

279-3243

04/19/2007

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

APR 19 2007

Dear Ms. Hilton:

Subject: Amendment- New Use, Non-Food/Indoor/Outdoor
Zeta- Cyp EW Insecticide
EPA Registration Number 279-3243
Your submissions dated December 13, 2004, January 4, and April 17,
2007

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. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:

- a. As stated in our January 18, 2007 letter: 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." This statement pertains to all indoor uses, not just food uses.
- b. Since you listed all the crops in the crop groupings delete the phrase, "but not limited to" throughout the labeling.
- c. Revise the user category on the front panel to read "For Use and Storage by Licensed Pest Control Operators".
- d. Revise the bed bug directions to read as follows: "Apply to crack and crevices where evidence of bed bugs occurs. This includes bed frames, box springs, inside empty dressers and clothes closets and carpet edges, high and low wall moldings and wallpaper edges. Do not use this product on mattresses, pillows, bed linens, or clothes. Removes all clothes and other articles from dressers or clothes closets before application. Allow all treated areas to dry thoroughly before use. Not recommended for use as sole protection against bedbugs. If evidence of bedbugs is found in/on mattresses use products approved for this use."
- e. Under Outdoor Use section qualify the site "trees" with the word ornamental, i.e. "Treat the trunk of ornamental trees... etc" and "To kill carpenter ants inside and outside ornamental trees ...".
- f. Under "Borers and Bark beetles" revise the end of the sentence to read "... spray the bark thoroughly but do not let runoff occur."
- g. Under Treatment of Wood in place for Wood Infesting Insects replace the last sentence of the first paragraph with the same statement proposed in paragraph 4 of your April 17, 2007 letter for Z-Cype Dust insecticide 279-GELO(3259)
- h. Under the warranty statement add the word "applied" to the third paragraph i.e. "... if this product has been applied contrary to label instructions ... etc".
- i. On page 2 qualify the site greenhouses as non commercial i.e., "greenhouses(non-commercial)".

- j. Refer to our January 18, 2007 letter and make the requested changes with respect to the additional Food/Feed handling Establishment Use.

3. 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

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Net Contents

ZETA-CYP EW Insecticide

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

EPA Reg. No. 279-3243

EPA Est. 279-

Active Ingredient:	By Wt.
Zeta-Cypermethrin*	17.1%
Other Ingredients:	82.9%
	100.0%

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
APR 19 2007

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
279-3243



FMC Corporation
Agricultural Products Group
Philadelphia PA 19103

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	
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.

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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, parks, or lawns and grounds.

For pests in and on buildings and structures and their immediate surroundings and on modes of transport. Permitted areas of use include (but are not limited to): industrial buildings and installations; houses; apartment buildings; laboratories; buses; greenhouses; and the nonfood/feed areas of stores, warehouses, vessels, railcars, trucks, trailers, aircraft (do not use in aircraft cabins), theaters, 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. Repeat application should be limited to no more than once per seven days. Use this product to kill the following listed Pests:

Pests 0.0125% to 0.05%	Dilution Rate
Ants	0.1 to 0.4 fluid ounces per 1,000 square feet (refer to dilution chart below)
Armyworms	
Annual Bluegrass Weevil	
Bark Beetles	
Bed bugs	
Bees	
Billbugs	
Biting Flies	
Black Turfgrass <i>Ataenius</i>	
Borers	
Boxelder Bugs	
Carpenter Ants	
Carpenter Bees	
Centipedes	
Chinch bugs	
Cockroaches	
Crickets	
Cutworms	
Earwigs	
Elm Leaf Beetles	
Firebrats	
Flies	
Grasshoppers	
Ground Beetles	
Gypsy Moths	
Japanese Beetles	
Leafhoppers	
Mealybugs	
Millipedes	
Mole Crickets	
Pillbugs	
Scorpions	
Silverfish	
Sod Webworms	
Sow bugs	
Spiders (except black widow and brown recluse spiders),	
Springtails	
Termites (localized treatments)	
Wasps, including Yellow Jackets	

Dilution Chart

Application Volume: Gallons Per 1,000 sq. ft.	Application Rate: Fluid Ounces* per 1,000 sq. ft.	Fluid Ounces of Zeta-Cyp EW per Volume of Finished Spray			
		Gallons			
		1	5	10	100
1.0	0.1	0.1	0.5	1.0	10.0
1.0	0.2	0.2	1.0	2.0	20.0
1.0	0.4	0.4	2.0	4.0	40.0
5.0	0.1	-	0.1	0.2	2.0
5.0	0.2	-	0.2	0.4	4.0
5.0	0.4	-	0.4	0.8	8.0
10.0	0.1	-	-	0.1	1.0
10.0	0.2	-	0.1	0.2	2.0
10.0	0.4	-	0.2	0.4	4.0

* To convert to milliliters, multiply by 29.57

1 fluid oz. = 29.57 ml = 2 tablespoons = 6 teaspoons

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INDOOR USE

Apply a dilution of 0.0125 to 0.05% with a paint brush or as a pin stream, fine/coarse spray, low pressure spray spot treatment to areas where pests are found or at entry points of the structure such as windows and door frames.

Cockroaches, Crickets, Firebrats, Silverfish, Scorpions, Springtails: 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 the OUTDOOR USE section.

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

Bed bugs: Apply solution to all areas where bed bugs are typically found, including folds and tufts of mattresses, coils of springs, cracks and hollow posts of bedsteads, upholstery of chairs and sofas, picture frame moldings, corners of wall paper, and all cracks and crevices in the room. Wash all linens before use. This product should not be used as a general spray on mattresses. Instead, consider heat treatment of mattresses.

Boxelder Bugs, Centipedes, Earwigs, Elm Leaf Beetles, Ground Beetles, Millipedes, Pillbugs, Sow Bugs, and Spiders (except black widow and brown recluse spiders): 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 Perimeter Treatment directions in the OUTDOOR USE section).

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 section.

Bees and Wasps Indoors: Application should be made in the late evening when insects are at rest. Spray liberally into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Retreatment may be necessary during periods of high pest pressure. Repeat application is necessary only if there are signs of renewed insect activity; also see OUTDOOR USE section.

Treatment of Wood-in-Place for Wood-Infesting Insects: (Localized Areas in Structure). To kill insects such as Termites, Ants and Carpenter Ants in localized areas of infested wood in and around structures, application should be made 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. Plastic sheeting must be placed immediately below overhead areas that are spot treated except for soil surfaces in crawl spaces. Application may be made to inaccessible areas by drilling, and then injecting dilution with a crack and crevice injector into the damaged wood or void spaces. This type of application is not intended to be a substitute for soil treatment, mechanical alteration or fumigation to control extensive infestation of wood-infesting insects.

Termite carton nests in trees or building voids may be injected with 0.05% dilution. Multiple injection points to varying depths may be necessary. It is desirable to physically remove carton nest material from building voids when such nests are found.

Food Handling Establishments: Places other than private residences in which food is held, processed, prepared or served.

Nonfood Areas: Includes garbage rooms, lavatories, floor drains, (to sewers) entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling). *Zeta-Cyp EW Insecticide* may be used as a general spot, crack and crevice treatment in nonfood areas. All areas where insects inhabit or through which insects may enter should be treated.

Food Areas: Do not use in food/feed areas of food handling establishments, restaurants or other areas where food is commercially prepared or processed. Do not use in serving areas while food/feed is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms, but excluding areas where foods may be prepared or held. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food/feed should be covered or removed. Not for use in USDA meat and poultry plants.

Examples of food areas are areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage, and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas (when food is exposed and facility is in operation) also would be considered a food area.

OUTDOOR USE – For Pests on Outside Surfaces and Around Buildings

Apply a dilution of 0.0125% to 0.05% 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, mulch, cracks/crevices, refuse dumps, garages and in other areas where pests are found.

Localized treatment of termite-infested wood-in-place: Termite carton nests in trees or building voids may be injected with 0.05% dilution. Multiple injection points to varying depths may be necessary. It is desirable to physically remove carton nest material from building voids when such nests are found.

Ants: Apply to any trails, around doors and windows and other places where ants may be found.

Carpenter Ants Outdoors: Apply a 0.0125% to 0.05% dilution to carpenter ant trails around doors and windows and other places where carpenter ants have been observed or are expected to forage. For best results, locate and treat carpenter ant nests. Apply a perimeter treatment as described in the "For Pests on Outside Surfaces and Around Buildings" section of this label. The higher application volumes, as well as more frequent applications, may be necessary when treating concrete surfaces for carpenter ants. Maximum kill is generally achieved using the following procedure:

- 1) Treat non-porous surfaces with low volume applications using 0.2 fluid ounces of concentrate per gallon of water and applying this dilution at the rate of one gallon per 1,000 square feet.
- 2) Treat the trunks of trees that have carpenter ant trails, or upon which carpenter ants are foraging, using 0.2 to 0.4 fluid ounces of concentrate per gallon of water and applying this dilution to thoroughly wet the bark from the base of the tree to as high as possible on the trunk.
- 3) Treat porous surfaces and vegetation with high volume applications using dilutions that are calculated to deliver 0.2 to 0.4 fluid ounces of concentrate per 1,000 square feet (refer to the Dilution Chart on page 2).

To kill carpenter ants inside trees, utility poles, fencing or deck materials and similar structural members, drill to locate the interior infested cavity and inject or foam a 0.05% dilution (0.4 fluid ounces of concentrate per gallon of water) into the cavity using a sufficient volume and an appropriate treatment tool with a splash back guard.

To kill carpenter ants that are tunneling in the soil, dilute 0.1 to 0.4 fluid ounces of concentrate per gallon of water and apply as a drench or inject the dilution or foam at intervals of 8 to 12 inches. Establish a uniform vertical barrier at the edges of walls, driveways or other hard surfaces where ants are tunneling beneath the surfaces.

For wood piles and stored lumber, apply a 0.05% emulsion. Use a hose-end sprayer or sprinkling can to deliver a coarse drenching spray.

Treated wood can be burned or used for lumber one month after treatment. Do not use in structures.

To protect infestation of firewood from insects from the soil, dilute 0.4 fluid ounces of concentrate per gallon of water and apply to the soil beneath where the firewood will be stacked at the rate of one gallon of dilution per 8 square feet. DO NOT treat firewood with this product

Bees and Wasps: Application to nests should be made late in the evening when insects are at rest. Thoroughly spray nest and entrance and surrounding areas where insects alight.

Boxelder bugs, elm leaf beetles, gypsy moth caterpillars: spray tree trunks, building siding, or wherever pests congregate, to point of runoff.

Borers and bark beetles: To prevent infestation of trees and woody ornamentals, spray the bark to point of runoff.

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.

Lawn Treatment: Apply Zeta-Cyp EW as a broadcast treatment. Use application volumes of up to 10 gallons per 1000 square feet to get uniform coverage when treating dense grass foliage.

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

For low volume applications (less than 2 gallons/1,000 square feet) immediate irrigation of treated area with at least 0.25 inches of water following application to ensure efficacy of sub-surface pests such as, but not limited to, Mole Crickets, is recommended

Ants, armyworms, annual bluegrass weevil, billbugs, black turfgrass Ataenius, centipedes, chinch bugs, crickets, cutworms, earwigs, grasshoppers, Japanese beetles, leafhoppers, mealybugs, millipedes, mole crickets, pillbugs, sod webworms, and sow bugs: Use higher volume applications if the thatch layer is excessive or if a relatively long mowing height is being maintained.

Directions for Power Spray Use: 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.

Vinyl and Aluminum Siding

The application of this product to vinyl and aluminum siding (particularly lightly colored, aged, weathered or otherwise damaged) may result in staining, bleaching or discoloration. Factors such as extreme heat and direct sunlight can promote damage when using emulsifiable concentrates. Before applying this product to vinyl or aluminum siding, treat a small area and evaluate 30 minutes later to allow any potential staining to occur. Regardless of the test results, do not apply to vinyl or aluminum siding while exposed to direct sunlight or during the heat of the day.

ATTENTION

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 directly to soil in crawlspaces.

Dealers Should Sell in Original Packages Only. 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 must 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 or 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. EXCEPT AS WARRANTED BY THIS LABEL, 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 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.

To the extent consistent with applicable law FMC or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.

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