

279-3174



10/27/2003

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

1/7

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® 0.05 Lawn Granular Insecticide with Fertilizer XX-X-X
EPA Reg. No. 279-3174
Your Submission Dated August 19, 2003

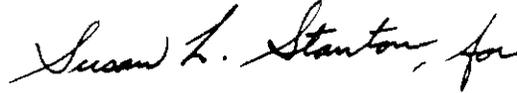
Dear Mr. Zucker:

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. In the right-hand column on page 4, delete the phrase "specially designed to be used in very low concentrations", since this may be construed as an implied safety claim. The revised sentence should read "Talstar® 0.05 Lawn Granular Insecticide with fertilizer is a high-performance product and is:"
2. 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.
3. You may include dermal ("If on skin or clothing") and inhalation ("If inhaled") first aid statements if you wish; however, they are not required based on the product's acute toxicity profile and may be deleted.

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

Sincerely,

A handwritten signature in cursive script that reads "Susan L. Stanton, for".

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

Enclosure

Code 1721

3/7



0.05 LAWN GRANULAR INSECTICIDE
with Fertilizer XX-X-X¹

With INSECT CONTROL

Feeds and Treats 5,000 sq. ft.

STEP™ 3

of 4 easy steps to a better lawn

Insect Control with Fertilizer

Scotts® Lawn Pro® ANNUAL PROGRAM

SUMMER LAWN FERTILIZER AND INSECT CONTROL

- Builds thick, green turf from the roots up without burning your lawn.
- Kills insects that cause your lawn to thin and turn brown.
- Kills fleas and ticks before they get on your pets.

Treats and Feeds 5,000 sq. ft.

Apply in Summer: June - August

Scotts Best Annual Program For a Picture-Perfect Lawn.

Corrects most lawn insect problems (For grub problems, use Scotts® GrubEx®)



Chinch Bug Sod Webworm Lawn Moth

• For best results, apply a Turf Builder product four times a year (see back for details).



FMC Corporation
Agricultural Products Group
Philadelphia PA 19103

Net Weight 11.5 LBS

8/03 First Aid

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.

279-3174

Insert illustration

For Residential Lawn Use Only

EPA Reg. No. 279-3174

EPA Est. 279-

Active Ingredient:

By Wt.

Bifenthrin: (2 methyl [1,1'-biphenyl]-3-yl) methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate*0.05%

Inert Ingredients99.95%
100.00%

*Cis isomers 97% minimum, trans isomers 3% maximum.
U.S. Patent No. 4,238,505

[Insert photo of Beautiful Lawn]

Insect Control with Fertilizer XX-X-X¹

643-XXXX

Talstar with Insect Control XX-X-X¹

643-XXXX

Guaranteed Analysis

Total Nitrogen (N)XX%

X.X% Ammoniacal Nitrogen

XX.X% Urea Nitrogen

X.X% Water Soluble Organic Nitrogen*

XX.X% Water Insoluble Nitrogen

Available Phosphate (P₂O₅)X%

Soluble Potash (K₂O)X%

Sulfur (S) (Combined)X%

Derived from: monoammonium phosphate, urea, methylene ureas, potassium sulfate.

*Contains X.X% slowly available methylenediurea and dimethylenetriurea nitrogen.

¹ Note to EPA Reviewer: The fertilizer value will be filled in to match Confidential Statement of Formula values.

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 milk, cream and other digestible fats and oils may increase absorption and so should be avoided.	
For Information Regarding the Use of this Product Call 1-800-321-1FMC (1362).	

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. For rigid containers after partial use replace lids and close tightly. For bags after partial use close tightly.

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.

Scotts Lawn Pro Annual Program Now it's easy to have a better lawn

Save Money: Why even consider a lawn care service? Scotts Lawn Pro Annual Program will give you a beautiful lawn for about one-third the cost.

Simple and easy: No more guesswork. You simply apply the right product - one Step at a time.

Start anytime: You can start into the Annual Program anytime of the year. Just check the month and select the appropriate Step listed below.

Guaranteed results: Each Step is designed to the specific season to help give you a greener lawn.



STEP 1

Early Spring (February - April)

Crabgrass Preventer plus Fertilizer - prevents crabgrass, foxtail, spurge, oxalis, chickweed and other annual weeds while providing deep, thick greening for up to 2 months. In the Pacific Northwest, STEP 1 is "Turf Builder" and "Moss Control Granules". For St. Augustinegrass, STEP 1 is "Super Bonus S".

STEP 2

Late Spring (April - June)

Weed Control plus Fertilizer - controls dandelion, clover, chickweed and other broadleaf weeds while greening your lawn for up to 2 more months. For St. Augustinegrass, STEP 2 is "Super Turf Builder".

STEP 3

Summer (June - August)

Insect Control with Fertilizer - controls armyworms, billbugs, chinch bugs, cutworms, sod webworms and other lawn insects plus greens your lawn through the summer. For grub control, apply Scotts "GrubEx" anytime from April to mid-August.

STEP 4

Fall (August - November)

Lawn Fertilizer - specially formulated for the fall - the best time to develop a stronger root system for more vigorous, thicker lawn. Helps your lawn green up even quicker next spring.

Step 3 Controls

Ants (argentine, carpenter, odorous, pyramid, pavement, Pharaoh (sugar), red harvester), armyworms, billbugs, centipedes, chiggers, chinch bugs, crickets, cutworms, earwigs, fleas, grasshoppers, millipedes, scorpions, sod webworms (lawn moth), sow bugs, spiders, ticks (including brown dog ticks).

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.

How and when to apply DIRECTIONS FOR USE

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

Do apply when insect activity or damage is first observed in the lawn (lawn thins and turns brown or moths fly from the grass when you mow).

Do water lawn after application to wash granules from the lawn foliage. In New York State, this product may NOT be applied to any grass or turf area (lawns) within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, do make a single repeat application of Talstar 0.05 Lawn Granular Insecticide with fertilizer if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

For grub control, apply Scotts GrubEx® anytime from April to mid-August. A single application provides season long grub control.

Don't treat just the browned areas of lawn. To prevent further damage, treat entire lawn.

Don't use any other lawn control product for at least one week after application.

Spreader Tips

For best results, use a Scotts spreader

	Spreader Settings covers 5,000 sq. ft.	Directions
Scotts Drop Spreaders	X	Mow lawn first if grass is tall enough to touch the bottom of the spreader. First apply two header strips. Operate spreader the longest way of the lawn. Overlap wheel marks to ensure uniform feeding. Shut off spreader when you have reached the header strips or stopped.
Scotts EasyGreen® Rotary	XX	Slide shut-off lever to the right; application automatically starts and stops when you do. For complete coverage make each pass about 30 inches from the previous one so some overlapping occurs.
Scotts SpeedyGreen® Rotary	X	Shut off spreader anytime you stop. For complete coverage make each pass about five feet from the previous one, so some overlapping occurs. Avoid applying this product on flower, vegetable and shrub plantings.

Additional Spreader Settings

EZ Drop, Republic (#530)X
EZ Broadcast, Republic (#540)X
Red Devil Drop (#FH-22)X
Red Devil Rotary (#SB-50)X
Quaker Drop (Model # 10850)X
Quaker Rotary (Model #10301)X

Non-Scotts spreader settings are approximate. You may need to adjust for proper coverage.

Application

- Water lawn after application to wash granules from the lawn foliage.
- Allow at least 4-6 weeks between program applications.
- Some lawn situations may require a supplemental application of Scotts Lawn Insect Control (without fertilizer). You may call Scotts Toll-free to ask about your lawn (see below).
- For grub control, apply Scotts® GrubEx® anytime from April to mid-August. A single application provides season-long grub control.

Tips on Spreading

Scotts Drop:

- Treat entire lawn.
- First apply 2 header strips.
- Overlap spreader application area to avoid strips of untreated lawn.
- Shut off spreader when you reach the header strip or anytime you stop.

EasyGreen Rotary:

- Slide shut-off lever to the right, application automatically starts and stops when you do.
- Avoid misses by making each pass about 30 inches from the previous one so some overlapping occurs.

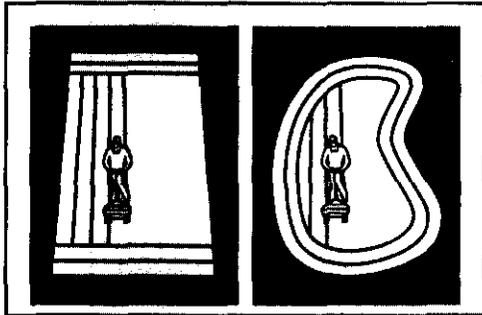
SpeedyGreen® Rotary:

- Shut off spreader anytime you stop.
- Avoid misses by making each pass about 5 feet from the previous one so some overlapping occurs.
- Avoid applying this product on flower, vegetable and shrub plantings.

Scotts Spreader Settings

Scotts Drop SpreadersXXX
Scotts EasyGreen RotaryXX
Scotts SpeedyGreen RotaryXXX

This bag should cover 5,000 sq. ft. (for example 50 ft. x 100 ft.). Close spreader when filling, stopping, or turning.



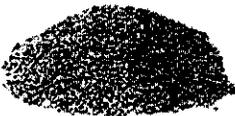
What to expect

Insects will be controlled and prevented and your lawn will be greener in one week.

Talstar With Insect Control kills these active insects: ants (argentine, carpenter, odorous, pyramid, pavement, Pharaoh (sugar), red harvester), armyworms, billbugs, centipedes, chiggers, chinch bugs, crickets, cutworms, earwigs, fleas, grasshoppers, millipedes, scorpions, sod webworms (lawn moth), sow bugs, spiders, ticks (including brown dog ticks).

The Scotts Difference

Unlike ordinary insect control products, every particle of Talstar With Insect Control contains: Scotts patented timed-release nitrogen, phosphorus, potassium and insect control.



Scotts Talstar With Insect Control

- Talstar With Insect Control particles deliver the same ratio of nitrogen, phosphorus, potassium and insect control to every square inch of turf for even, consistent feeding plus better insect control.

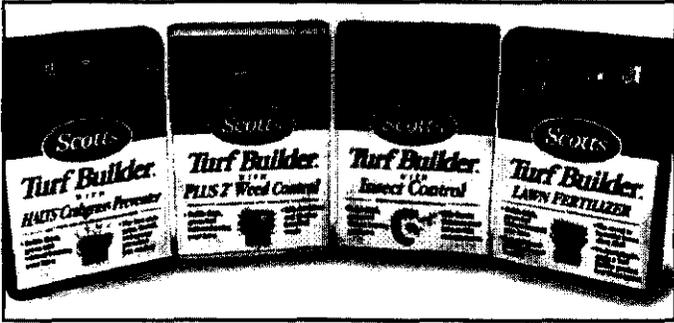


Ordinary Mixed Insect Controls

- Granules contain different nutrients. Nutrient and insect control granules of different sizes and shapes can separate during application resulting in uneven, inconsistent feeding and insect control.

Scotts Turf Builder Annual Program

- No more guesswork...apply the right product at the right time for a thick, green, weed-free lawn.
- Start anytime...just check the month below and apply products at 2 month intervals



Turf Builder with Halts Crabgrass Preventer

- Apply in early spring (Feb. - April).
- Prevents crabgrass and other annual weeds while feeding your lawn. (In the Pacific Northwest, substitute Turf Builder and Moss Control Granules. For St. Augustinegrass, substitute Bonus S. For dormant Bermudagrass substitute Halts)

Turf Builder with Plus 2 Weed Control

- Apply in late spring (April - June).
- Kills dandelions and other broadleaf weeds while feeding your lawn. (For St. Augustinegrass, substitute Turf Builder.)

Turf Builder with Insect Control

- Apply in summer (June - Aug.)
- Kills lawn damaging insects plus fleas while feeding your lawn.
- For grub control, apply Scotts GrubEx anytime from April to mid-August.

Turf Builder

- Apply in fall (Aug. - Nov.)
- Important time to feed for a thicker, greener lawn.

Product of USA

The Scotts Company
14111 Scottslawn Rd.
Marysville, OH 43041

Scotts No-Quibble Guarantee™

If for any reason you are not satisfied with results after using this product, you are entitled to get your money back. Simply send us evidence of purchase and we will mail you a refund check promptly.

Scotts®...the lawn people
Marysville, Ohio 43041

896-594

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Questions?

[PhoneArt]

Call Scotts' toll-free Consumer Hotline: 1-800-543-TURF

[Computer Art]

Visit Scotts "Lawn Success Made Easy" website at www.scottslawn.com.

If you have any questions:

We designed this program to make having a better lawn as simple and easy as possible. But you may still have some questions about your lawn during the year. If so, you can contact the Scotts Lawn Pro retailer where you bought this program. They are ready to answer your questions and provide any help or information that you may need. -or- You can get the answers by talking directly with one of Scotts lawn counselors. Simply dial this toll-free number 1-800-543-TURF.

Made in U.S.A

©1997, The Scotts Company, 14111 Scottslawn Rd., Marysville. OH 43041.

World rights reserved

Scotts No-Quibble Guarantee™

If for any reason you are not satisfied with results after using this product, you are entitled to get your money back. Simply send us evidence of purchase, and we will mail you a refund check promptly.

(Scotts®)...the lawn people - Marysville, Ohio 43041.

[computer art]

Visit Scotts "Lawn Success Made Easy" website at www.scottslawn.com

Talstar® 0.05 Lawn Granular Insecticide with fertilizer is a high-performance product specially designed to be used in very low concentrations and is:

- Virtually Odor-free
- Fast Acting
- Easy-to-Use
- Broad Spectrum
- Kills Insects, Spiders and Ticks

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 2.3 pounds over a 1,000 sq. ft. area of lawn using any hand or power operated gravity or rotary type spreader designed for the application of granular materials. A 11.5 pound bag will treat a 5,000 sq. ft. area of lawn. Best results are obtained if the treated area is thoroughly watered immediately after application. Treat when insects first appear.

*Aids in control.

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 (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.