

279-3211

3/20/2012

1 of 6



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

March 20, 2012

Jill Holihan
FMC Corporation
1735 Market Street
Philadelphia, PA 19103

Subject: Amendment: Response to Agency's September 2, 2011 Letter and November 3, 2011 Meeting
Talstar 0.69 GCGUPT1 Granular Insecticide with XX-X-XX Fertilizer
EPA Reg. No. 279-3211
Your Submission Dated December 9, 2011

Dear Ms. Holihan:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable. A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact BeWanda Alexander at Alexander.bewanda@epa.gov or (703) 305-7460.

Sincerely,

A handwritten signature in cursive script that reads "BeWanda Alexander for".

Richard Gebken
Product Manager Team 10
Insecticide Branch
Registration Division (7505P)

Enclosure

2 of 6

RESTRICTED USE PESTICIDE

Toxic to Fish and Aquatic Organisms

For retail sale to and use only by certified applicators, or persons under their direct supervision and only for those uses covered by the certified applicator's certification.

Talstar 0.069 GCGUPT1 Granular Insecticide with XX-X-XX Fertilizer

For use to control listed pests on turf, golf courses, outdoor ornamentals and herbs. Also For Use as a Quarantine Treatment against Imported Fire Ants and for Balled and Containerized Nursery Stocks

EPA Reg. No. 279-3211

EPA Est.

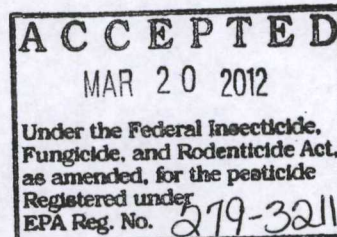
Active Ingredient: By Wt.

| | |
|-------------------|--------|
| Bifenthrin* | 0.069% |
| Other Ingredients | 99.931 |
| | 100.0% |

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

Guaranteed Analysis XX-X-XX

| | |
|---|--------|
| Total Nitrogen (N) | XX.XX% |
| XX.XX% Urea Nitrogen* | |
| Soluble Potash (K ₂ O) | XX.XX% |
| Sulfur (S) Total | XX.XX% |
| X.XX % Free Sulfur (S) | |
| X.XX % Combined Sulfur (S) | |
| Iron (Fe) Total | X.XX% |
| X.XX % Soluble Iron (Fe) | |
| Derived From: Poly Coated Sulfur Coated Urea, Sulfate of Potash, Iron Sulfate. | |
| Chlorine (Cl) Max | X.XX% |
| * XX.XX % Slowly Available Urea Nitrogen from Polymer Coated Sulfur Coated Urea. | |



Do not use this product on golf courses in Nassau or Suffolk counties, New York.

FLORIDA APPLICATIONS: For use on golf courses or other athletic turf in FL, we recommend you follow SL191, "Recommendations for N, P, K and Mg for Golf Course and Athletic Field Fertilization Base on Mehlich I Extractant", available on the internet at <http://edis.ifas.ufl.edu/SS404>.

FLORIDA APPLICATIONS: For commercial application to urban turf or lawns in FL, we recommend you follow the Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries, available on the internet at <http://www.dep.state.fl.us/central/Home/MeetingsTrainings/FLGreen/BMPBookfinal.pdf>

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.wa.gov/agr>.

Information regarding the contents and levels of metals in this product is available on the internet at <http://aapfco.org/metals>.

Information regarding the contents and levels of metals in this product is available on the internet at <http://www.regulatory-info-xx.com>.

Net Weight:

50 lbs. Covers from 7,500 to 15,000 SQ.FT.

XX lbs. Covers from X,XXX to XXXX SQ.FT.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See other panels for additional precautionary information



FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia PA 19103

3066

FIRST AID

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.

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, 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).

PRECAUTIONARY STATEMENTS

Hazards to Humans (and Domestic Animals)

Caution

Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing.

Personal Protective Equipment:

Applicators and other handlers must wear:

- Long sleeved shirt and long pants
- Waterproof gloves
- Shoes and socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendations:

Users Should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Do not apply more than 580 pounds of Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer per acre per year.

Do not apply by air.

Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farms.

Not for use in residential areas

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during restricted entry interval (REI) of 12 hours. **Exception: if the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.**

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- Coveralls
- Waterproof gloves
- Shoes and socks

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standards for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries and greenhouses.

If watering-in of the granules is necessary, do not allow people or pets on treated areas until the grass or soil is dry. Do not touch treated surface until dry.

STORAGE AND DISPOSAL

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 close tightly.

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: Cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

Pesticide Disposal

Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal

Nonrefillable container. Do reuse or refill this container.

Completely empty bag into application equipment. Then offer for recycling if available, or dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

TURF APPLICATIONS

For use on turf around institutional, public, commercial and industrial buildings, athletic fields and golf courses. Broadcast Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer with suitable application equipment to ensure uniform coverage over the treatment area.

APPLICATION RATES

The application rates listed in the following table will provide excellent control of the respective pests under typical conditions. However, at the discretion of the applicator, Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer may be applied at up to 0.4 lb A/I/A to control each of the pests listed in this Table.

| Pest | Active Ingredient lbs. per acre | Application Rate Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer | |
|--|---------------------------------|--|----------------------------------|
| Armyworms ¹ Cutworms ¹ Sod Webworm ¹ | 0.1 lbs A/I/A | 145 lbs per acre | 3.33 lbs per 1000 sq. ft |
| Annual Bluegrass Weevil (Hyperodes) (Adult) ² Billbugs (Adult) ³ Black Turfgrass Ataenius (Adult) ⁴ Fungus Gnats Leafhoppers Mealybugs Weevils White Grubs | 0.1 – 0.2 lbs A/I/A | 145 -290 lbs per acre | 3.33 -6.66 lbs per 1000 sq. ft |
| Ants Centipedes Chinch Bugs ⁵ European Crane Flies (larvae) ⁶ Fleas (Adults) Fleas (Larvae) ⁷ Imported Fire Ants (Adult) ⁸ Imported Fire Ants (Mounds) ⁸ Millipedes Mole Cricket (Adult) ⁹ Mole Cricket (Nymph) ¹⁰ Pillbugs Scorpions ¹¹ Sowbugs Ticks ¹² | 0.2 - 0.4 lbs A/I/A | 290-580 lbs per acre | 6.66 – 13.33 lbs per 1000 sq. ft |

In New York State, this product may NOT be applied to any grass or turf area 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® 0.069 GCGUPT1 Granular Insecticide with Fertilizer if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

Comments

¹**Armyworms, Cutworms, and Sod Webworms:** To ensure optimum control, it is recommended to irrigate the treated area with up to 0.1 inches of water immediately after application to activate (release from the granule) the insecticide.

²**Annual Bluegrass Weevil (Hyperodes) adults:** Applications should be timed to control adult weevils as they leave their overwintering sites and move into grass areas. This movement generally begins when *Forsythia* is in full bloom and concludes when flowering dogwood is in full bloom. You may consult your State Cooperative Extension Service for more specific information regarding application timing.

³**Billbugs:** Applications should be made when adult billbugs are first observed during April and May. Degree day models have been developed to optimize application timing. You may consult your State Cooperative Extension Service for information specific to your region. In temperate regions, spring applications targeting billbug adults will also provide control of over-wintered chinch bugs.

⁴**Black Turfgrass Ataenius:** Applications should be made during May and July to control the first and second generation of black turfgrass ataenius adults, respectively. The May application should be timed to coincide with the full bloom stage of *Vanhoutte spiraea* (*Spiraea vanhouttei*) and horse chestnut (*Aesculus hippocastanum*). The July application should be timed to coincide with the blooming of *Rose of Sharon* (*Hibiscus syriacus*).

⁵**Chinch Bugs:** Chinch bugs infest the base of grass plants and are often found in the thatch layer. It is recommended to irrigate the treated area with up to 0.25 inches of water immediately after application to activate (release from the granule) the insecticide. Chinch bugs can be one of the most difficult pests to control in grasses and the higher applications rates may be required to control populations that contain both nymphs and adults during the summer.

⁶**European Crane Flies:** Treatments should be made to control early to mid-season larvae (approximately August – February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March - April) may only provide suppression. You may consult your local extension agent for specific recommendations for your area.

⁷**Flea larvae:** Flea larvae develop in the soil of shaded areas that are accessible to pets or other animals. Irrigate the treated area with up to 0.5 inches of water immediately after application to activate (release from the granule) the insecticide.

⁸**Imported Fire ants:** Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound drenches that will control existing colonies. If the soil is not moist, then it is important to irrigate before application. Broadcast treatments should apply 0.2 to 0.4 lb A/I/A. Mounds should be treated by applying ½ cup of Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer per mound and then drenching the mound with 1 to 2 gallons of water. The mounds should be treated with sufficient force to break their apex and allow the insecticide solution to flow into the ant tunnels. Treat three feet out around the mound. For best results, apply in cool weather (65 - 80° F) or in early morning or late evening hours.

⁹**Mole Cricket adults:** Achieving acceptable control of adult mole crickets is difficult because preferred grass areas are subject to continuous invasion during the early spring by this extremely active stage. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized. Grass areas that receive pressure from adult mole crickets should be treated at peak egg hatch to ensure optimum control of subsequent nymph populations (see below).

¹⁰**Mole Cricket nymphs:** Grass areas that received intense adult mole cricket pressure in the spring should be treated immediately prior to peak egg hatch. Optimal control is achieved at this time because young nymphs are more susceptible to insecticides and they are located near the soil surface where the insecticide is most concentrated. Control of larger, more damaging, nymphs later in the year may require both higher application rates and more frequent applications to maintain acceptable control. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized.

¹¹**Scorpions:** To ensure optimum control, treat the building perimeter at dusk to prevent outdoor scorpions from entering the building. Scorpions reside hidden in cracks and voids during the day and are active at night at temperatures above 77°F/25°C. Resting areas can be identified at night using a blacklight (UV bulb) as scorpions will fluoresce. These areas should also be treated. Prior to treatment, to increase treatment efficacy, remove trash, debris, or firewood that scorpions may use as resting sites.

¹²**Ticks (Including ticks that may transmit Lyme Disease and Rocky Mountain Spotted fever):** Do not make spot applications. Treat the entire area where exposure to ticks may occur. Use higher application rates when treating areas with dense ground cover or heavy leaf litter. Ticks may be reintroduced from surrounding areas on host animals. Retreat as necessary to maintain adequate control. Do not allow public use of treated areas during application.

Deer ticks (*Ixodes sp.*) have a complicated life cycle that ranges over a two year period and involves four life stages. Applications should be made in mid to latespring to control larvae and nymphs that reside in the soil and leaf litter.

American dog ticks may be a considerable nuisance in suburban settings, particularly where homes are built on land that was previously field or forest. These ticks commonly congregate along paths or roadways where humans are likely to be encountered. Applications should be made as necessary from mid-spring to early fall to control American dog tick larvae, nymphs and adults.

[Spreader Setting Table Inserted Here]

ORNAMENTAL AND HERB USE

For topdress onto or subdress into potting media used in containerized plantings of ornamental trees, shrubs, plants, flowers, conifers, Christmas trees, non-bearing fruit and nut trees, bushes and ornamental field production.

Outdoor Ornamentals

| Pest | Active Ingredient lb. per acre | Application Rate Talstar 0.096 Granular Insecticide with Fertilizer | |
|--|--------------------------------|---|---------------------------------|
| Armyworms ¹ Cutworms ¹ | 0.1 lb ai/A | 145 lb per acre | 3.33 lb per 1000 sq. ft |
| Fungus Gnats Leafhoppers Mealybugs Weevils White Grubs | 0.1 – 0.2 lb ai/A | 145-290 lb per acre | 3.33 -6.66 lb per 1000 sq. ft |
| Ants Centipedes Chinch Bugs ² European Crane Flies (larvae) ³ Fleas (Larvae) ⁴ Imported Fire Ants (Adult) ⁵ | 0.2 - 0.4 lb ai/A | 290-580 lb per acre | 6.66 – 13.33 lb per 1000 sq. ft |

| | | | |
|---|--|--|--|
| Imported Fire Ants (Mounds) ⁵ Millipedes Mole Cricket (Adult) ⁶ Mole Cricket (Nymph) ⁷ Pillbugs Sowbugs | | | |
|---|--|--|--|

Comments

¹**Armyworms and Cutworms:** To ensure optimum control, it is recommended to irrigate the treated area with up to 0.1 inches of water immediately after application to activate (release from the granule) the insecticide.

²**Chinch Bugs:** Chinch bugs infest the base of grass plants and are often found in the thatch layer. It is recommended to irrigate the treated area with up to 0.25 inches of water immediately after application to activate (release from the granule) the insecticide. Chinch bugs can be one of the most difficult pests to control in grasses and the higher applications rates may be required to control populations that contain both nymphs and adults during the summer.

³**European Crane Flies (larvae):** Treatments should be made to control early to mid-season larvae (approximately August – February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March - April) may only provide suppression. You may consult your local extension agent for specific recommendations for your area.

⁴**Flea larvae:** Flea larvae develop in the soil of shaded areas that are accessible to pets or other animals. Irrigate the treated area with up to 0.5 inches of water immediately after application to activate (release from the granule) the insecticide.

⁵**Imported Fire ants:** Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound drenches that will control existing colonies. If the soil is not moist, then it is important to irrigate before application. Broadcast treatments should apply 0.2 to 0.4 lb ai/A. Mounds should be treated by applying ½ cup of Talstar 0.096 Granular Insecticide with Fertilizer per mound and then drenching the mound with 1 to 2 gallons of water. The mounds should be treated with sufficient force to break their apex and allow the insecticide solution to flow into the ant tunnels. Treat three feet out around the mound. For best results, apply in cool weather (65 - 80° F) or in early morning or late evening hours.

⁶**Mole Cricket adults:** Achieving acceptable control of adult mole crickets is difficult because preferred grass areas are subject to continuous invasion during the early spring by this extremely active stage. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized. Grass areas that receive pressure from adult mole crickets should be treated at peak egg hatch to ensure optimum control of subsequent nymph populations (see below).

⁷**Mole Cricket nymphs:** Grass areas that received intense adult mole cricket pressure in the spring should be treated immediately prior to peak egg hatch. Optimal control is achieved at this time because young nymphs are more susceptible to insecticides and they are located near the soil surface where the insecticide is most concentrated. Control of larger, more damaging, nymphs later in the year may require both higher application rates and more frequent applications to maintain acceptable control. Applications should be made as late in the day as possible and should be watered in with up to 0.5 inches of water immediately after treatment. If the soil is not moist, then it is important to irrigate before application to bring the mole crickets closer to the soil surface where contact with the insecticide will be maximized.

leaf 6

Herbs

For topdress onto or subdress into potting media used in containerized plantings and field production of the following herbs: Angelica; balm; basil; borage; burnet; chamomile; catnip; chervil; chive; chive, chinese; clary; coriander (leaf); costmary; cilantro (leaf); curry (leaf); dillweed; horehound; hyssop; lavender; lemongrass; lovage (leaf); marigold; marjoram; nasturtium; parsley; pennyroyal; rosemary; rue; sage; savory, summer and winter; sweet bay; tansy; tarragon; thyme; wintergreen; woodruff; and wormwood. Minimum preshipment interval is 70 days for herbs listed above.

Potting Media

For Fungus Gnat larvae & Mealybugs use 5 to 10 ppm. For Black Vine Weevil larvae, Root Weevil larvae, White Grubs (including Japanese Beetle, oriental beetle and European chafer larvae) & Imported Fire Ants use 10 to 25 ppm. Use the higher rates for extended residual control.

| Pest | App. Rate (ppm) | Potting Media Bulk Density* (lbs. Talstar 0.069 Granular Insecticide Per Cubic Yard) | | | | |
|--------------------|-----------------|---|------|------|------|------|
| | | 200 | 300 | 400 | 500 | 600 |
| Fungus Gnat larvae | 5 | 1.4 | 2.2 | 2.9 | 3.6 | 4.3 |
| Mealybugs | 10 | 2.9 | 4.3 | 5.8 | 7.25 | 8.7 |
| Black Vine Weevil | 10 | 2.9 | 4.3 | 5.8 | 7.25 | 8.7 |
| Root Weevil larvae | 15 | 4.4 | 6.6 | 8.7 | 10.9 | 13.0 |
| White Grubs | 25 | 7.2 | 10.9 | 14.5 | 18.1 | 21.7 |
| Imported Fire Ants | | | | | | |

Comments: Incorporate appropriate amount of Talstar Granular insecticide in one cubic yard of potting media based on the known bulk density.

*lbs. of Talstar 0.069 Granular Insecticide per cubic yard
= bulk density of potting media x ppm
690

(bulk density = laboratory determined dry weight of a unit volume of potting media.)

APPLICATION INSTRUCTIONS FOR POTTING MEDIA FOR QUARANTINE USE:

Determine bulk density of the potting media by measuring the dry weight of a unit volume of the mix. Based on the length of control required, thoroughly mix the appropriate quantity of the Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer with equipment suitable to give uniform distribution in the potting media. Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer may be pre-mixed with an appropriate amount of sand (1:10) to ensure adequate distribution of the product of the mix.

Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer is approved under the USDA Plant Protection Imported Fire Ant Quarantine Certification program when used in accordance with USDA guidelines. Use the recommended application rates given in the table below to determine the length of control required for certification.

| Pest | USDA IFA Certification Period (mo) | App Rate (ppm) | Potting Media Bulk Density* (lbs. Talstar Granular Insecticide Per Cubic Yard) | | | | |
|-------------------|------------------------------------|----------------|---|------|------|------|------|
| | | | 200 | 300 | 400 | 500 | 600 |
| Imported Fire Ant | 0-6 | 10 | 2.9 | 4.3 | 5.8 | 7.25 | 8.7 |
| | 7-12 | 12 | 3.5 | 5.2 | 7.0 | 8.7 | 10.4 |
| | 13-24 | 15 | 4.4 | 6.6 | 8.7 | 10.9 | 13.0 |
| | Continuous | 25 | 7.2 | 10.9 | 14.5 | 18.1 | 21.7 |

Comments: Incorporate appropriate amount of Talstar® 0.069 GCGUPT1 Granular Insecticide with Fertilizer in one cubic yard of potting media based on the known bulk density.

If poor performance cannot be attributed to improper application or extreme weather conditions, a resistant strain of insect may be present. If you experience difficulty with control and suspect that resistance is a reasonable cause, immediately consult your local company representative or pest management advisor for the best alternative method of control for your area.

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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.

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12/9/2011

RESISTANCE

Some insects are known to develop resistance to products used repeatedly for control. Because the development of resistance cannot be predicted, the use of this product should conform to resistance management strategies established for the use area. Consult your local or state pest management authorities for details.

If resistance to this product develops in your area, this product, or other products with a similar mode of action, may not provide adequate control.