

279-3218


6/30/2011

10 of 13

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 30, 2011

Ms. Jill Holihan
FMC Corporation
1735 Market Street
Philadelphia, PA 19103


Subject: Amendment – Response to Agency’s April 14, 2011 letter
Talstar 2.4% ME Insecticide/Miticide
EPA Reg. No. 279-3218
Your submission dated May 17, 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 subject to the comments listed 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. On page 7, replace “Talstar® 2.4% ME Insecticide/Miticide can be used to control Home Invading Pests such as Termites, Ants etc” with “Talstar® 2.4% ME Insecticide/Miticide can be used to control listed Home Invading Pests including Termites, Ants etc”.
2. On page 8, replace “Localized Areas Outdoors: For the control of insects such as termites, ants, carpenter ants, and wood-infesting beetles such as Old House Borer ... etc” with “Localized Areas Outdoors: For the control of insects including termites, ants, carpenter ants, and wood-infesting beetles including Old House Borer ... etc”.
3. On page 4 delete “Broad-spectrum”

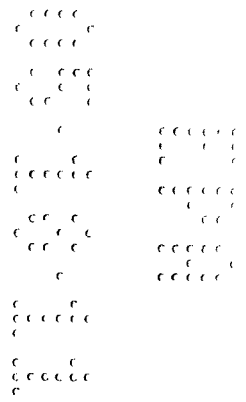
If you have any questions regarding this action, please contact BeWanda Alexander at Alexander.bewanda@epa.gov or (703) 305-7460.

Sincerely,

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

Enclosure

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!
- 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 Listed 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.

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!

[BACK COVER PAGE]

Talstar®

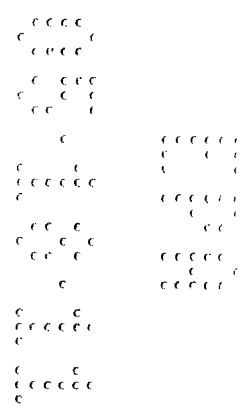
Talstar® 2.4% ME Insecticide/Miticide

[corner flap]

OPEN

**Resealable Label
for Directions &
Precautions**

PRESS TO RESEAL [Placed on base of label.]



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

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

Product Facts	
Treats up to 10,600 sq. ft.	
KILLS INSECTS	Termites, carpenter ants and other listed 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 listed 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

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

[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.

Do not water the treated area to the point of run-off. Do not make applications during rain. All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

- (1) Treatment to soil or vegetation around structures;
- (2) Applications to lawns, turf, and other vegetation;
- (3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

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 listed pests. Talstar 2.4% ME is:

- Virtually odor-free
- Fast-acting
- Water-based
- Easy-to-use
- Non-staining
- Broad-spectrum

- Kills Ants, Earwigs, Fleas, 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.

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

SUBTERRANEAN 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 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.

Fence Posts - Existing

Create an insecticidal barrier in the soil around wooden constructions including 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 must only be made when there has been a disruption of the chemical barrier in the soil due to construction, excavation, landscaping, etc. Reapplication must be made as a spot treatment to those areas. Annual reapplication of the entire premises must be avoided.

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

Talstar® 2.4% ME Insecticide/Miticide 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

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 including 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
AMOUNT TO USE
When using a tank sprayer
<ul style="list-style-type: none"> 0.5 fl oz (1 Tbs) per gallon of water to be sprayed over 1,000 sq. ft.
When using the Ortho® Dial 'N Spray®
<ol style="list-style-type: none"> Set dial to 0.5 fl oz. Add 3.2 fl oz (6 1/2 Tbs.) to sprayer jar. DO NOT add water. 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 must 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: Nonrefillable. Do not reuse or refill this container. Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency 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 and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

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

<p>If inhaled</p>	<p>for treatment advice.</p> <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.
<p>HOTLINE NUMBER</p>	
<p>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.</p>	
<p>NOTE TO PHYSICIAN</p>	
<p>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.</p>	
<p>For Information Regarding the Use of this Product Call 1-800-321-1FMC (1362).</p>	

ENVIRONMENTAL HAZARDS: This pesticide is extremely toxic to fish and aquatic invertebrates. 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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems. 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 Must 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: To the extent consistent with applicable law, 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-apgspec.com

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