

279-3218

8-24-2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

NOTIFICATION

AUG 24 2007

AUG 24 2007

Mr. Christopher Davis
Registration Manager
FMC Corporation
APG Specialty Products Business
1735 Market Street
Philadelphia, PA 19103

SUBJECT: Application for Pesticide Notification (PRN 98-10) – Add Clarifying Statements
and New Marketing Claims
Talstar® 2.4% ME Insecticide/Miticide
EPA Reg. No. 279-3218
Application Dated July 16, 2007

Dear Mr. Davis:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 279-3218	2. EPA Product Manager LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Talstar 2.4% ME Insecticide/Miticide	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) FMC Corporation 1735 Market Street Philadelphia, PA 19103 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application.

Notification - Explain below. Other - Explain below.

NOTIFICATION
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Add new clarification statements and new marketing claims by notification.

On behalf of FMC Corporation, I certify that this notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Christopher Davis	Title Registration Manager	Telephone No. (Include Area Code) 215-299-6334
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Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

2. Signature 	3. Title Registration Manager	6. Date Application Received (Stamped)
4. Typed Name Christopher Davis	5. Date 7/16/07	

FMC Agricultural Products

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FMC Corporation
1735 Market Street
Philadelphia, PA 19103
215.299.6000 Phone
215.299.6145 Fax
www.fmc.com

July 16, 2007

Ms. Sherada Hobgood
United States Environmental Protection Agency
Office of Pesticide Programs (H7504P)
Document Processing Desk (NOTIF)
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

Dear Ms. Hobgood:

Subject: Talstar[®] 2.4 ME Insecticide/Miticide
EPA Reg. No. 279-3218

NOTIFICATION
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Notification per PR Notice 98-10

FMC has chosen via notification, to revise the labeling for the subject product. This notification is consistent with PR Notice 98-10, Section II Labeling Notifications; part N Other Revisions.

Specifically, the following revisions have been made:

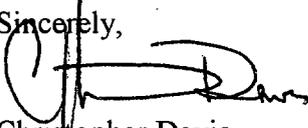
- Add a number of clarifying statements (such as X gallons treat Y square feet)
- Add several new marketing claims consistent with label directions

To complete this notification, enclosed please find the following:

- Application for Pesticide: Notification (EPA Form 8570-1).
- PR Notice 98-10 Certification Statement on form 8570-1
- Revised labeling for Talstar[®] 2.4 ME Insecticide/Miticide with changes highlighted in red (1 copy).

To expedite this request, I have supplied a postage-paid self-addressed postcard for the Agency to acknowledge this notification. If you have any questions, please feel free to contact me at (215) 299-6334 or by e-mail at chris.davis@fmc.com.

Sincerely,


Christopher Davis
Registration Manager
APG Specialty Products Business

FMC

Tal91-0

S:\r&d\federal\eparegistrations\bifenthrin\279-3218\279-3218 Notification to add mktg claims and clarification 7 16 07.doc

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NOTIFICATION
AUG 24 2007

Talstar® 2.4% ME Insecticide/Miticide

[FRONT]

Talstar®

Talstar® 2.4% ME Insecticide/Miticide

Ortho-Klor®

Ortho-Klor® MAX

Home Defense® Ortho-Klor®

MAX

Ortho-MAX

Ortho Home Defense® Max Termite and Destructive Bug Killer
(Formerly Ortho-Klor)

CONCENTRATE

[icon] **OUTDOOR HOMEOWNER POST CONSTRUCTION USE ONLY**

[banner] **KEEPS TERMITES AWAY FOR UP TO 5 YRS IN AREAS TREATED***

[banner] **KILLS CARPENTER ANTS**

[banner] **KILLS ON CONTACT [GUARANTEED]**

[banner] **TREATS UP TO 10600 SQ. FT.**

[banner] **1 QUART MAKES 64 GAL. FOR BROADCAST INSECT APPLICATION**

[banner] **1 QUART MAKES 10 GAL. FOR TERMITE CONTROL**

[banner] **KILLS WOOD-DESTROYING & OTHER HOME INVADING INSECTS!**

[banner] **KILLS WOOD & HOME-INVADING INSECTS ON CONTACT!**

[banner] **Ortho's Most Powerful Insect Killer**

[banner] **Creates a Barrier Against Termites**

[banner] **Kills Wood-Destroying & Other Home Invading Insects**

[banner] **Kills Termites (Including Subterranean), Carpenter Ants,
Carpenter Bees, Wood Infesting Beetles, Other Wood
Destroying Insects**

[banner] **One-Pint Coverage**

[banner] **Termites- Makes 5 Gallons; Treats up to 37.5 Linear Feet**

[banner] **Broadcast Insects- Makes 32 Gallons; Treats up to 5,300
sq feet**

Home Perimeter [graphics], Woodpiles [graphics], Wood Surfaces/
Fences [graphics], Tree Stumps [graphics]

Ready-Spray®

Ready-Spray® Applicator

Hose-End Sprayer

Auto-Dose Spray

Self-Mix Sprayer

Add Hose & Spray!

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Drench-Spray
Easy-Spray
Just Minutes to Spray!
No Messy Measure or Mix
Less tools, less toil.
Dig & Spray
Saturating sprayer
Spray Saturator

Controls/Kills Wood Destroying Insects

Do not use inside dwellings. For use around existing structures, not for pre-construction use.

***Not in MA, NY & RI.**

*Also Kills Ticks
That May Transmit
Lyme Disease*

Active Ingredient
Bifenthrin* 2.4%
Other Ingredients 97.6%

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

KEEP OUT OF REACH OF CHILDREN

CAUTION See back panel booklet for additional precautionary statements.

NET 32 FL OZ (1 QT) 946 mL/ 16 FL OZ (1 PINT) 473 mL

ORTHO® For results you can trust!
From Ortho®...Always the right solution!

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[BACK COVER PAGE]

Talstar®

Talstar® 2.4% ME Insecticide/Miticide

[corner flap]

OPEN

**Resealable Label
for Directions &
Precautions**

PRESS TO RESEAL [Placed on base of label.]

An easy to apply product to control wood-destroying, home-invading and lawn insects.

Talstar® 2.4% ME should be shaken well before use.

ORTHO Home Defense MAX Termite & Destructive Bug Killer should be shaken well before use.

Product Facts	
Treats up to 10,600 sq. ft.	
KILLS INSECTS	Termites, carpenter ants and other insects including argentine ants, boxelder bugs, carpenter bees, chinch bugs, clover mites, crickets, elm leaf beetles, firebrats, fleas, grasshoppers, German cockroaches, harvester ants, sod webworms, millipedes, mole crickets, mosquitoes, pharaoh ants, scorpions, spiders, termites (workers and winged), and ticks
WHERE TO USE	Lawns, porches, patios, foundations, wood piles and stored lumber
AMOUNT TO USE	<ul style="list-style-type: none"> • Termites: 3.2 fl oz (6 1/2 Tbs.) per gallon of water for each 2 1/2 linear feet of trench • All other pests: 0.5 fl oz (1 Tbs.) per gallon of water sprayed over 167 sq. ft.
HOW TO APPLY	Easy to apply with Ortho Dial 'N Spray, or Ortho Lawn & Garden tank sprayer.
[phone icon]	Questions, Comments or Medical Information call 1-800-321-1362 www.fmc-apgspec.com

Specially formulated for residential use.

DO NOT USE INSIDE DWELLINGS

Manufactured by:
The FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia, PA 19103
EPA Reg. No. 279-3218
EPA Est. 279-

Made in USA

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[BACK]

Ortho & Your Environment- Your yard is a place for family and pets to enjoy. That's why Ortho products are designed with care to provide effective solutions to weed problems. For best results and a healthy environment, please follow instructions for appropriate usage, storage and disposal.

DIRECTIONS FOR USE

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

Talstar® 2.4% ME Insecticide/Miticide is a high-performance product. Talstar 2.4% ME has a long residual, providing up to 16 weeks control of Cockroaches and up to 12 weeks control of other pests. Talstar 2.4% ME is:

- Virtually odor-free
- Fast-acting
- Water-based
- Easy-to-use
- Non-staining
- Broad-spectrum
- Kills Ants, Earwigs, Fleas, Insects, Mites, Roaches, Silverfish, Spiders, Ticks & Other Listed Pests
- For Outdoor Use Only

1 Tablespoon (Tbs.)=3 teaspoons (tsp.) 1 fl oz = 2 Tbs. 4 fl oz = 1/2 cup. Do not use household utensils to measure Talstar® 2.4% ME Insecticide/Miticide. Utensils such as spoons and measuring cups must not be used for food purposes after use in measuring pesticides.

DO NOT treat structures that contain cisterns, wells, french drains or sump systems. Soil in the vicinity of wells, cisterns or ponds should not be treated. For those situations, contact your County Cooperative Extension Agent or consult a commercial pest control service. DO NOT treat soil that is water saturated or frozen, or in any conditions where run-off or movement from the treatment area (site) is likely to occur. DO NOT apply while it is raining. DO NOT use on pets. DO NOT use on edible or ornamental plants. Spray drift onto these plants should be rinsed off immediately with water.

SUBTERRANEAN TERMITES (OUTDOORS)* -or- TO CREATE A BARRIER AGAINST TERMITES (OUTDOORS)

Kills and control subterranean termites. Chemicals for soil treatment are used to establish a barrier against termites. The chemical emulsion must be adequately dispersed in the soil to

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provide a barrier between the wood in the structure and the termite colonies in the soil. Barriers may be established in the soil on the outside perimeter of the house by trenching using a rate of 4 gallons of emulsion per 10 linear feet per foot of depth. A complete termite barrier may require treatment with another EPA registered product to the inside perimeter of the foundation and to other interior critical areas. For these situations contact a licensed pest control operator for treatment. Prevents subterranean termite infestations. For outdoor homeowner post-construction use only. DO NOT use under slabs, in crawl spaces or indoors. If termites are found within the house or structure, contact a licensed pest control operator for treatment.

*Not in MA, NY & RI.

MIXING INSTRUCTIONS for Termites

USE A SPRINKLING CAN. Add 3.2 fl oz (6 1/2 Tbs.) to 1 gallon of water for each 2 1/2 linear feet*.

* 1 quart of Talstar® 2.4% ME Insecticide/Miticide will make 10 gallons of diluted solution and covers 25 linear feet.

HOW TO APPLY

Trench Treatment -or- Site Preparation [graphics]

- Remove all wood debris and wood forms.

Mix Product [graphics]

- Add 3.2 fl oz (6 1/2 Tbs.) to 1 gallon of water for each 2 1/2 linear feet.

Dig Trench [graphics]

- **Poured Concrete Foundations:** Dig a trench next to the foundation 6 inches wide and 4 inches deep or down to the top of the footing, whichever is less.
- **Brick and Block Foundations:** Dig a trench 6 inches wide and 12 inches deep. If the footing is more than 12 inches deep, make holes with a crowbar, pipe or steel rod about 1 foot apart that extend from the bottom of the trench to the top of the footing. Make holes closer in hard packed clay soils.
- To avoid shifting your house foundation, never dig below the top of the footing.

Pour Half in Trench [graphics]/ Pour Remaining Half to Backfill [graphics]

- Apply the diluted solution (emulsion) in the trench at a rate of 4 gallons per 10 linear feet per foot of depth.
- Apply half volume of the diluted product with a sprinkling can in the trench. Apply other half to the backfill as the trench is refilled.

Fence Posts- New Installation

- Use a sprinkling can. Pour 1/2 gallon of diluted product into fence post hole and add another 1/2 gallon to the soil when filling the hole so that all the fill soil is treated to form a protective barrier.

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Fence Posts - Existing

Create an insecticidal barrier in the soil around wooden constructions such as signs, fences and landscape ornamentation.

- Previously installed poles and posts may be treated by digging a trench 2" to 6" deep around the post, and then making holes to the depth of the post using a pipe or metal rod. Pour in the emulsion and allow it to gravity-flow through the holes. Treat on all sides to create a continuous insecticidal barrier around the pole. Apply half of the volume of the emulsion to the trench and holes. Apply the other half to the backfill as the trench is refilled.
- Use 1 gallon of emulsion per foot of depth for poles and posts less than six inches in diameter.
- For larger poles, use 1.5 gallons of emulsion per foot of depth.
- For larger constructions, use 4 gallons per 10 linear feet per foot of depth.

WHEN TO REAPPLY

Reapplication for subterranean termites should only be made when there has been a disruption of the chemical barrier in the soil due to construction, excavation, landscaping, etc. Reapplication should be made as a spot treatment to those areas. Annual reapplication of the entire premises must be avoided.

TO CONTROL HOME-INVADING PESTS LIKE TERMITES, CARPENTER ANTS, CARPENTER BEES, WOOD DESTROYING BEETLES, AND OTHER HOME INVADING PESTS (OUTDOORS)

ORTHO® HOME DEFENSE MAX® TERMITE & DESTRUCTIVE BUD KILLER can be used to control Home Invading Pests such as Termites, Ants (Including Carpenter ant, red harvester, pavement, odorous pyramid, Argentine and pharaoh) carpenter bees, beetles, boxelder bugs, centipedes, chiggers, crickets, earwigs, firebrats, fleas, German cockroaches, house flies, hornets, millipedes, scorpions, silverfish, sowbugs, spiders (including black widow and brown recluse), springtails, ticks, wasps, wood destroying beetles, and yellow jackets-**OUTDOORS**

For use against hornets, wasps and yellow jackets: Application should be made in the late evening when insects are at rest. Aim spray at nest openings in ground, bushes and in cracks and crevices which may harbor nests, saturating nest openings and contacting as many insects as possible.

HOW TO APPLY Home Invading Pests

MIXING INSTRUCTIONS for Home Invading Pests

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AMOUNT TO USE

When using a tank sprayer

- 0.5 fl oz (1 Tbs.) per gallon of water to be sprayed over 167 sq. ft. (1 gallon treats 167 sq ft)

When using the Ortho® Dial 'N Spray® applicator

1. Set dial to 0.5 fl oz. (1 Tbs.)
2. Add 3.2 fl oz (6 1/2 Tbs.) to sprayer jar. **DO NOT** add water.
3. Attach hose to the sprayer.
4. Spray evenly over 1,000 sq. ft until jar is empty.

Treatment For Wood Destroying Pests (Outdoors)

Localized Areas Outdoors: For the control of insects such as termites, ants, carpenter ants, and wood-infesting beetles such as Old House Borer and Powder Post in localized areas of infested wood around structures, apply emulsion to voids and galleries in damaged wood and in spaces between wooden members of a structure and between wood and foundations where wood is vulnerable. Paint on or fan spray applications may also be used.

HOW TO APPLY

Wood Treatment Application

- Fences and Outdoor Wood Surfaces of Buildings: Apply evenly on wood surfaces. Allow to dry and repeat to ensure the insecticide soaks into the wood.
- Wood Piles and Stored Lumber: Use a Dial N Spray or Ortho garden tank sprayer or a sprinkling can to deliver a coarse drenching spray. Treated wood can be burned or used for building one month after treatment.

Perimeter Treatment Application

- To keep insects from entering the house, use a hose-end or tank sprayer to spray a 3 to 10 foot band of soil around the house next to the foundation. Also spray the foundation of the house to a height of 2 to 3 feet. House siding may be treated if pests such as gypsy moth adults and caterpillars, boxelder bugs, elm leaf beetles, earwigs, or silverfish are present.

LAWN PESTS (OUTDOORS)

For above the ground insects including armyworms, chiggers, chinch bugs, clover mites, crickets, cutworms, dichondra flea beetles, earwigs, fleas, grasshoppers, sod webworms, ticks-

OUTDOORS

For below the ground insects including mole crickets and European crane flies -**OUTDOORS**

MIXING INSTRUCTIONS for Lawn Pests

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AMOUNT TO USE

When using a tank sprayer

- 0.5 fl oz (1 Tbs) per gallon of water to be sprayed over 167 sq. ft.

When using the Ortho® Dial 'N Spray®

1. Set dial to 0.5 fl oz.
2. Add 3.2 fl oz (6 1/2 Tbs.) to sprayer jar.
3. **DO NOT** add water.
4. Spray evenly over 1,000 sq. ft until jar is empty.

HOW TO APPLY

- Measure lawn. Calculate square feet by multiplying length times width. [*walking man icon*]
- Spray evenly over measured area. Treat entire lawn.

WHEN TO REAPPLY

- Repeat application is necessary only if there are signs of renewed insect activity. Repeat application should be limited to no more than once per seven days.

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 2.4% ME if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

MOSQUITOES (OUTDOORS)

Mosquitoes coming to rest on areas treated for the control of lawn and home-invading pests will be killed for varying periods of time after application, depending on exposure of treated areas to environmental conditions.

For Ant and Fire Ant Mounds use Talstar 2.4% ME as a Drench Method

Apply 1-2 gallons of emulsion to each mound area by sprinkling the mound until it is wet and treat a 4 foot diameter circle around the mound. Use the higher volume for mounds larger than 12". For best results, apply in cool weather, such as in early morning or late evening hours, but not in the heat of the day. Treat new mounds as they appear.

STORAGE AND DISPOSAL [Add box around heading.]

STORAGE: Keep out of reach of children and animals. Store in original containers only. Protect from freezing. Store in a cool, dry place, preferably in a locked storage area and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into drink containers.

PESTICIDE CONTAINER DISPOSAL:

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

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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.

PRECAUTIONARY STATEMENTS [Add box around heading.]

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

[Reentry icon] People and pets may enter treated area after application has dried.

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 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 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 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	

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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).

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 of 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. [Add CR.]

Dealers Should Sell in Original Packages Only

Terms of Sale or Use: On purchase of this product buyer and user agree to the following conditions:

Warranty: FMC makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. Except as so warranted, the product is sold as is. Buyer and user assume all risk of use and/or handling and/or storage of this material when such use and/or handling and/or storage is contrary to label instructions.

Use of Product: FMC's recommendations for use of this product are based upon tests believed to be reliable. The use of this product being beyond the control of the manufacturer, no guarantee, expressed or implied, is made as to the effects of such or the results to be obtained if not used in accordance with directions or established safe practice.

Damages: Buyer's or user's exclusive remedy for damages for breach of warranty or negligence shall be limited to direct damages not exceeding the purchase price paid and shall not include incidental or consequential damages.

NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

Talstar and FMC - Registered trademarks of the FMC Corporation.

[phone icon] **Questions, Comments or Medical information**
call 1-800-321-1FMC (1362) www.fmc-aggspec.com

Manufactured by:
The FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia, PA 19103
EPA Reg. No. 279-3218
EPA Est. 279-

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Made in USA