

279-3223



10/24/2003
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 24 2003

OFFICE OF
PREVENTION PESTICIDES
AND TOXIC SUBSTANCES

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® 0.073 GCGURR Granular Insecticide with 19-0-19 Fertilizer
EPA Reg. No. 279-3223
Your Submission Dated August 21, 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.

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

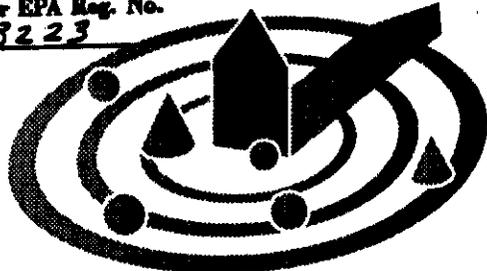
ACCEPTED
with COMMENTS
In EPA Letter Dated:

OCT 24 2003

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
279-3223

Talstar®

0.073 GURR Granular Insecticide
WITH 19-0-19 FERTILIZER



For use by individuals/firms licensed or registered by the State to apply pesticide products. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the Pest Control Regulatory Agency of your State prior to use of the product. For use to control Ants (including Imported Fire Ants), Mole Crickets and other Insect pests on lawns.

EPA Reg. No. 279-3223

EPA Est. 279-

Active Ingredient:	By Wt.
Bifenthrin*	0.073%
Inert Ingredients	99.927%
	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. 2.00%
* 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:

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 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.
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 swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

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 550 pounds of Talstar 0.073 GURR 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.

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.

LAWN AND PERIMETER APPLICATIONS

Perimeter Application: Apply to ground area 6 to 10 feet wide around and adjacent to the structure using an application rate of 3.13 to 6.25 pounds per 1,000 square feet.

Lawn Application: Broadcast Talstar® 0.073 GURR Granular Insecticide with 19-0-19 Fertilizer with suitable application equipment to ensure uniform coverage over the treatment area. Apply 3.13 to 6.25 pounds per 1,000 square feet to control the following pests.

A	Biograss Weevils (Hyperodea)	Fleas ³
Ants		Imported Fire Ants ^{2,3}
Armyworms		Leafhoppers
Billbugs		Mealybugs
Black Turfgrass Ataxenus		Millipedes
Centipedes ³		Mole Crickets ³
Chinch Bugs		Sod Webworms
Cutworms		Ticks ³
Deer Ticks ^{1,3}		

Comments

¹Deer 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 late spring to control larvae and nymphs that reside in the soil and leaf litter.

²Imported Fire ants: Control will be optimized by combining broadcast applications that will control foraging workers and newly mated fly-in queens with mound treatments (using Talstar Lawn & Tree Flowable) that will eliminate existing colonies.

³The higher application rate may be required to control Ants, Centipedes, Fleas, Imported Fire Ants, Millipedes, Mole Crickets & Ticks (including Deer 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® 0.073 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.

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>.

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 (1/12/00)

REVISIONS:

1. First Aid update per PR Notice 2001-1.
2. New Warranty Statement per PR Notice 98-10.
3. Addition of web addresses.
4. Coverage statement.