

279-3365

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

OFFICE OF CHEMICAL SAFETY AND
POLLUTION PREVENTION

April 13, 2011

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

Subject: Notification – Adding additional Pests (stink bugs)
EPA Registration Number: 279-3365
Date of Submission: March 25, 2011

Dear Ms. Holihan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN) 98-10 dated March 25, 2011, for the above mentioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please contact BeWanda Alexander at (703) 305-7460 or e-mail alexander.bewanda@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "BeWanda Alexander" followed by a stylized flourish.

Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

Enclosures: Copy of Label Stamped "Notification"



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|---|--|--|
| 1. Company/Product Number 279-3365 | 2. EPA Product Manager Gebken | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) F8028-2 Aerosol | PM# 13 | |
| 5. Name and Address of Applicant (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: <p style="text-align: center;">NOTIFICATION</p> EPA Reg. No. _____ APR 13 2011 Product Name _____ | |

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application.

Notification - Explain below. Other - Explain below.

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

FMC is interested in amending the label for the subject registration to add stink bugs to the listed pests. FMC believes that the changes are in full compliance with PR Notice 98-10, section II Labeling Notifications; Part B Adding or Deleting Pests. The proposed label includes the following changes:

- "Stink Bugs" has been added to the listed pests for both indoor and outdoor uses.
- On the stamped label "Total 100%" was inadvertently not included in the ingredients section of the label. It has been added here.

Section - III

1. Material This Product Will Be Packaged in:

| | | | |
|--|---|--|--|
| Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | 2. Type of Container <input 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
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued
 Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

| | | |
|-------------------------|---------------------------------------|---|
| Name Jill C. Holihan | Title Product Registration Manager | Telephone No: (Include Area Code) 215-999-6436 |
|-------------------------|---------------------------------------|---|

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, both under applicable law.

6. Date Application Received (Stamped)

| | |
|--|--|
| 2. Signature <i>Jill C. Holihan</i> | 3. Title Product Registration Manager |
| 4. Typed Name Jill C. Holihan | 5. Date March 25, 2011 |

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.

Macedonia for J. Holihan
Agent for FMC Corporation

3/25/11
Date

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PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION

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

Environmental Hazards

This product is extremely toxic to fish and aquatic invertebrates. 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.

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.

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).
- Cover all food processing surfaces and utensils. Thoroughly wash with soap and water before re-use.
- Do not allow children or pets in treated area until spray has dried.
- Shake well before using

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.

This product may be used with the supplied actuator and injection tubes.

INDOOR DIRECTIONS FOR USE:

PERMITTED AREAS OF USE INCLUDE:

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.

CRACK AND CREVICE AND SPOT APPLICATION:

For Crack and Crevice: Inject spray into cracks, crevices where insects may be harboring or breeding. Spray into hiding places including cracks, crevices, moist areas, openings around pipes and sinks, under refrigerators, behind baseboards, coffee makers, and meter boxes. 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 storage areas, closets, around water pipes, doors and windows, behind and under refrigerators, cabinets, sinks, stoves, the underside of shelves and drawers.

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, Stink Bugs, Termites, Thrips, Ticks (including Brown Dog Ticks), Vinegar (Fruit) Flies, and Wasps.

OUTDOOR DIRECTIONS FOR USE:

PERMITTED AREAS OF USE INCLUDE:

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.

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.

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, Stink Bugs, Termites, Thrips, Ticks (including Brown Dog Ticks), and Vinegar (Fruit) Flies, Wasps.

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 (OUTDOOR USE): 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 must 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 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

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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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