

279-3161



10/27/2003

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

1/5

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

OCT 27 2003

Mr. Michael C. Zucker
FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia, PA 19103

Subject: Amendment Updating First Aid and Disposal per PR Notices 2001-1 and 2001-6
Talstar® RTU Insecticide/Miticide
EPA Reg. No. 279-3161
Your Submission Dated August 19, 2003

Dear Mr. Zucker:

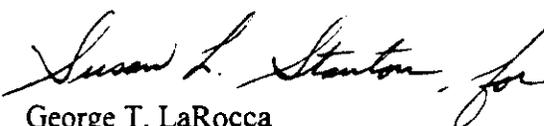
The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. This product has been classified in acute toxicity category IV by all routes of exposure and as a category IV eye and skin irritant. It is not a dermal sensitizer. As such, the product is not required to bear First Aid statements or the statements in the first paragraph under Hazards to Humans (and Domestic Animals). At your discretion, you may delete them. If you choose to retain them, you should revise the eye irritation statement to read "Causes eye irritation" or "Causes moderate eye irritation", in accordance with the guidance in the Label Review Manual.
2. Delete the "Product Disposal" section and change the heading of the next section from "Pesticide Container Disposal" to "Disposal", in accordance with the guidance in PR Notice 2001-6.
3. Add the restriction "Do not apply a broadcast application to interior surfaces of homes" near the beginning of the Directions for Use and at the end of the paragraph under "Pest Control on Inside Surfaces".
4. At the end of the second paragraph under "Nuisance Pests Outside", delete "Repeat as needed" or specify an appropriate retreatment interval based on efficacy data for this product.
5. You must revise the first sentence of the second-to-last paragraph of the Warranty and Liability statements to read "To the extent allowed 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." As currently written ("In no event shall FMC or seller be liable ...") the statement negates and or detracts from labeling requirements as set forth by the Agency in 40 CFR Part 156. and is, therefore, considered misbranding.

If you have any questions regarding this action, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,



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

Enclosure

1668

3/5

TALSTAR®

RTU INSECTICIDE/MITICIDE

ACCEPTED
with **COMMENTS**
In EPA Letter Dated:
OCT 27 2003

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
279-3161

For Residential Indoor/Outdoor Use Only

EPA Reg. No. 279-3161

EPA Est. 279-

Active Ingredient:	By Wt.
Bifenthrin:*	0.025%
Inert Ingredients:	99.975%
	100.000%

*Cis isomers 97% minimum, trans isomers 3% maximum.

U.S. Patent No. 4,238,505

KEEP OUT OF REACH OF CHILDREN
CAUTION

See other panels for additional precautionary information.

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).	

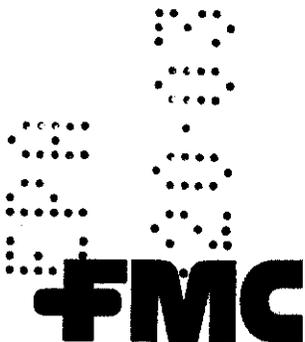
PRECAUTIONARY STATEMENTS

Hazards to Humans (and Domestic Animals)

CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Causes minimal eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing.

[re-entry icon] People and pets may enter treated areas after spray has dried.



FMC Corporation
Agricultural Products Group
Philadelphia PA 19103

Net Contents

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water. 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 or rinsate. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

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 to blooming crops if Bees are visiting the treatment area.

Physical or Chemical Hazards

Do not apply this product in or on electrical equipment due to the possibility of shock hazard.

DIRECTIONS FOR USE

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

Storage: Keep out of reach of children and animals. Store in original container. Store in a cool, dry place, preferably in a locked storage area and avoid excess heat. Keep from freezing.

For 1/2 & 1 gallon units: Flip down spout to close. No need to disconnect trigger sprayer. Close nozzle on trigger sprayer. Snap sprayer back in place. [Pictogram - Sprayer Icon]

Product Disposal: Partially filled plastic bottle - Securely wrap in several layers of newspaper and put in trash.

Plastic Container Disposal:

If empty: Do not reuse this container. Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

Talstar® RTU is a high-performance product. Talstar® RTU has a long residual, providing up to 16 weeks control of Cockroaches and up to 12 weeks control of other pests. Talstar® RTU is:

- Virtually odor-free
- Fast-acting
- Water-based [Icon]
- Easy-to-use
- No mixing necessary
- Non-staining
- Broad-spectrum
- Kills Insects, Mites, Spiders, and Ticks
- For indoor and outdoor use [Icon]

Talstar® RTU is designed for use as a ready-to-use spray to control various Insects, Mites and Spiders indoors and outdoors. Please read the following "Directions for Use" carefully and fully before applying this product.

How to Spray

Shake well before use. Adjust spray nozzle to deliver a stream for cracks and crevices or a coarse spray for other areas. Hold sprayer 12 inches from the insect or surface being sprayed. Spray until slightly wet without soaking. For localized application, do not apply as a space spray. Do not allow this product to contact food, foodstuffs, food preparation areas or utensils and water supplies.

Pest Control on Inside Surfaces

Do not allow this product to contact food, foodstuffs, food preparation areas or utensils and water supplies. Shake the contents of this package for 10 to 15 seconds before use. Apply as a coarse spray to localized inside surfaces of residential buildings including private homes, duplexes, townhouses, condominiums, house trailers, recreational vehicles, houseboats, apartment complexes, carports, garages, storage sheds, barns and other residential structures. For localized application only. Do not apply as a space spray.

Nuisance Pests Indoors: Apply as a coarse spray to localized areas to control ants, including Fire Ants, Pharaoh (Sugar) Ants and others, beetles, including Carpet Beetles, Crickets, Earwigs, Firebrats, Fleas, Flies, mites, including Red Spider Mites, Mosquitoes, Moths, roaches, including Cockroaches, Silverfish, and spiders, including Black Widow Spiders and Ticks.

Spray dark corners of rooms and closets; cracks and crevices in walls; along baseboards; beneath and behind sinks, stoves, refrigerators and cabinets; around plumbing and other utility installations; around doors, window frames and wherever these pests may find entrance.

For Fleas and Ticks: Thoroughly apply as a coarse spray for spot treatment to infested areas such as pet beds and resting quarters; and localized areas of floor coverings where pests may be present. Old bedding of pets should be removed and replaced with clean, fresh bedding after treatment of the pet area. **DO NOT TREAT PETS WITH THIS PRODUCT.** To control the source of Flea infestation, pets inhabiting the treated premises should themselves be treated with a product registered for application to animals.

Pest Control on Outside Surfaces and Around Buildings

Apply as a coarse spray to outside surfaces of residential buildings including, but not limited to, exterior siding, foundations, porches, window frames, eaves, patios, lawns such as grass areas adjacent to or around private homes, duplexes, townhouses, condominiums, house trailers, recreational vehicles, houseboats, apartment complexes, carports, garages, fence lines, storage sheds, barns and other residential structures.

Nuisance Pests Outside: Use this product to control ants, including Carpenter, Red Harvester, Pavement, Odorous Pyramid, Argentine, Pharaoh (Sugar) and foraging Fire Ants*, Armyworms, Centipedes, Chiggers, Chinch Bugs, crickets, including Mole Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Japanese Beetles, Millipedes, mites, including Two-spotted, Tropical, Russet, Clover and Red Spider Mites, Mosquitoes, Moths, roaches, including German, Brown Banded, Smoky Brown and American Cockroaches, Scorpions, Sod Webworms, Sowbugs (Pillbugs), spiders, including Black Widow and Brown Recluse Spiders, Springtails, ticks, including Brown Dog Ticks, and Wasps.

*aids in control.

Apply as a coarse spray to outside surfaces of doorways, window frames or wherever pests may enter buildings. Also treat surfaces around light fixtures, porches, in garages and other places where insects are seen. Treat eaves, foundations, refuse dumps, garbage cans and garbage areas, patios and any other areas where pests have been seen to congregate. Thoroughly spray localized infestations in weeds or around ornamental plants. Repeat as needed.

To Attach Sprayer

Remove cap from container and replace with sprayer hose and cap assembly. Tighten securely.

To Use Sprayer

Turn sprayer nozzle one-half turn counterclockwise. Hold sprayer below the level of container and prime by pumping trigger 10-15 times until product is dispensed. Adjust nozzle to coarse spray.

After each use, thoroughly flush sprayer and hose with water. Return hose and cap assembly to container, tighten securely. Turn nozzle to "OFF" position, and store above level of liquid in container to prevent leakage.

NOTE: If sprayer does not function properly, remove nozzle cover and check nozzle hole and holes in rubber component for obstructions. Check to make sure nozzle is not in "OFF" position. Replace nozzle cover, return sprayer assembly to container and proceed.

5/5

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.

Talstar and FMC—Trademarks of FMC Corporation (1668-7/25/96)

REVISIONS:

- 1. First Aid update per PR Notice 2001-1.
- 2. New Warranty Statement per PR Notice 98-10.
- 3. Revision to container disposal per PR Notice 2001-6.

