

352-776

12/29/2008

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

352-776

Date of Issuance:

DEC 29 2008

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

DuPont™ Aperion® Insecticide

Name and Address of Registrant (include ZIP Code):

DuPont Crop Protection
Stine-Haskell Research Center
P.O. Box 30
Newark, DE 19714-0030

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 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 section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.
2. The data requirements for storage stability and corrosion characteristics (Guidelines 830.6317 and 830.6320) are not satisfied. A one year study is required to satisfy these data requirements. You have 18 months from the date of registration to provide these data.

Continued on page 2

Signature of Approving Official:

Date:

DEC 29 2008

John Hebert, Product Manager
Insecticide-Rodenticide Branch, Registration Division (7505P)

3. Make the following label changes before you release the product for shipment:
 - a. Revise the EPA Reg. No. so it reads, "EPA Reg. No. 352-776."
 - b. On page 1, replace the phrase "Use sites include..." with "For use in..."
 - c. Add the following text to the front panel of the label: "This [product] [treatment] will kill workers and/or winged reproductive forms of termites present at the time of application only. Application of this product will not provide structural protection nor substitute for mechanical alteration, soil or foundation treatment with termiticide. This product is not to be used as sole protection against termites, as it is not intended for use for elimination of termite infestations nor for protection against future infestations. A professional inspection is recommended."
 - d. On page 2, delete the following text: "The slight delay in activity of the active ingredient indoxacarb facilitates the translocation of insecticide from exposed insects to the unexposed insects increasing overall efficacy by controlling insects not directly contacting the treatment residue."
 - e. On page 3, delete "Occasional Invaders/Nuisance Pests" so the heading reads, "Ants (excluding fire and harvester ants)." Include this disclaimer after all references to "ants."
 - f. On page 3, delete the following text: "*This product is effective at killing foraging red imported fire ants but for complete control of this species, use additional products specifically labeled for control of outdoor nests of red imported fire ants."
 - g. On page 3, under the Termites section, add the following text to the end of the first paragraph: "A professional inspection is recommended."
 - h. On page 4, delete the section entitled "Use of Foaming Agents" in its entirety.
4. For future submissions, make the following changes to your Confidential Statement of Formulation (EPA Form 8570-4):
 - a. Box 4: Revise the EPA Reg. No. so it reads, "EPA Reg. No. 352-776."

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, please contact Julie Chao at 703-308-8735 or chao.julie@epa.gov.

John Hebert, Product Manager
 Insecticide-Rodenticide Branch
 Registration Division (7505P)

Enclosure

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DuPont™ Aperion™

INSECTICIDE

Professional Products

INTENDED FOR USE BY COMMERCIAL APPLICATORS OR PEST MANAGEMENT PROFESSIONALS ONLY

Use sites include, single and multi-family residential buildings, schools, institutional, commercial and industrial facilities (including warehouses, apartments, supermarkets, restaurants, motels, hotels, hospitals, daycares, and food handling/storage/processing establishments) and transportation equipment such as aircraft, trains, ships, boats and buses.

<i>Active Ingredient</i>	<i>By Weight</i>
Indoxacarb*	
(S)-methyl 7-chloro-2,5-dihydro-2-[[[methoxy-carbonyl][4(trifluoromethoxy)phenyl]amino]-carbonyl]indeno[1,2-e][1,3,4]oxadiazine-4a-(3H)-carboxylate	20.0%
<i>Other ingredients</i>	80.0%
TOTAL	100.0%

*Indoxacarb belongs to the oxadiazine chemical class.
 EPA Reg. No. 352-xxx
 EPA Est. No. _____
 Net Contents: _____
 E. I. du Pont de Nemours and Company
 1007 Market Street
 Wilmington, Delaware 19898

**KEEP OUT OF REACH OF CHILDREN
 CAUTION**

PRECAUTIONARY STATEMENTS FIRST AID

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 the poison control center or a doctor. Do not give anything by mouth to an unconscious person.

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 treatment advice.

IF ON SKIN OR CLOTHING: Remove contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for 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 1-800-441-3637 for emergency medical treatment information.

For information on the use of this product call DuPont Professional Products at 1-888-6-DUPONT (1-888-638-7668).

**ACCEPTED
 With COMMENTS
 In EPA Letter Dated:
 DEC 29 2008**

**Under the Federal Insecticide, Fungicide
 and Rodenticide Act, As amended, for the
 pesticide Registered under EPA Reg. No:**

352-776



The miracles of science™

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Harmful if inhaled. Avoid breathing (dust, vapor or spray mist). Remove contaminated clothing and wash clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT

All pesticide handlers (mixers, loaders and applicators) must wear:

- Shirt and long pants
- Water-proof gloves
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for washables are available, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

USER SHOULD: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is 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 contaminate water when disposing of equipment rinsewater. Do not apply where/when conditions could favor runoff. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

DIRECTIONS FOR USE

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

- Not for use on plants being grown for sale or other commercial use, or for commercial seed production.
- Do not formulate this product into other end-use products without written permission of DuPont Professional Products
- Do not apply this product through any type of irrigation system.
- Do not apply this product in commercial nurseries and greenhouses or on sod farms.
- Keep people and pets away from treated areas until treatment has dried.
- Do not apply a broadcast or general surface application to interior surfaces of residential or commercial structures.

PRODUCT INFORMATION:

DuPont™ APERION™ insecticide is a water dispersible granule concentrate which contains the non-repellent active ingredient Indoxacarb. When applied following label directions APERION™ insecticide is effective at controlling a wide range of insect pests common in urban environments. The slight delay in activity of the active ingredient indoxacarb facilitates the translocation of insecticide from exposed insects to unexposed insects increasing overall efficacy by controlling insects not directly contacting the treatment residue.

APERION™ insecticide forms a suspension for making applications. APERION™ is formulated to not stain or cause damage to most building surfaces where water applied alone causes no damage. It is still recommended that before a first application is made, treat a small area and allow to dry to determine whether staining will occur.

Application Equipment Cleaning:

Prior to application, start with clean, well maintained application equipment. Immediately following application, thoroughly clean all application equipment to reduce the risk of forming hardened deposits that might become difficult to remove. Drain application equipment. Thoroughly rinse application equipment and flush hoses and nozzles with clean water. Clean all other associated application equipment. Take all necessary safety precautions when cleaning equipment. Do not clean equipment near wells, water sources or desirable vegetation. Dispose of waste rinse water in accordance with local regulations.

APERION™ Insecticide

Dilution Chart:

Volume of Water to Use	Desired End Use Application Rate	Quantity of APERION™ (Dry Oz.) insecticide needed
1.0	0.05%	0.33
	0.10%	0.66
3.0	0.05%	1.0
	0.10%	2.0
5.0	0.05%	1.7
	0.10%	3.3
25.0	0.05%	8.25
	0.10%	16.5
50.0	0.05%	16.5
	0.10%	33.0

IMPORTANT MIXING DIRECTIONS

DO NOT pour APERION™ insecticide into empty tank.

1. Application tank to be used with APERION™ should be cleaned of any product used.
2. Application tank should be filled with water to about half of desired volume.
3. Appropriate amount of APERION™ is now poured into tank.
4. Agitate.
5. Fill tank with remaining half volume of water and agitate again.
6. Now ready to apply. If treatment mixture sits in the tank for extended periods, re-agitate prior to application.

Application Volume Directions:

For low to medium infestations or for routine maintenance applications apply a volume of approximately 1 gal. of treatment solution per 1,000 square feet. This application volume is applied approximately to run-off. In order to achieve greater coverage, apply 2 to 4 gals. per 1,000 square feet. Such conditions would include medium to heavy infestations of pests, porous surfaces, complex sites such as thick, heavy perimeter shrubbery, or for maximum residual performance.

APPLICATION DIRECTIONS

Cockroaches

DuPont™ APERION™ insecticide is effective at controlling cockroaches. Apply using a treatment solution containing 0.05% - 0.1% indoxacarb in water (refer to APERION™ insecticide dilution chart). For heavy infestations of cockroaches and/or extreme environmental conditions, use the higher rate.

Indoors: Apply APERION™ insecticide using a coarse, low pressure water-based spot or crack and crevice treatment that targets areas of cockroach infestation or areas known or suspected to be cockroach harborage sites. Direct applications can be made to areas including, but not limited to, pest entry sites, attics, wall voids, behind cabinets or equipment, under counters or appliances, along baseboards and reticulation systems.

Outdoors: Apply APERION™ insecticide using a coarse, low pressure spray as a spot, crack and crevice, general surface or perimeter band-type treatment to control or prevent cockroach infestations. A perimeter band of 10 ft., for example, can include up to 3 ft. up the exterior wall and out to a maximum of 7 ft. of horizontal substrate away from the wall base. Treat heavier infestations or more complex substrates such as stone or brick with greater volumes of treatment solution. Refer to volume directions earlier in this label for more information. In addition to exterior structural elements, outdoor breeding sites such as refuse collection areas, loading docks, adjacent tree holes, crawl spaces, or other sources of cockroach infestations should be located and receive a treatment.

Occasional Invaders/Nuisance Pests, and Ants

APERION™ insecticide is effective at controlling ants* and other nuisance pests. Apply using a treatment solution containing 0.05% - 0.1% indoxacarb in water (refer to APERION™ insecticide dilution chart). For heavy infestations of occasional invaders/nuisance pests/ants and/or extreme environmental conditions use the higher application rate.

(*This product is effective at killing foraging red imported fire ants but for complete control of this species, use additional products specifically labeled for control of outdoor nests of red imported fire ants.)

Indoors: Apply APERION™ insecticide using a coarse low pressure spray as a spot or crack and crevice treatment that targets active ant trails, nests, or other infested areas or areas suspected to be infested. Also make direct applications to areas including, but not limited to, pest entry sites, attics, wall voids, behind cabinets or equipment, under counters or appliances, along baseboards and reticulation systems.

Outdoors: Apply APERION™ insecticide using a coarse, low pressure spray as a spot, crack and crevice, general surface or perimeter band-type treatment to control or prevent ant infestations. A perimeter band of 10 ft., for example, can include up to 3 ft. up the exterior wall and out to a maximum of 7 ft. of horizontal substrate away from the wall base. Treat heavier infestations or more complex substrates such as stone or brick with greater volumes of treatment solution. Refer to volume directions earlier in this label for more information. In addition to exterior structural elements, outdoor nesting sites such as refuse collection areas, flower/mulch beds, adjacent tree holes, surrounding turf areas, crawl spaces, or other nest/foraging sites, and foraging trails can be treated. Treat ant nests or mounds directly using 1-2 gals. of treatment dilution per mound. Surfaces commonly used by ants for foraging such as outdoor edges/frames of windows, doors, utility penetrations, roof lines eaves, and other structural edges can also be treated.

Termites

APERION™ insecticide will kill subterranean termite species of Coptotermes, Heterotermes, Reticulitermes, and Zootermopses. This product will kill workers and/or winged reproductive forms of termites present at the time of application only. Application of this product will not provide structural protection nor substitute for mechanical alteration, soil or foundation treatment with termiticide. This product is not to be used as sole protection against termites, as it is not designed to offer structural protection and will not prevent future infestations,

Aperion can be applied as a spot treatment to kill active termites. Infested sites should be treated directly.

Food Handling Establishments

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

Applications in Nonfood Areas: APERION™ Insecticide may be used as a spot or crack and crevice treatment to control cockroaches in residential structures and the non-food areas of commercial, industrial, public and institutional buildings/structures, including restaurants, warehouses, food processing plants, supermarkets, hospitals, nursing homes, motels, hotels, schools, daycares, laboratories, computer facilities, aircraft, buses, boats/ships, trains, pet shops and zoos.

Nonfood/non-feed areas include areas such as garbage rooms, laboratories, floor drains (to sewers), entries, and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after bottling or canning). Refer to section below for use directions and restrictions when making applications in food/feed handling areas of Food/Feed Handling Establishments.

Applications in Food/Feed Handling Areas: Application to food/feed areas of food/feed handling establishments may only be made as a crack and crevice treatment.

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

- Apply in into cracks and crevices using equipment designed to deliver a pin stream between different elements of construction, between floor and equipment, openings to voids and hollow spaces in walls, bases and equipment.
- Do not apply to areas or surfaces where food/feed, food utensils or food processing surfaces may come into contact and become contaminated.
- Do not apply to areas that are routinely washed such as cracks and crevices in tops of tables, food/feed preparation and prepared food holding surfaces.

Re-treatment Directions

Application to specific areas previously untreated can be treated as necessary. Typical or maintenance applications can be made as frequently as necessary up to a maximum of once per month. For heavy infestations of insect pests that require more than one treatment application to gain control, retreatment is allowed 7 days after initial application.

Use of Foaming Agents

Incorporating a foam agent into DuPont™ APERION™ insecticide applications will enhance performance in some situations by improving surface coverage. Areas such as wall voids, attics, floor voids, crawl spaces, and other pest shelter areas can be treated using foam mixtures. Refer to specific foam manufacturer recommendations.

Restrictions:

- Do not apply this product to pets, edible crops, or sources of electricity.
- Do not use water base sprays of APERION™ in or on electrical equipment due to possible shock hazard.
- At residential sites, all food processing surfaces and utensils in the treatment area should be covered during treatment or thoroughly washed before reuse.
- Do not apply this product in patient rooms or in any rooms while occupied by the elderly or infirm.
- Do not apply when classrooms are in use.
- Do not apply to institutions (i.e., libraries, recreational facilities, etc) when occupants are present in the immediate area/room being treated.
- APERION™ is formulated to not stain or cause damage to most building surfaces where water applied alone causes no damage. It is still recommended that before a first application is made, treat a small area and allow to dry to determine whether staining will occur.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store product in original container only in a location inaccessible to children and pets. Do not contaminate water, other pesticides, fertilizer, food or feed in storage.

PESTICIDE DISPOSAL: Do not contaminate water, food or feed by storage or 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 HANDLING:

Plastic Containers: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. 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 puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Plastic Bags or Fiber Sacks: Nonrefillable container. Do not reuse or refill this container. Completely empty plastic bag or fiber sack into manufacturing or application equipment by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then offer for recycling, if available or dispose of empty plastic bag or fiber sack in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

NOTICE TO BUYER— Purchase of this material does not confer any rights under patents of countries outside of the United States.

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LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read This 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. It is impossible to eliminate all risks associated with the use of this product. Such risks may arise from factors such as weather conditions, soil factors, off target movement, unconventional technique, presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of DuPont or Seller. These risks can cause: ineffectiveness of the product or other unintended consequences. DuPont does not agree to be an insurer of these risks. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, WHEN YOU BUY OR USE THIS PRODUCT, YOU AGREE TO ACCEPT THESE RISKS:

DuPont warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purpose stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL DUPONT OR SELLER 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 THAT ALLOWS SUCH REQUIREMENT, THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE EXCLUSIVE LIABILITY OF DUPONT OR SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHER LEGAL THEORY) RESULTING FROM THE STORAGE, USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT, OR AT THE ELECTION OF DUPONT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

To the extent consistent with applicable law that allows such requirement, DuPont or its distributor must have prompt notice of any claim so that an immediate investigation of buyer's or user's claim can be made. Buyer and all users shall promptly notify DuPont or a DuPont distributor of any claims, whether based on contract, negligence, strict liability, other tort or otherwise or be barred from any remedy. This Limitation of Warranty and Liability may not be amended by any oral or written agreement.

For product information call: 1-888-6-DUPONT (1-888-638-7668)
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