the soil at the rate of 4 gallons of dilute emulsion per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See "Mixing Directions" section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.
 - After the treated soil has absorbed the diluted emulsion, replace the soil into the trench.
- Treat infested and/or damaged wood in place using an injection technique such as described in the "Control of Wood Infesting Insects" section of this label.

Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application

- Prior to treatment, if feasible, expose the water pipe(s) coming from the well to the structure, if the pipe(s) enter the structure within 3 feet of grade.
- Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.
- When appropriate (i.e., on the water side of the structure), the treated backfill technique (described above) can also be used to minimize off-site movement of termiticide.

Prior to using this technique near wells or cisterns, consult state, local or federal agencies for information regarding approved treatment practices in your area.

Mixing Directions: Mix the termiticide use dilution in the following manner: Fill the tank 1/4 to 1/3 full. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose. Add appropriate amount of Prevail® TC Termiticide/Insecticide. Add remaining amount of water. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

Prevail TC may also be mixed into full tanks of water, but requires substantial agitation to insure uniformity of the emulsion.

To prepare a 0.3% emulsion, ready to use, dilute 1 gallon of Prevail® TC with 99 gallons of water.

Mixing:

For the desired application rate, use the chart below to determine the amount of Prevail TC for a given volume of finished emulsion:

Amount of Prevail® TC (Gallons except where noted)			
Emulsion Concentration	Amount of Prevail TC	Amount of Water	Desired Gallons of Finished Emulsion
0.3%	1.25 oz.	126.75 oz.	1
	6.25 oz.	4.95	5
	12.5 oz.	9.9	10
	31.4 oz.	24.75	25
	2 qt.	49.5	50
	3 qt.	74.25	75
	1	99	100
	1.5	148.5	150
	2	198	200
	0.6%	2.5 oz.	125.5
12.5 oz.		4.9	5
25 oz.		9.8	10
2 qt.		24.5	25
1		49	50
1.5		73.5	75
2		98	100
3		147	150
4	196	200	

Common units of measure:

1 pint = 16 fluid ounces (oz.)

1 gallon = 4 quarts = 8 pints = 128 fluid ounces (oz.)

Application Volume: To provide maximum control and protection against termite infestation apply the specified volume of the finished water emulsion and active ingredient as set forth in the directions for use section of this label. If soil will not accept the labeled application volume, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the ability to obtain a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved.

After Treatment: All holes in commonly occupied areas into which Prevail® TC termiticide/insecticide has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

PRE-CONSTRUCTION SUBTERRANEAN TERMITE TREATMENT

Pre-Construction Treatment: Pre-construction treatments are defined to include treatments made during all phases of construction up to when the concrete slab is poured or the wooden floor is installed.

Pre-Construction Treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to installation of the finished grade.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

Effective pre-construction subterranean termite control is achieved by the establishment of vertical and/or horizontal insecticidal barriers using 0.3%-0.6% emulsion of Prevail TC. To meet termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

Horizontal Barriers: Create a horizontal barrier wherever treated soil will be covered by concrete, such as footing trenches, slab floors, carports, and the soil beneath stairs and crawl spaces.

To produce a horizontal insecticidal barrier, apply the emulsion at the rate of 1 gallon per 10 square feet to fill soil. If fill is washed gravel or other coarse material, apply at 1.5 gallons per 10 square feet so that the emulsion will reach the soil beneath the fill. Applications shall be made by a low pressure spray (less than 50 p.s.i.) using a coarse spray nozzle. If slab will not be poured the same day as treatment, cover treated soil with a water-proof barrier such as polyethylene sheeting. This is not necessary if foundation walls have been installed around treated soil.

Vertical Barriers: Vertical barriers must be established in areas such as around the base of foundations, plumbing, utility entrances, back-filled soil against foundation walls and other critical areas.

To produce a vertical barrier in soil, apply the emulsion at a rate of 4 gallons per 10 linear feet per foot of depth. Distribute the treatment as evenly as possible.

- When trenching and rodding into the trench or trenching, it is important that emulsion reaches the bottom of the footing. Rod holes must be spaced so as to achieve a continuous termiticide barrier, but in no case more than 12 inches apart.
- Care should be taken to avoid soil wash-out around the footing.
- Trenches need not be wider than 6 inches. Emulsion should be mixed with the soil as it is being replaced in the trench.

Hollow block voids may be treated at a rate of 2 gallons of emulsion per 10 linear feet so that the emulsion will reach the top of the footing.

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

POST-CONSTRUCTION SOIL TREATMENT

Use a 0.3% to 0.6% emulsion for post-construction treatment. Up to 0.6% emulsion may be used in critical areas and areas which will be difficult to re-treat. Post-construction soil applications shall be made by injection, rodding and/or trenching or coarse fan spray with pressures

not exceeding 25 p.s.i. at the nozzle. Care should be taken to avoid soil wash-out around the footing.

Do not apply emulsion until location of wells, radiant heat pipes, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these elements.

Foundations: For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

Concrete Slabs: Vertical Barriers may be established by sub-slab injection within the structure and rodding and/or trenching outside at the rate of 4 gallons of emulsion per 10 linear feet per foot of depth. Special care must be taken to distribute the treatment evenly. Treatment should not extend below the bottom of the footing.

Treat along the outside of the foundation and where necessary beneath the slab on the inside of foundation walls. Treatment may also be required beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints. Horizontal barriers may be established where necessary by long-rodding or by grid pattern injection vertically through the slab.

- Drill holes in the slab and/or foundation to allow for the application of a continuous insecticidal barrier no more than 12 inches apart.
- For shallow foundations (1 foot or less) dig a narrow trench approximately 6 inches wide along the outside of the foundation walls. Do not dig below the bottom of the footing. The emulsion should be applied to the trench and soil at 4 gallons per 10 linear feet per foot of depth as the soil is replaced in the trench.
- For foundations deeper than 1 foot follow the rates for basement.
- Exposed soil in bath traps may be treated with a 0.3% to 0.6% emulsion.

Basements: Where the footing is greater than 1 foot of depth from grade to the bottom of the foundation, must be made by trenching and rodding into the trench, or trenching at the rate of 4 gallons of emulsion per 10 linear feet per foot of depth. Rod holes must be spaced so as to achieve a continuous termiticide barrier, but in no case more than 12 inches apart. Sub-slab injection may be necessary along the inside of foundation walls, along cracks and partition walls, around pipes, conduits, piers, and along both sides of interior footing-supported walls.

Accessible Crawl Spaces: For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of emulsion per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use direction section of the label if situations are encountered where the soil will not accept the full application volume

- Rod holes and trenches must not extend below the bottom of the footing.
- Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.
- Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The emulsion must be mixed with the soil as it is replaced in the trench.
- When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

Inaccessible Crawl Spaces: For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one or a combination of the following two methods.

- To establish a horizontal barrier, apply to the soil surface, 1 gallon of emulsion per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For an area that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or powerspray with higher pressures.

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2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of emulsion per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many States have smaller intervals, so check State regulations which may apply.

When treating plenums and crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

Masonry Voids: Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of emulsion per 10 linear feet of footing, using a nozzle pressure of less than 25 p.s.i. When using this treatment, access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely examined: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When treating behind veneer care should be taken not to drill beyond the veneer. If concrete blocks are behind the veneer, both the blocks and the veneer may be drilled and treated at the same time.

Not for use in voids insulated with rigid foam.

Excavation Technique: If the treatment must be made in difficult situations such as near walls, cisterns, along fieldstone or rubble walls, along faulty foundation walls, and around pipes and utility lines which lead downward from the structure to a well or pond, application may be made in the following manner:

- a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material.
- b. Treat the soil at the rate of 4 gallons of emulsion per 10 linear feet per foot of depth of the trench. Mix the emulsion thoroughly into the soil taking care to prevent liquid from running off the liner.
- c. After the treated soil has absorbed the liquid emulsion, replace the soil in the trench.

Retreatment

Retreatment for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation, or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

APPLICATION IN CONJUNCTION WITH THE USE OF FIRSTLINE® TERMITE BAITS

As part of the integrated pest management (IPM) program for termite control, Prevail® TC termiticide/insecticide may be applied to critical areas of the structure including plumbing and utility entry sites, bath traps, expansion joints, foundation cracks and areas with known or suspected infestations as a spot treatment or complete barrier treatment. Applications may be made as described in the Postconstruction treatment section of this label.

SPECIFIC PEST CONTROL APPLICATIONS

POSTS, POLES, AND OTHER CONSTRUCTIONS

Create an insecticidal barrier in the soil around wooden constructions such as signs, fences and landscape ornamentation by applying a 0.3% to 0.6% emulsion.

Previously installed poles and posts may be treated by sub-surface injection or treated by gravity-flow through holes made from the bottom of a trench around the pole or post. Treat on all sides to create a continuous insecticidal barrier around the pole. Apply to a depth of 6 inches below the bottom of the wood. For larger construction, use 4 gallons per 10 linear feet per foot of depth.

SPOT TREATMENT FOR THE CONTROL OF WOOD INFESTING INSECTS

For the control of insects such as termites, ants and beetles in localized areas of infested wood in and around structures, apply a 0.3% emulsion to voids and galleries in damaged wood and in spaces between wooden members of a structure and between wood and foundations where wood is vulnerable. Plastic sheeting must be placed immediately below overhead areas that are spot treated. Application may be made to inaccessible areas by drilling, and then injecting emulsion with a crack and crevice injector into the damaged wood or void spaces.

Spot applications may be made to control visible workers and reproductive forms. This type of application is not intended to be a substitute for soil treatment, mechanical alteration or fumigation to control extensive infestation of wood-infesting insects.

To control wood-infesting insects active inside trees, utility poles and/or fence posts, drill to find the interior infested cavity and inject a 0.3% emulsion.

Termite carton nests in trees or building voids may be injected with 0.3% to 0.6% emulsion. Multiple injection points to varying depths may be necessary. It is desirable to physically remove carton nest material from building voids when such nests are found.

Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms, but excluding areas where foods may be prepared or held. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed. Not for use in USDA meat and poultry plants.

BROADCAST TREATMENT OF WOOD FOR THE CONTROL OF WOOD-INFESTING INSECTS OUTSIDE OF THE STRUCTURE

Apply a 0.3% to 0.6% emulsion with a coarse fan spray using maximum pressure of 25 psi. Treatment should be made just to the point of runoff.

Firewood Protection

Prior to stacking firewood, soil beneath the wood may be treated with 0.3% emulsion at 1 gallon per 10 square feet to prevent infestation by ants, spiders, cockroaches, silverfish, firebrats, millipedes, centipedes, earwigs, sowbugs, pillbugs.

Note: Firewood is not to be treated.

General Insect Control

For residual pest control in and on buildings and structures and their immediate surroundings and on modes of transport. Permitted areas of use include industrial buildings, houses, apartment buildings, laboratories, buses, greenhouses, and the nonfood/feed areas of stores, warehouses, vessels, railcars, trucks, trailers, aircraft (Do not use in aircraft cabins), schools, nursing homes, hospitals, restaurants, hotels, and food manufacturing, processing, and servicing establishments.

Prevail® TC is to be diluted with water for spray or brush application. Fill sprayer with the desired volume of water and add Prevail® TC. Close and shake before use in order to insure proper mixing. Mix only the amount of solution needed for the application; repeat treatments as necessary.

Pests	Concentration of Active Ingredient	Dilution Rate
Ants Biting Flies*† Boxelder Bugs Centipedes** Chiggers* Cockroaches (Maintenance) Crickets Earwigs	Elm Leaf Beetles† Firebrats Fleas* Flies* Millipedes Mosquitoes*† Pillbugs Silverfish Sowbugs	.1% 0.4 fl. oz. per 1 gal. water
Bees Cockroaches (Clean-out) Spiders Ticks Wasps		.2% 0.8 fl. oz. per 1 gal. water

*Outdoor use only.
**Not for indoor use in California.
† Not for use in California.

Indoor Use

Crickets, Cockroaches, Firebrats, Silverfish, Spiders and Ticks: Apply as a coarse, low pressure spray to areas where these pests hide, such as baseboards, corners, storage areas, closets, around water pipes, doors and windows, attics and eaves, behind and under refrigerators, cabinets, sinks, furnaces, and stoves, the underside of shelves, drawers and similar areas. Pay particular attention to cracks and crevices; also see OUTDOOR USE.

Ants: Apply to any trails, around doors and windows and other places where ants may be found. Refer to BARRIER TREATMENT directions to prevent infestation; also see OUTDOOR USE.

Bees and Wasps: Application to nests should be made late in the evening when insects are at rest. Thoroughly spray nest and entrance and surrounding areas where insects alight; also see OUTDOOR USE.

Boxelder Bugs, Earwigs, Elm Leaf Beetles, Centipedes, Millipedes, Pillbugs and Sowbugs: Apply around doors and windows and other places where these pests may be found or where they may enter premises. Spray baseboards, storage areas and other locations. Refer to BARRIER TREATMENT directions to prevent infestation; also see OUTDOOR USE.

Food Handling Establishments: Places other than private residences in which food is held, processed, prepared or served.

Non-Food/Feed Areas: Includes garbage rooms, lavatories, floor drains, (to sewers) entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling). Prevail[®] TC termiticide/insecticide may be used as a general spot, crack and crevice treatment in nonfood areas. All areas where insects hide or through which insects may enter should be treated.

Food/Feed Areas: Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms, but excluding areas where foods may be prepared or held. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed. Not for use in Federally inspected meat and poultry plants.

Outdoor Use

For control of ants, bees, biting flies, boxelder bugs, centipedes, chiggers, cockroaches, crickets, earwigs, elm leaf beetles, firebrats, fleas, flies, millipedes, mosquitoes, pillbugs, silverfish, sowbugs, spiders, ticks and wasps. Apply by brush or as a residual spray either by hand or power sprayer. Apply to surfaces of buildings, porches, screens, window frames, eaves, patios, residential lawns only such as grass areas adjacent or around private homes, duplexes, townhouses, condominiums, house trailers, apartment complexes, carports, garages, fence lines, storage sheds, barns, and other residential and non-commercial structures, vegetation, refuse dumps, garages and in other areas where these pests are found.

Barrier Treatment: To prevent infestation of buildings, apply to a band of soil and vegetation 6 to 10 feet wide around and adjacent to the building. Also, treat the building foundation to a height of 2 to 3 feet where pests are active and may find entrance. Apply as a coarse spray. Thoroughly and uniformly wet the band area, using 1 gallon of spray mix per 400 square feet.

Cluster Flies (*Calliphoridae* sp.): Apply to the outside of the structure where flies are found. Mix 0.8 fl. oz. Prevail[®] TC to 10 fl. oz. deodorized light weight mineral oil; apply to 1,000 square feet of wall area. Use a fogging apparatus which delivers the material in a strong air carrier, producing a small particle size (10-50 microns). Hold the nozzle about three feet from the surface to be treated. Apply when wind velocity is less than 2 mph to avoid drift.

The surface to be treated should be dry at the time of application. Attics and unoccupied lofts should be treated at the same time and at the same rate.

Note:

Do not use water base sprays of Prevail[®] TC in conduits, motor housings, junction boxes, switch boxes, or other electrical equipment because of possible shock hazard.

Not for use in warehouses where raw or cured tobacco is stored and in greenhouses where crops used for food or feed are grown.

Do not apply this product to edible crops.

Keep people and pets off surfaces until dry.

Protect aquariums from spray mist.

For best results, thoroughly wash out sprayer and screen with water and detergent before using Prevail[®] TC.

Do not use this product with oil (except for cluster fly control).

Do not treat pets with this product.

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.

Prevail and ~~FMC~~ - FMC Trademarks

(1496-10/28/99)

Revisions:

1. New warranty statement added to page 6.
2. Active ingredient statement added to page 1.

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FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia PA 19103
215 299 6000



March 31, 2003

Ms. Sherada Hobgood
United States Environmental Protection Agency
Document Processing Desk (NOTIF)
Office of Pesticide Programs (H7504C)
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Dear Ms. Hobgood:

Subject: Prevail[®] TC Termiticide/Insecticide
EPA Reg. No. 279-3131

Notification: Change in Warranty Statement per PR Notice 98-10.

FMC is interested in revising labeling for the subject product. FMC believes that the change is in full compliance with PR Notice 98-10, Section II Labeling Notifications; part J Changes in Warranty Statement.

Specifically, FMC has made the following change:

- The warranty statement on page 5 has been revised.

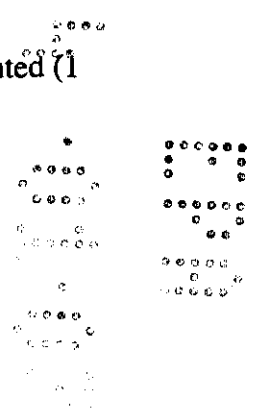
In addition, FMC has made a revision to the label per PR Notice 98-10, Section IV Non-Notifications; part F Non-Pesticidal Characteristics; sub-section 5 Where product is made.

The following statement has been added to the front panel:

- "Active ingredient made in China, formulated and packaged in U.S.A."

To support this notification, enclosed please find the following:

- Application for Pesticide (EPA Form 8570-1).
- Prevail[®] TC Termiticide/Insecticide revised label with changes highlighted (1 copy).
- PR Notice 98-10 Certification Statement.



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To expedite this request, I have supplied a postage-paid self-addressed postcard for the Agency to acknowledge this notification. If you have any questions, please feel free to contact me at (215) 299-5876 or e-mail at mike_zucker@fmc.com.

Sincerely,



Michael C. Zucker
Senior Registration & Label Specialist
APG Specialty Products Business