279-3341

11/18/2010



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

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

November 18, 2010

Jill C. Holihan Product Registration Manager FMC Corporation 1735 Market Street Philadelphia, PA 19103

Subject: Amendment – Adding additional food crops Zeta-Cypermethrin (F2700)/Bifenthrin 1:4 SFR MUP Insecticide/Miticide EPA Reg. No. 279-3341 Your submission dated August 17, 2010

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. Replace "Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco" with "Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet" in the *Precautionary Statements* section.

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

Sincerely. anda Alexander gos

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

Enclosure

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Zeta-Cypermethrin (F2700)/Bifenthrin 1:4 SFR MUP Insecticide/Miticide

EPA Reg. No. 279-3341 EPA Est. 279-

Active Ingredient:	By Wt.
Zeta-cypermethrin*	3.25%
Bifenthrin**	13.00%
Inert Ingredients:	<u>83.75%</u>
-	100.00%

**Cis/trans* isomer ratio: Max 75% (±) *cis* and Min. 25% (±) *trans* * **Cis* isomers 97% minimum, *trans* isomers 3% maximum.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If in Eyes	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 further treatment advice.
If Inhaled	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.
If Swallowed	Call a 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 a poison control center or doctor. Do not give anything by mouth to an unconscious person.
If on Skin or Clothing	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.
NOTE TO PHYSICIAN	
Contains petroleum distillates – vomiting may cause aspiration pneumonia. Vomiting should be supervised by a physician or the	

pneumonia. Vomiting should be supervised by a physician of the professional staff because of the possible pulmonary damages by aspiration of the solvent.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For Emergency Assistance Call: (800) 331-3148



with COMMENTS In EPA Letter Dated NOV 18 2010 Under the Federal Insecticide. Fungicide. and Rodenticide Act.

ACCEPTED

as amended, for the pesticide registered under EPA Reg. No. 279 - 3341

Agricultural Products Group 1735 Market Street Philadelphia PA 19103

PRECAUTIONARY STATEMENTS Hazards to Humans and Domestic Animals

Caution

Harmful if swallowed. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Avoid contact with eyes or clothing. Wear long-sleeved shirt and long pants, socks, shoes and gloves. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Environmental Hazards

This pesticide is extremely toxic to fish, aquatic invertebrates, oysters and shrimp. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting 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.

DIRECTIONS FOR USE

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

For formulation into End Use Products for the following uses:

Non-crop outdoors

Lawns

Indoors

Terrestrial food crops: Broccoli, Chinese broccoli, Cabbage, Cauliflower, Kohlrabi, Mustard greens, Eggplant, Tomatoes, Head lettuce, Peppers (bell and non-bell), Green peas, Sugar snap peas, Snow peas, Green beans (Wax beans, Snap beans), Black-eyed peas, Cow pea, Cucumber, Gourds, Muskmelon, Pumpkin, Squash, Watermelon, Sweet corn

For Manufacturing Use Only.

This material requires further mixing before use.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage

Store in original containers only. Store in a 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: If liquid, dike surrounding area or 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 acutely hazardous. 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 at the nearest EPA Regional Office for guidance.

Container Disposal

Nonrefillable container. Do not reuse or refil: this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: (For containers greater than 5 gallons) 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 it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat theis procedure two more times. (For containers 5 gallons or less) Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the 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. Donot cut or weld metal containers.

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Returnable/Refillable Containers: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

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, to the extent consistent with applicable law, 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, to the extent consistent with applicable law, 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.

FMC – Trademark of FMC Corporation U.S. Patent No. 6,251,415 (SFR chemical technology).

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