

Ms. Nancy Hilton  
FMC Corporation  
1735 Market Street  
Philadelphia, PA 19103

JAN 18 2007

Dear Ms. Hilton:

Subject: Amendment- add New Food Feed Handling Establishments Use  
from Pesticide Petition 4F6893  
Zeta- Cyp EW Insecticide  
EPA Registration Number 279-3243  
Your submission dated December 17, 2004

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(7)(B), is acceptable provided that you:

1. Submit and/or cite all data or other material required for registration/reregistration of your product under FIFRA section 3(c)(5) or FIFRA section 4 when the Agency requires all registrants of similar products to submit such data.
2. You agree to repeat the food handling study, but analyze the following individual foods (instead of composite meals) for residues of zeta- cypermethrin: butter, slices of cheese (not low fat) and meat, bread, lettuce, and sugar. As with the ongoing study, both covered and uncovered samples of these foods must be analyzed. These data must be submitted to the Agency within two years of the date of this letter.
3. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:
  - a. Immediately under Indoor Directions add the following precaution: "In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed."
  - b. Revise sections of the warranty statement as follows:
    - (1) Change "should" to "must" in the first sentence.
    - (2) Add, "Except as warranted by this label "to the beginning of the statement" FMC makes no warranties... etc.
    - (3) Replace "In no event shall FMC or seller" with "To the extent consistent with applicable law FMC or seller shall not be liable... etc.
    - (4) Add "To the extent consistent with applicable law" to the beginning of the sentence, "The exclusive remedy of the user or buyer ... etc."

4. Submit three (3) copies of your final printed labeling before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact Linda A. DeLuise of my team at (703) 305-5428.

Sincerely yours,

George T. LaRocca  
Product Manager (13)  
Insecticide Branch  
Registration Division (7505P)

Enclosure

# Zeta-Cyp EW Insecticide

Only for Sale to, Use and Storage by Professional Pest Control Operators

EPA Reg. No. 279-3243

EPA Est. 279-

<b>Active Ingredient:</b>	<b>By Wt.</b>
Zeta-Cypermethrin* .....	17.1%
Other Ingredients: .....	82.9%
	<u>100.0%</u>

\*Zeta-Cyp contains 1.5 pounds active ingredient per gallon.  
\*Cis/trans ratio: Max. 55% (±) cis and min. 45% (±) trans  
U.S. Patent No. Pending

**KEEP OUT OF REACH OF CHILDREN**

## WARNING

See other panels for additional precautionary information.

**ACCEPTED  
with COMMENTS  
in EPA Letter Dated**

**JAN 18 2007**

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
or extended registration of the  
registrant

279-3243



FMC Corporation  
Agricultural Products Group  
Philadelphia PA 19103

FIRST AID	
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
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	
Skin contact (vapor or powder) may be followed by transient tingling or numbness, usually of the face, but this subsides without treatment. This product is a pyrethroid. If large amounts have been ingested, the stomach and intestines should be evacuated. Treatment is symptomatic and supportive.	
For information regarding the use of this product call 1-800-321-1FMC (1362).	

## PRECAUTIONARY STATEMENTS

### Hazards to Humans (and Domestic Animals)

#### Warning

May be fatal if swallowed. Harmful if inhaled or absorbed through the skin. Causes moderate eye irritation. Avoid breathing vapors or spray mist. Avoid contact with skin, eyes or clothing. The active ingredient may cause sensitization reaction in some individuals. Get medical attention if irritation persists.

#### Personal Protective Equipment:

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection chart.

**Handlers who may be exposed to the dilute through application or other tasks must wear:** Long-sleeved shirt and long pants, chemical-resistant gloves such as Barrier Laminate or Butyl Rubber, or Nitrile Rubber or Neoprene Rubber or Polyvinyl Chloride or Viton, and shoes plus socks.

**Handlers who may be exposed to the concentrate through mixing, loading, application or other tasks must wear:** Long-sleeved shirt and long pants, chemical-resistant gloves such as Barrier Laminate or Butyl Rubber, or Nitrile Rubber or Neoprene Rubber or Polyvinyl Chloride or Viton, shoes plus socks, and protective eyewear.

4 8 6

## Environmental Hazards

This product is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water, 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 runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops if bees are visiting the treatment area.

## DIRECTIONS FOR USE

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

## SHAKE WELL BEFORE USING

### STORAGE AND DISPOSAL

#### Pesticide Storage

Do not freeze. 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, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food or feed by storage or disposal.

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: Dike surrounding area or absorb with sand, cat litter, or commercial clay. Place damaged package in a holding container. Identify contents.

#### Pesticide Disposal

Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative of the nearest EPA Regional Office for guidance.

#### Container Disposal

Metal Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities. Do not cut or weld metal containers.

Plastic Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Returnable/Refillable Sealed Containers: Do not rinse container. Do not empty remaining formulated product. Do not break seals. Return intact to point of purchase.

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in interior plantscapes, ornamental gardens or parks, or lawns and grounds.

For residual pest control in and on buildings and structures and their immediate surroundings and on modes of transport. Permitted areas of use include industrial buildings; houses; apartment buildings; laboratories; buses; greenhouses; and the nonfood/feed and food/feed areas of stores, warehouses, vessels, railcars, trucks, trailers, aircraft (do not use in aircraft cabins), schools, nursing homes, hospitals, restaurants, hotels, and food manufacturing, processing, and servicing establishments.

Zeta-Cyp EW Insecticide is to be diluted with water for spray or brush application. Fill sprayer with the desired volume of water and add Zeta-Cyp EW Insecticide. Close and shake before use in order to insure proper mixing. Mix only the amount of solution needed for the application; repeat applications may be necessary to achieve control. Repeat application should be limited to no more than once per seven days.

## INDOOR USE

Pests	Concentration of Active Ingredient	Dilution Rate
Ants Biting Flies Boxelder Bugs Chiggers Crickets Earwigs Elm Leaf Beetles Firebrats Flies Millipedes Pillbugs Silverfish Sowbugs	0.05%	3/8 fluid ounce per 1 gallon of water

Apply a 0.05% solution at a rate of 1 gallon per 1,000 square foot for pests indoors. To prepare a 0.05% solution, ready to use, dilute 3/8 fluid ounces of this product per gallon of water.

**Crickets, Firebrats, Silverfish:** Apply as a coarse, low pressure spray to areas where these pests hide, such as baseboards, corners, storage areas, closets, around water pipes, doors and windows, attics and eaves, behind and under refrigerators, cabinets, sinks, furnaces, and stoves, the underside of shelves, drawers and similar areas. Pay particular attention to cracks and crevices; also see OUTDOOR USE.

**Ants:** Apply to any trails, around doors and windows and other places where ants may be found. (Refer to the Treatment directions in the OUTDOOR USE).

**Boxelder Bugs, Earwigs, Elm Leaf Beetles, Millipedes, Pillbugs, Sowbugs:** Apply around doors and windows and other places where these pests may be found or where they may enter premises. Spray baseboards, storage areas and other locations. (Refer to the Treatment directions in the OUTDOOR USE).

**Flies:** Apply directly to walls, ceilings, window screens, and other fly resting areas as a residual surface treatment. May be used inside residential buildings as well as in and around carports, garages, and storage sheds; also see the OUTDOOR USE.

## FOOD/FEED HANDLING ESTABLISHMENT APPLICATIONS

Applications of this product are permitted in both food/feed and non-food areas of food/feed handling establishments as a general surface, spot, or crack and crevice treatment.

Food/feed handling establishments are defined as places other than private residences in which exposed food/feed is held, processed, prepared or served. Included also are areas for receiving, storing, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups) of food. Serving areas where food is exposed and the facility is in operation are also considered food areas.

Permitted non-food areas of use include, garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, garages, mop closets and storage (after canning or bottling).

Permitted use sites include, but are not limited to: Aircraft (do not use in occupied aircraft cabins), apartment buildings, bakeries, bottling facilities, breweries, buses, cafeterias, candy plants, canneries, dairy product processing plants, food manufacturing plants, food processing plants, food service establishments, granaries, grain mills, hospitals, hotels, industrial buildings, laboratories, meat/poultry/egg processing plants, mobile/motor homes, nursing homes, offices, railcars, restaurants, schools, ships, trailers, trucks, vessels, warehouses and wineries.

**General Surface Application:** Do not use this application method in food/feed handling establishments when the facility is in operation or foods/feeds are exposed. Do not apply directly to food products. Cover or remove all food processing and/or handling equipment during application. After application in food processing plants, bakeries, cafeterias and similar facilities, wash all equipment, benches, shelving and other surfaces which food will contact. Clean food handling or processing equipment and thoroughly rinse with clean, fresh water.

**Spot, Crack and Crevice Application:** Spot or crack and crevice applications may be made while the facility is in operation; however, food should be covered or removed from area being treated. Do not apply directly to food.

### OUTDOOR USE - Pest Control on Outside Surfaces and Around Buildings

For control of ants, biting flies, boxelder bugs, chiggers, crickets, earwigs, elm leaf beetles, firebrats, flies, millipedes, pillbugs, silverfish, and sowbugs. Apply by brush or as a residual spray either by hand or power sprayer. Apply to surfaces of buildings, porches, screens, window frames, eaves, patios, lawns areas adjacent to or around private homes, duplexes, townhouses, condominiums, house trailers, apartment complexes, carports, garages, fence lines, storage sheds, barns, and other residential structures, commercial, industrial and institutional buildings, vegetation, refuse dumps, garages and in other areas where pests are found.

**Perimeter Treatment:** To prevent infestation of buildings, apply to a band of soil and vegetation 5 to 10 feet wide around and adjacent to the building. Also, treat the building foundation to a height of 2 to 3 feet where pests are active and may find entrance. Apply as a coarse spray. Thoroughly and uniformly wet the band area, using 1 gallon of spray mix per 400 square feet.

The surface to be treated should be dry at the time of application. Attics and unoccupied lofts should be treated at the same time and at the same rate.

**ATTENTIC.**

- Do not use water base sprays of Zeta-Cyp EW Insecticide in conduits, motor housings, junction boxes, switch boxes, or other electrical equipment because of possible shock hazard.
- Do not apply this product to edible crops.
- Keep people and pets off surfaces until dry.
- Protect aquariums from spray mist.
- For best results, thoroughly wash out sprayer and screen with water and detergent before using Zeta-Cyp EW Insecticide.
- Do not use this product with oil.
- Do not treat pets with this product.
- During any application to overhead interior areas of structure, cover surface below with plastic shielding or similar material.
- Do not use as a space spray.
- Use only in well ventilated areas.
- Do not apply in patient rooms while occupied or in any rooms while occupied by the elderly or infirm.
- Do not apply to classrooms when in use.
- Do not apply to institutions (including libraries, sports facilities, etc.) in the immediate area when occupants are present.
- Do not use in warehouses where raw or cured tobacco is stored.
- Do not use in warehouses while raw agricultural commodities for food or feed are being stored.
- Do not use in greenhouses where crops for food or feed are grown.
- Do not apply this product to soil in crawlspaces.

Pest	Specific Instructions																					
Ants	Apply as a pinstream, as a fine/coarse, low-pressure spray, as a spot treatment or with a paintbrush. Treat where pests are found or at entry points of the structure such as window and door frames and along the foundation.  <sup>1</sup> Drench Method: Apply 1 to 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 inches. For best results, apply in cool weather, such as in early morning or late evening hours, but not in the heat of the day.  <sup>2</sup> Boxelder Bugs, Elm Leaf Beetles, Gypsy Moth Caterpillars: Spray tree trunks, building siding or wherever pests congregate, to the point of runoff.  <sup>3</sup> Borers and Bark Beetles: To prevent infestation of trees and woody ornamentals, spray the bark to the point of runoff.  <sup>4</sup> For residential lawns, apply this product at the rate of 0.22 to 0.43 fl oz per 1,000 sq ft in a volume of water sufficient for uniform coverage such as 3 to 20 gallons. Use the lower rate to knock down and the higher rate where faster knockdown or greater residual is desired. For example, refer to table below:																					
Ant Mounds <sup>1,4</sup>																						
Armyworm <sup>4</sup>																						
Bark Beetles <sup>3</sup>																						
Borers <sup>3</sup>																						
Boxelder Bugs <sup>2</sup>																						
Carpenter Ants																						
Carpenter Bees																						
Chinchbugs <sup>4</sup>																						
Crickets																						
Earwigs	<table border="1"> <thead> <tr> <th>Lawn</th> <th>Sq Ft</th> <th>Oz of Zeta-CYP EW</th> <th>Gals. of Water</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Small</td> <td>2,000</td> <td>0.43 to 0.83</td> <td>8 to 50</td> </tr> <tr> <td>4,000</td> <td>0.83 to 1.66</td> <td>16 to 100</td> </tr> <tr> <td rowspan="2">Medium</td> <td>6,000</td> <td>1.3 to 2.5</td> <td>24 to 150</td> </tr> <tr> <td>12,000</td> <td>2.6 to 5</td> <td>48 to 300</td> </tr> </tbody> </table>				Lawn	Sq Ft	Oz of Zeta-CYP EW	Gals. of Water	Small	2,000	0.43 to 0.83	8 to 50	4,000	0.83 to 1.66	16 to 100	Medium	6,000	1.3 to 2.5	24 to 150	12,000	2.6 to 5	48 to 300
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Elm Leaf Beetles <sup>2</sup>																						
Firebrats																						
Flies																						
Ground Beetles																						
Gypsy Moths (adult & Caterpillars) <sup>2,4</sup>																						
Millipedes																						
Mole Crickets <sup>4</sup>																						
Pillbugs <sup>4</sup>																						
Silverfish																						
Sod																						
Webworms <sup>4</sup>																						
Sowbugs																						

Lawn should not be longer than 3 inches at the time of application. Application in combination with compatible surfactants may enhance penetration. And climates generally require the higher volume

Do not apply more than one pound active ingredient per acre per year.

**Directions for Power Spray Use:** Dilute 1 1/4 to 4 1/2 fl oz of Zeta-Cyp EW Insecticide per 50 gallons of water. Use 1 to 10 gallons per 1000 square feet to provide adequate and thorough coverage. Use higher volumes (up to 10 gallons) per 1000 square feet when, for example, applying in dense foliage for optimal penetration.

**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.