

279-3283

10/10/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

OCT 10 2008

Subject: Notification(s) for Label Revisions under PRN 2007-4 and PRN 98-10

1. Changes in warranty statement
2. Replace "Inert Ingredients" with "Other Ingredients"
3. Other Revision: Add company street address

Dear Mr. Davis:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated September 2, 2008 for:

EPA Registration 279-3283

Pounce 3.2EC LT Insecticide

The Registration Division (RD) has conducted a review of the request(s) for applicability under 2007-4 and 98-10 and finds that the label changes requested fall within the scope of 2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identify the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

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

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

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 279-3283	2. EPA Product Manager LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Pounce 3.2EC LT Insecticide	PM# 13	
5. Name and Address of Appliant (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: <div style="text-align: right; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ <div style="text-align: right; font-weight: bold; font-size: 1.2em;">OCT 10 2008</div> Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

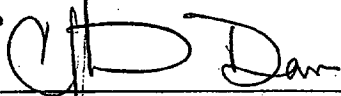
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

- Replace "Inert Ingredients" with "Other Ingredients"
- Amend Container Disposal statements per PR-Notice 2007-4
- Add company street address
- Modify warranty to be consistent with all FMC labels

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" 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 <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 55 gal	
		5. Location of Label Directions <input type="checkbox"/> On label attached to drum	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled <input type="checkbox"/> 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
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.		8. Date Application Received (Stamped)
2. Signature 	3. Title Registration Manager	
4. Typed Name Christopher Davis	5. Date 9/26/08	

FMC Agricultural Products

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FMC Corporation
1735 Market Street
Philadelphia, PA 19103

215.299.6000 Phone
215.299.6468 Fax

www.fmc.com

September 2, 2008

Mr. George T. LaRocca (PM-13)
United States Environmental Protection Agency
Document Processing Desk (FIN-LABEL)(E-SUB)
Office of Pesticide Programs (H7504P)
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Dear Mr. LaRocca:

**Subject: Pounce[®] 3.2EC LT Insecticide, EPA Reg. No. 279-3283
Notification Amendment**

FMC is amending the label for the subject productm making the following changes by notification:

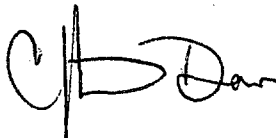
- Replace "Inert Ingredients" with "Other Ingredients"
- Amend the Container Disposal statements per PR-Notice 2007-4
- Add company street address
- Modify warranty to be consistent with all FMC labels

To process this request, enclosed please find the following:

- Application for Pesticide (EPA Form 8570-1).
- Final Print Labeling (2 copies), including one hi-lited version for ease of review.
- Completed Certification with Respect to Label Integrity form
- A compact disk containing the label as amended
- A certification statement with respect to PR-Notice 2007-4

Thank you for your attention to this matter, please feel free to contact me at (215) 299-6334 or e-mail at chris.davis@fmc.com.

Sincerely,



Christopher Davis
Registration Manager
APG Specialty Products Business



CERTIFICATION STATEMENT WITH RESPECT TO PR-NOTICE 98-10

Notification of label change per PR Notice 98-10:

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. 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.



A handwritten signature in black ink, appearing to read 'C. J. Dan', is written over a horizontal line.

Agent for FMC Corporation

9/26/08

Date


Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
279-3283	9/2/08	000279-03283.20080902.Notification.pdf

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



Signature

9/2/08

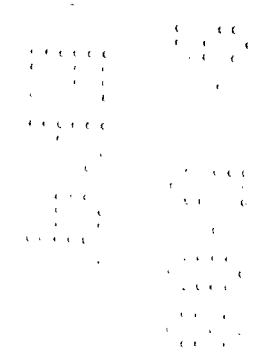
Date

Christopher Davis

Name (typed)

Registration Manager

Title



NOTIFICATION

OCT 10 2008

Pounce

3.2 EC LT Insecticide

KEEP OUT OF REACH OF CHILDREN
CAUTION
AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.(If you do not understand the label, find someone to explain it to you in detail.)

ACTIVE INGREDIENT:	By Wt.
*Permethrin**.....	38.4%
OTHER INGREDIENTS***.....	61.6%
TOTAL.....	100.0%

*(3-Phenoxyphenyl) methyl (±) cis-trans 3- (2,2-dichlorethényl)-2,2-dimethylcyclopropanecarboxylate

**cis/trans ratio: Max 55% (±) cis and min. 45% (±) trans

***Contains xylene range aromatic solvents.

Contains 3.2 pounds Permethrin per gallon

U.S. Patent No. 4,024,163

FIRST AID	
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 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 by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF ON SKIN OR ON 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 INHALED:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then gives artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
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 medical treatment information.	
Note to physician: Vomiting should be supervised by a physician or the professional staff because of the possible pulmonary damages by aspiration of the solvent. FOR EMERGENCY ASSISTANCE CALL (800) 331-3148. See other panels for additional precautionary information.	

FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia PA 19103

EPA Reg. No. 279-3283
EPA Est. No.

NET CONTENTS

U.S. GALLONS

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants.
- Chemical-resistant gloves, such as barrier laminate or vitron.
- Shoes plus socks

Follow manufacturers' instructions for cleaning/maintaining PPE. If no such instructions exist for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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.

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other water unless in accordance with the requirements of a National Pollution Discharge Elimination System (NPDES) permit and the authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PHYSICAL/CHEMICAL HAZARDS

Do not use or store near heat or open flame.

DIRECTIONS FOR USE:

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

Treatment of Preconstruction Lumber and Logs

General Information

Pounce® 3.2 EC LT Insecticide should be diluted before use. To prepare the spray, dilute Pounce® 3.2 EC LT as shown in the following spray dilution chart:

Spray Dilution Chart

Gallons of Spray Mixture Desired	Gallons of Pounce® 3.2 EC LT to Use		
	0.5% Solution	0.75% Solution	1.0% Solution
40	½	¾	1
80	1	1 ½	2
200	2 ½	3 ¾	5
400	5	7 ½	10
800	10	15	20

Directions for Application

To protect unseasoned and seasoned lumber and logs from wood destroying insects, such as termites, Carpenter ants and beetles (ambrosia, powder-post, old house borers and others), totally treat wood with up to a 0.5% to 1.0% solution of Pounce® 3.2 EC LT Insecticide. This solution can be applied by various methods including spraying, brushing, dipping, or pressure treatment. Frequent monitoring of dip and pressure systems are necessary to insure that the desired level of Pounce® 3.2 EC LT is maintained. Wood can be handled after treatment when dry.

- For dip treatments, the wood should be totally submersed in the solution until thoroughly wet and then allowed to dry in a suitable location. Dipping solutions to which Pounce® 3.2 EC LT has been added should be agitated before use if left unused for long periods of time. Sediment, debris, and other deposits should be periodically cleaned from tank.
- Pressure treatments, the wood should be placed in the treatment chamber, the Pounce® 3.2 EC LT solution added to the system pressurized up to 250 psi for up to one hour depending on the density and type of wood treatment. The target permethrin retention in wood is 500 to 1,000 ppm in the top 0.5 inch of wood or a loading of 0.0175 to 0.035 pounds permethrin/cubic foot of wood. After the pressure is released and the system drained, the wood should be placed in a suitable location for drying.
- For spray treatments, the wood should be sprayed thoroughly including back and ends.
- For brush treatment, all parts of wood surfaces should be thoroughly treated.

STORAGE AND DISPOSAL

Pesticide Storage

Do not store below 10°F, (-12°C)

Do not use or store near open flame or hot surfaces.

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 and keep out animals and unprotected persons. Confine spills.

Call FMC (800) 331-3148.

To confine spill: If liquid, dike surrounding area and absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. 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 or Plastic Container: Non-refillable container (in sizes 5 gallons or less)- Do not reuse or refill this container. Triple rinse as follows: Empty the remaining contents into application equipment or mix tank and drain for 10 seconds after flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds, pour rinsate into application equipment or mix tank or store rinsate for later use or disposal. Drain for 10 seconds after flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available, 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.

Non-refillable container (in sizes greater than 5 gallons)- Do not reuse or refill this container. Triple rinse or pressure rinse. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip back and forth several times. Turn the container over onto its other end and tip back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

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 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 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.

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.