

279-3365

9/24/2009

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

EPA Reg. Number: 279-3365	Date of Issuance: SEP 24 2009
Term of Issuance: Conditional	
Name of Pesticide Product: F8028-2 Aerosol	

NOTICE OF PESTICIDE:

- Registration
- Reregistration

(Under FIFRA as amended)

Name and Address of Registrant (include ZIP Code):
FMC Corporation
1735 Market Street
Philadelphia, PA 19103

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.


Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

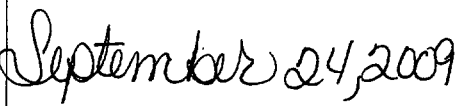
This product is **conditionally** registered in accordance with FIFRA sec. 3(c)(7)(A), provided that:

1. You will submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. You will make the following label changes before you release the product for shipment:
 - a) Revise the EPA Registration Number to read "EPA Reg. No. 279-3365."
 - b) Based on the toxicity profile revise the Precautionary Statements as follows:

"Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash before reuse."

Also, based on the acute toxicity for acute oral, inhalation and eye (all classified Toxicity Category IV), an "If inhaled", "If swallowed" or "If in eyes" first aid statements are not required. Delete those first aid statements since the me-too product does not carry the statements.

Signature of Approving Official:

 Richard Gebken Interim Product Manager 13
 Insecticide Branch/Registration Division (7505P)

Date:

 September 24, 2009

Enclosure

c) Revise the Environmental Hazards section as follows:

“This pesticide is extremely toxic to fish and aquatic invertebrates. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Care should be used when spraying to avoid fish and reptile pets in and around ornamental ponds. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.”

d) Add “For residential use only” on the front panel.

e) Delete all references to termite, subterranean ant and carpenter bee control or use. Termite control or use isn’t referenced on the me-too label.

f) Delete all references to kills claims for Pharaoh’s Ant, Fire Ants, American and Oriental Cockroaches, Centipedes, Scorpions, Bees, Flies, Chiggers, Mosquitoes, Termites, Ticks (including Brown Dog Ticks) and Wasps.

g) Delete “Provides Rapid Control of Residential and Industrial Pests” and “Quick Knockdown”

h) Limit application areas to Indoors (along baseboards, beneath and behind appliances, sinks, cabinets, in pantries, on floor coverings [including carpet, tile, linoleum and wood floors], around plumbing and garbage cans, in cracks and crevices in walls, around window frames and doorways, and in attics and basements); Outdoors (along the foundation, around window frames and doorways, on porches and patios, in garages and along eaves and exterior siding. Delete all other use site. The me-too product is limited to residential use only.

i) On page 5 revise the following restrictions:

- a. Replace “Cover or remove exposed food (including pet food or animal feed)” with “Cover or remove exposed food (including pet food)”.
- b. Add “Cover all food processing surfaces and utensils” before “Thoroughly wash with soap and water before re-use”.
- c. Delete “Spray on surfaces only”.
- d. Delete “Do not use in aircraft cabins”.
- e. Replace “Do not allow children in treated area until spray has dried” with “Do not allow children or pets in treated area until spray has dried”.

j) Delete “This product may be used with the supplied actuator and injection tubes or other appropriate equipment”.

k) Under the *For Crack and Crevice* section delete, meter boxes, in-ground service boxes, and manholes”.

- 1) Under the *For Spot Spray* section replace “Spot treatments may also be made to areas including, but not limited to, storage areas, closets, around water pipes, doors and windows, behind and under refrigerators, cabinets, sinks, stoves and other equipment, the underside of shelves, drawers and similar areas” with “Spot treatments may also be made to storage areas, closets, around water pipes, doors and windows, behind and under refrigerators, cabinets, sinks, stoves, the underside of shelves and drawers”.

3. Please submit three (3) copies of your final printed labeling before releasing 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 bearing amended labeling 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 BeWanda Alexander at www.alexander.bewanda@epa.gov or (703) 305-7460.

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F8028-2 Aerosol

ACTIVE INGREDIENTS:

Bifenthrin*.....0.05%

Prallethrin.....0.03%

OTHER INGREDIENTS.....99.92%

*Cis isomers 97% minimum, trans isomers 3% maximum

US Patent No. 4,223,505

NON FLAMABLE

Contains no CFCs or Other Ozone Depleting Substances.

Federal Regulations Prohibit CFC Propellants in Aerosols.

EPA Reg. No. 279-XXXX

EPA Est. 279-XXXX

FMC Corporation
Agricultural Products Group
1735 Market Street
Philadelphia PA 19103

Net Contents:

ACCEPTED
with COMMENTS
In EPA Letter Dated
SEP 24 2009

KEEP OUT OF REACH OF CHILDREN

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

CAUTION

279-3365

See other panels for additional precautionary statements.

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 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
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.
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 contains a pyrethroid. If large amounts have been ingested, the stomach and intestine should be evacuated. Treatment is symptomatic and supportive. Digestible fats, oils, or alcohol 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 & Domestic Animals

CAUTION

Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash before reuse.

Do not contaminate food or feed. Do not apply directly to food. Do not apply to classrooms when in use. Do not apply this product in occupied patient rooms or in any rooms while occupied by the elderly or infirm.

Environmental Hazards

This pesticide 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. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

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 to drift to blooming crops if bees are visiting the treatment area.

PHYSICAL OR CHEMICAL HAZARDS

Contents under pressure. Do not store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Do not apply around electrical equipment due to the possibility of shock hazard.

- **Provides Rapid Control of Residential and Industrial Pests**
- **Quick Knockdown**

OUTDOOR PESTS: Kills Ants, Aphids, Carpenter Ants, Fire Ants, Armyworms, Lady Beetles, Bees, Beetles, Biting Flies, Borers, Boxelder Bugs, Carpenter Bees, Caterpillars, Centipedes, Chiggers, Chinch Bugs, Cicadas, Clover Mites, Cockroaches, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, Firebrats, Fleas, Flies, Flour Beetles, Gnats, Grasshoppers, Hornets, Japanese Beetles, Lace Bugs, Midges, Millipedes, Mosquitoes, Moths, Plant Bugs, Scales, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), Spider Mites, Spiders (including Black Widow, Brown Recluse and Hobo Spiders), Springtails, Termites, Thrips, Ticks (including Brown Dog Ticks), and Vinegar (Fruit) Flies, Wasps.

INDOOR PESTS: Kills Ants, Carpenter Ants, Bedbugs, Bees, Beetles, Biting Flies, Booklice, Borers, Boxelder Bugs, Centipedes, Cicadas, Cockroaches, Crickets, Earwigs, Firebrats, Fleas, Flies, Gnats, Millipedes, Mosquitoes, Moths, Red Beetles, Rice Weevils, Scorpions, Silverfish, Sowbugs (Pillbugs), Spider Mites, Spiders

(including Black Widow, Brown Recluse and Hobo Spiders), Springtails, Termites, Thrips, Ticks (including Brown Dog Ticks), Vinegar (Fruit) Flies, and Wasps.

PERMITTED AREAS OF USE INCLUDE, BUT ARE NOT LIMITED TO:

Homes, apartment buildings, laboratories, restaurants, kitchens, cafeterias, dairies, dairy products processing plants, milk storage rooms, supermarkets, hospitals (nonoccupied patient areas), nursing homes (nonoccupied patient areas), egg processing plants, bakeries, bottling plants, wineries and similar structures, breweries, institutions, hotels, motels, kennels, stables, schools, nurseries, stores, warehouses, manufacturing canneries, frozen food plants, cereal processing and manufacturing plants, pickle factories, grain mills, granaries, spice plants, food manufacturing, processing and servicing establishments: **Transportation** – Aircraft (except aircraft cabins), buses, trucks, marine vessels, railcars; **Storage** – Commercial, industrial, apartment, office and storage buildings.

DIRECTIONS FOR USE:

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

- Do not use as a space spray.
- Do not spray animals or animal bedding.
- Cover or remove exposed food (including pet food or animal feed).
- Thoroughly wash with soap and water before re-use.
- Spray on surfaces only.
- Do not use in aircraft cabins.
- Do not allow children in treated area until spray has dried.
- Shake well before using.

This product may be used with the supplied actuator and injection tubes or other appropriate equipment.

CRACK AND CREVICE AND SPOT APPLICATION:

For Crack and Crevice: Inject spray into cracks, crevices, and void spaces where insects may be harboring or breeding. Spray into hiding places such as cracks, crevices, moist areas, openings around pipes and sinks, under refrigerators, behind baseboards, coffee makers, meter boxes, in-ground service boxes, and manholes. Use injector tip, releasing approximately 1 second spray per spot. For serious infestations, spray spots approximately 12 inches apart; for light infestations, spray approximately 3 feet apart. For closed voids, calculate the void's cubic area and treat at the rate of 1 - 5 sec per 3 ft³. Several holes may be required in long running voids.

For Spot Spray: Hold container upright while spraying. Direct nozzle approximately 18 inches from surface to be treated. Spray until surfaces are wet. Apply directly on insects in these locations when possible. Spot treatments may also be made to areas including, but not limited to, storage areas, closets, around water pipes, doors and windows, behind and under refrigerators, cabinets, sinks, stoves and other equipment, the underside of shelves, drawers and similar areas.

OUTDOOR PERIMETER TREATMENT AROUND STRUCTURES: For control of crawling insects, apply as a crack and crevice or spot treatment to areas where insects may enter premises or harbor, including around doors, windows, vents and pipes; under siding and soffits; in wall voids and weep holes; and any other places where pests may be found or where they may enter premises. Spray baseboards, storage areas and other locations. Spray around foundations and porches.

Ant Trails: Apply to ant trails, around doors and windows and other places where ants may be found.

Subterranean ant nests: inject the nest at several points for 5-10 seconds each. Space injection sites in a circular pattern with one injection site in the center. Sweep spray along top of the nest. For best results, apply in early morning or late evening. Treat new nests if and when they appear.

TERMITE CONTROL (ABOVE GROUND ONLY):

The purpose of the applications described below are to kill termite workers or winged reproductives that may be present at the time of treatment. These applications are intended as supplements to, and not substitutes for, mechanical alteration, soil treatment or foundation treatment.

To control exposed workers and winged reproductive termites in localized areas: Apply crack and crevice or spot spray to attics, crawl spaces, unfinished basements and other void areas. Treat swarming termites as well as the areas in which they congregate.

To control above-ground termites in localized areas of infested wood: Use void injector to apply to voids and galleries in damaged wood as well as to spaces between wooden structural members and between the sill plate and foundation where wood is vulnerable to attack.

To control termite carton nests in building voids: Use void injector to apply to multiple injection points and varying depths of injection. Inject for 5 to 10 seconds. Make one additional injection site for each 12 inches of carton. When possible, the carton nest material should be removed from the building void after treatment.

TERMITES AND ANTS LIVING INSIDE TREES: Determine the highest and lowest elevation in the colony. Drill holes into colony at highest and lowest elevations and inject 5 to 10 seconds each. Drill intermediate holes for every 4 feet of height between upper and lower holes if needed.

TERMITES AND ANTS IN STUMPS, UTILITY POLES, AND FENCES: Treat open holes or drill horizontal holes in a circular pattern where insects are suspected. Inject 5 to 10 seconds per hole.

WOOD DESTROYING INSECTS INFESTING WOOD-IN-PLACE: Drill injection holes 8 to 10 inches apart into tunnels, galleries, and voids. Inject 5 to 10 seconds per hole. Take care not to contact electrical wiring, plumbing, etc. and do not use metal injectors where electric shock could occur. For carpenter bee treatments, plug bee entrances after injection.

FLYING INSECTS: Application to nests is recommended for the evening when insects are at rest. Apply directly. Thoroughly spray nest, entrance and surrounding areas where insects may land or rest.

To control flies and moths: Use as a surface spray only. Apply directly to walls, ceilings, window screens, and other flying insect resting areas as a residual surface treatment. May be used inside residential buildings, as well as, in and around carports, garages, and storage sheds.

FOR ACTIVE AND HIBERNATING STAGES OF PESTS, INCLUDING BOXELDER BUGS, ELMLEAF BEETLES, LADYBIRD BEETLES, CLUSTER FLIES, AND CLOVER MITES:

Apply as a crack and crevice spray into cracks, crevices, and voids where these pests may be hibernating or harboring. Areas to be treated include behind siding, wall voids, and around windows and door frames.

PANTRY PESTS: Contact as many insects as possible when treating infested areas such as cracks and crevices in wall voids, around windows and door frames, under siding, in machinery and in dark secluded areas..

APPLICATIONS WITHIN FOOD AREAS AND NON-FOOD AREAS OF FOOD HANDLING ESTABLISHMENTS:

Food handling establishments are places other than private residences in which food or feed is held, processed, prepared, or served.

1. FOOD AREAS (INCLUDING SOME SERVING AREAS):

Includes areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Also includes some SERVING AREAS.

FOOD SERVING AREAS: SERVING AREAS are facilities where food is served, such as dining rooms, but not where food is prepared or held. These areas are considered FOOD AREAS when food is exposed and the facility is in operation.

Follow application directions in this section. If food is not exposed and facility is not in operation, follow application directions under NONFOOD SERVING AREAS below.

Use Restriction: FOOD AREA application is limited to CRACK AND CREVICE TREATMENT ONLY.

Application Directions: Apply in small amounts directly into cracks and crevices using void injector directly into cracks and crevices, in points between elements of construction, between equipment and floor openings leading to voids and hollow spaces in walls, equipment legs and bases, conduits, motor housing and electrical switch boxes where insects hide. Care should be taken to not to deposit the product onto exposed surfaces or introducing the material into the air. Do not contaminate food or food processing surfaces. Do not apply directly to food. Reapplications may be made at 10-day intervals.

2. NONFOOD AREAS (INCLUDING SOME SERVING AREAS):

Includes garbage rooms, lavatories, floor drains (to sewer), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after canning or boiling). Also includes some SERVING AREAS.

NONFOOD SERVING AREAS:

SERVING AREAS are facilities where food is served, such as dining rooms, but not where food is prepared or held. These areas are considered NONFOOD AREAS when food is not exposed and the facility is not in operation.

Follow application directions in this section. If food is exposed and the facility is in operation, follow application directions under FOOD SERVING AREAS.

Application Directions: Apply as a spot treatment to selective surfaces such as baseboards, under elements of constructions into cracks and crevices. Do not treat surfaces likely to be contacted by food.

OTHER NONFOOD AREAS:

Application Directions: Apply to baseboard areas, around water pipes, surfaces behind and beneath sinks, lockers, tables, pallets and similar areas where insects hide or through which they may enter.

STORAGE & DISPOSAL

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

Storage: Store in a cool, dry place, out of the reach of children.

Disposal: Do not puncture or incinerate. This container may be recycled at aerosol recycling centers. If recycling is not available, dispose of in trash, sanitary landfill, or by other approved state and local procedures. Follow local waste disposal requirements for any unused product to be disposed.

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 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. 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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