



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

FEB 3 2004

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

Subject: Final Printed Labeling in Response to 07/25/96 Notice of Registration, including Updated First Aid and Disposal Statements per PR Notices 2001-1 and 2001-6
Talstar® 0.2 Lawn Granular Insecticide
EPA Reg. No. 279-3163
Your Submission Dated October 13, 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 comment 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. 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,

Handwritten signature of Susan L. Stanton, for George T. LaRocca.

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

Enclosure

283

Code 1685



0.2 G LAWN GRANULAR INSECTICIDE

For Residential Lawn Use Only

EPA Reg. No. 279-3163

EPA Est. 279-

Active Ingredient:

By Wt.

Bifenthrin:*0.2%

Inert Ingredients99.8%

100.0%

*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.

ACCEPTED with COMMENTS In EPA Letter Dated:

FEB 3 2004

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

279-3163



FMC Corporation Agricultural Products Group Philadelphia PA 19103

Net Contents

Table with sections: FIRST AID (If swallowed, If in eyes), HOTLINE NUMBER, NOTE TO PHYSICIAN, and 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. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

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

Pesticide 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.

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

Pesticide 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.

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Talstar® 0.2 G Lawn Granular Insecticide is a high-performance product and is:

- Virtually Odor-free
- Fast Acting
- Easy-to-Use
- Broad Spectrum
- Kills Insects, Spiders and Ticks
- Not harmful to grasses

Talstar is designed for use as a ready-to-use granular insecticide to control various insects and spiders on lawns. Please read the following "Directions for Use" carefully and fully before applying this product.

Surface Feeding Lawn Insects

Use Talstar for the control of ants, including Carpenter, Red Harvester, Pavement, Odorous Pyramid, Argentine, Pharoah (Sugar) and Fire Ants, Foraging Fire Ants, Armyworms, Centipedes, Chiggers, Chinch Bugs, Crickets, Cutworms, Earwigs, Grasshoppers, Fleas, Millipedes, Scorpions, Sod Webworms (Lawn Moth), Sow Bugs, Spiders, Ticks (including Brown Dog Ticks) and Weevils (including Hyperodes). Uniformly apply 3 pounds over a 5,000 sq. ft. area of lawn using any hand or power operated gravity or rotary type spreader designed for the application of granular materials. Best results are obtained if the treated area is thoroughly watered immediately after application. Treat when insects first appear and retreat as necessary.

Mole Crickets

Uniformly apply 3 pounds over a 2,500 sq. ft. area of lawn. For best results, treat in late spring, and water the treated area thoroughly immediately after application.

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 (07/25/96)