

279-3216



10/27/2003
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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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 per PR Notice 2001-1
Talstar® 0.069 GURR Granular Insecticide with 19-0-19 Fertilizer
EPA Reg. No. 279-3216
Your Submission Dated August 20, 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. Insert the missing text in the WPS exclusionary statement (2nd sentence of the Directions for Use) so that it reads: "Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes."
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. Add the following statement to the Hazards to Humans and Domestic Animals section: "Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet."
4. In footnote #1 for Imported Fire Ants, you should reference a product registered for mound treatments, since this product is not labeled for such use.
5. Change "restricted" to "registered" in the first line of the first paragraph on the front panel, so that it reads "For use by individuals/firms licensed or registered by the state ..."

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

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Talstar®

0.069 GURR Granular Insecticide
WITH 19-0-19 FERTILIZER

**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.**

279-3216



For use by individuals/firms licensed or restricted by the state to apply insecticide products. For use to control ants (including imported fire ants), mole crickets and other listed pests on lawns in landscaped areas around residential, institutional, public, commercial and industrial buildings, parks, recreational areas and athletic fields.

[Icon] Residential Building

[Icon] Institutional Building

[Icon] Public Building

[Icon] Commercial Building

[Icon] Industrial Building

[Icon] Parks

[Icon] Recreational Areas

[Icon] Athletic Fields

EPA Reg. No. 279-3216

EPA Est. 279-

| | |
|--------------------------------|---------------|
| Active Ingredient: | By Wt. |
| Bifenthrin* | 0.069% |
| Other Ingredients | 99.931% |
| | 100.0% |

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

Guaranteed Analysis 19-0-19

| | |
|--|--------|
| Total Nitrogen (N) | 19.00% |
| 19.00% Urea Nitrogen* | |
| Soluble Potash (K₂O) | 19.00% |
| Sulfur (S) Total | 16.90% |
| 9.90 % Free Sulfur (S) | |
| 7.00 % Combined Sulfur (S) | |
| Iron (Fe) Total | 1.00% |
| 0.001 % Soluble Iron (Fe) | |

Derived From: Poly Coated Sulfur Coated Urea, Sulfate of Potash, Iron Sulfate.

Chlorine (Cl) Max.

* 17.10 % Slowly Available Nitrogen from LESCO® Poly Plus® Sulfur Coated Urea.

LESCO and Poly Plus are registered trademarks of LESCO, Inc.



FMC Corporation
Agricultural Products Group
Philadelphia PA 19103

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.

| FIRST AID | |
|--|---|
| 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. |
| 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.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. 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. 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. Not for use on turf being grown for sale or other commercial seed production or for research purposes.

Do not apply more than 580 pounds of Talstar® 0.069GURR Granular Insecticide with 19-0-19 Fertilizer per acre per year.

Not for use on golf courses, sod farms, nurseries, commercial greenhouses or grass grown for seed.

RECOMMENDED SPREADER SETTINGS

Note: Following will be a list of application spreaders and appropriate settings. This list will vary depending on market of spreaders. (This note will not appear on final printed label).

Note: These spreader settings were established using standard equipment available from the spreader manufacturer at swath widths and speeds typically used within the industry. It is recommended that all spreader equipment be calibrated at the time of application to achieve the desired application rate.

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://www.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>.

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 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

Paper and plastic bags: Completely empty bag into application equipment. Then 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.

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 (11/18/99)

LAWN AND PERIMETER APPLICATIONS

Perimeter Application: Apply to lawn area 6 to 10 feet wide around and adjacent to the structure using an application rate of 3.33 to 6.66 pounds per 1,000 square feet.

Lawn Application: Broadcast Talstar® 0.069 GURR Granular Insecticide with 19-0-19 Fertilizer with suitable application equipment to ensure uniform coverage over the treatment area. Apply 3.33 to 6.66 pounds per 1,000 square feet to control the following pests.

Annual Blugrass Weevils (Hyperodes) (Adult)
Ants²
Armyworms
Billbugs (Adult)
Black Turfgrass Ataenius (Adult)
Centipedes²
Chinch Bugs²
Cutworms

Fleas²
Imported Fire Ants^{1,2}
Leathoppers
Mealybugs
Millipedes²
Mole Crickets²
Sod Webworms
Ticks²

Comments

¹Imported Fire Ants: Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound treatments that will eliminate existing colonies.

²The higher application rate may be required to control Ants, Centipedes, Chinch Bugs, Fleas, Imported Fire Ants, Millipedes, Mole Crickets & Ticks.

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 GURR Granular Insecticide with 19-0-19 Fertilizer if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

REVISIONS:

1. First Aid update per PR Notice 2001-1.
2. New Warranty Statement per PR Notice 98-10.