

432-716

3-13-2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAR 13 2007

Dr. Jan Brill
Bayer Environmental Science
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

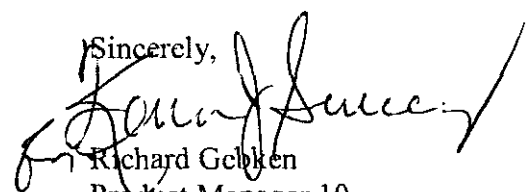
Dear Dr. Brill,

Subject: Agency Initiated Action PR Notice 2005-1 -- Product Labeling
Scourge Insecticide
EPA Reg. No. 432-716
Submission dated February 2, 2007

The labeling referred to above, submitted in connection with registration under the Federal, Insecticide, Fungicide and Rodenticide Act is acceptable. A stamped copy of the label is enclosed for your records.

The availability of the resmethrin reregistration eligibility decision (RED) was published in the Federal Register (FR) on July 26, 2006 (Vol. 71, No.43 pg 42389). The availability of the piperonyl butoxide RED was also published in the FR on July 26, 2006 (Vol. 71, No. 143 pg. 42385). Additional data and/or labeling changes may be required for products containing resmethrin and/or piperonyl butoxide.

Please submit a final printed label as soon as possible. If you have any questions, please contact Kevin Swecney at (703) 305-5063. Thank you for your cooperation in this matter.

Sincerely,

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

Enclosure

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RESTRICTED USE CLASSIFICATION

Due to Acute Fish Toxicity

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicators Certification.

SCOURGE[®] INSECTICIDE

with RESMETHRIN/PIPERONYL BUTOXIDE 4% + 12% MF FORMULA II

FOR USE ONLY BY FEDERAL, STATE, TRIBAL OR LOCAL GOVERNMENT OFFICIALS RESPONSIBLE FOR PUBLIC HEALTH AND VECTOR CONTROL, OR BY PERSONS CERTIFIED BY THE STATE OR TRIBAL LEAD PESTICIDE REGULATORY AGENCY TO PERFORM ADULT MOSQUITO CONTROL APPLICATION, OR BY PERSONS UNDER THEIR DIRECT SUPERVISION

- * A READY TO USE SYNTHETIC PYRETHROID FOR EFFECTIVE ADULT MOSQUITO (INCLUDING ORGANOPHOSPHATE RESISTANT SPECIES), MIDGE (BITING AND NON-BITING), AND BLACK FLY CONTROL
- * FOR CONTROL OF BITING AND NON-BITING FLIES
- * CONTAINS 0.3 lb/gal (36 g/L) OF RESMETHRIN AND 0.9 lb/gal (108 g/L) OF PIPERONYL BUTOXIDE
- * FOR AERIAL AND GROUND APPLICATION

ACTIVE INGREDIENTS:

* Resmethrin	4.14%
**Piperonyl Butoxide Technical	2.42%
OTHER INGREDIENTS†:	83.44%
	100.00%

*Cis/trans isomers ratio: max. 30% (±) cis and min. 70% (±) trans.

**Equivalent to min. 9.94% (butylcarbityl) (6-propylpiperonyl) ether and 2.48% related compounds.

†Contains Petroleum Distillates.

EPA REG. NO. 432-716

EPA EST. NO.

ACCEPTED

MAR 13 2007

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide Registered under EPA Reg. No. 432-716

KEEP OUT OF REACH OF CHILDREN CAUTION

PRECAUCION AL CONSUMIDOR: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(TO THE USER: If you cannot read English, do not use this product until the label has been fully explained to you.)

FIRST AID	
IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment: advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
[Synthetic Pyrethroid]	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-334-7577 for emergency medical treatment information.	
Note To Physician: Contain petroleum distillate – vomiting may cause aspiration pneumonia.	

In case of Medical emergencies or health and safety inquiries or in case of fire, leaking or damaged containers, information may be obtained by calling 1-800-334-7577.

See Side Panel For Additional Precautionary Statements

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION

Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates and shrimp. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body. Do not contaminate water when disposing of equipment wash waters.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow drift when bees are actively visiting the treatment area, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes, or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

DIRECTIONS FOR USE

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

READ ENTIRE LABEL FOR DIRECTIONS

NOTICE: This concentrate cannot be diluted in water. Mix well before using. Avoid storing excess formulation in spray equipment tank beyond the period needed for application.

In treatment of corrals, feed lots, swine lots, and zoos, cover any exposed drinking water, drinking water fountains and animal feed before application.

Before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if permits or other regulatory requirements exist.

Do not exceed 25 applications at 0.007 pounds of resmethrin per acre (not to exceed a total of 0.18 pounds of resmethrin per acre) in any given season.

More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by the state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

GENERAL

Scourge is designed for application as an Ultra-Low Volume (ULV) aerosol to control adult mosquitoes and flies in residential, industrial, urban, recreational areas, and other areas where the labeled pests are a problem.

Scourge provides effective control of adult mosquitoes, black flies, gnats, biting and non-biting midges, stable flies, horse flies, deer flies, sheep flies, horn flies, yellow flies and nuisance flying insects such as house flies in areas such as; but not limited to industrial areas, urban areas, parks, campsites, woodlands, athletic fields, golf courses, playgrounds, recreational and overgrown waste areas, roadsides, and other public areas where adult mosquitoes and flies occur. Apply when ground wind speed is equal or greater than 1 mph.

Scourge can be applied as undiluted or diluted with refined soybean oil, light mineral oil of 54 second viscosity or other suitable solvent or diluent.

Spray Droplet Size Determination

Ground Equipment:

Spray equipment must be adjusted so that the volume median diameter is less than 30 microns ($D_v 0.5 < 30 \mu m$) and that 90% of the spray is contained in droplets smaller than 50 microns ($D_v 0.9 < 50 \mu m$). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Aerial Equipment:

Spray equipment must be adjusted so that the volume median diameter produced is less than 60 microns ($D_v 0.5 < 60 \mu m$) and that 90% of the spray is contained in droplets smaller than 100 microns ($D_v 0.9 < 100 \mu m$). The effects of flight speed and, for non-rotary nozzles, nozzle angle on the droplet size spectrum must be considered. Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

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ULTRA LOW VOLUME APPLICATIONS

All types of applications should be conducted at temperatures of 50°F. Apply when ground wind speeds are equal to or greater than 1 mph.

GROUND APPLICATION

Vehicle-Mounted ULV Cold Aerosol Generators or Vehicle-Mounted Non-Thermal Aerosol (Cold Fog): Apply through non-thermal ULV application equipment and base acreage calculations on the equipment manufacturer's recommended swath width. Apply at a rate not to exceed 0.007 pounds of resmethrin per acre in any given 24 hour period. An optimum swath is created when Scourge is applied from a truck that is being driven perpendicular to the wind direction. Direct the spray head of equipment to ensure even distribution of the spray cloud throughout the area. For best results, apply when insects are most active and meteorological conditions are conducive to keeping the spray cloud in the air column close to the ground. An inversion of air temperatures and a light breeze is preferable. Application during the cooler hours of the night or early morning is recommended.

Scourge may be applied through ULV Cold Aerosol Generators, or other equipment designed for non-thermal ULV aerosol applications. The desired application rate may be obtained under different conditions by altering the dilution rate of Scourge, the flow rate of the insecticide from the application equipment and the vehicle speed. Examples are given in the following Table.

Treatment lb ai/A of Scourge Wanted Resmethrin/PBO	Fl oz/A of undiluted Spray to be Applied	Application Rate-Fl oz/Min	
		5 MPH	10 MPH
0.007/0.021	3.0	9.0	18.0
0.0035/0.0105	1.5	4.5	9.0
0.00175/0.00525	0.75	2.25	4.5
0.00117/0.00351	0.50	1.50	3.0

Where dense vegetation is present, the use of the higher rates and/or slower speed is recommended.

AERIAL APPLICATION

Scourge may be applied either diluted or undiluted at rates of 0.0035 to 0.007 pounds resmethrin per acre by fixed wing or rotary aircraft that are capable of making a ULV application. Aerial application of Scourge should be made at a minimum altitude of 75 ft for rotary and 100 ft for fixed wing aircraft. Applications shall only be made when recommended by public health officials and trained personnel of mosquito abatement districts and other mosquito control programs.

For best results, treat when insects are most active and meteorological conditions are conducive to keeping the spray cloud close to the ground. In order to compensate for windy conditions and ensure drift onto the target area aerial application with aircraft equipped with Global Positioning Systems (GPS) is recommended

lb ai/A Wanted Resmethrin/PBO	Fl oz/A of Undiluted Spray to be Applied
0.007/0.021	3.0
0.0035/0.0105	1.5
0.00175/0.00525	0.75
0.00117/0.00351	0.50

BACKPACK ULTRA LOW VOLUME APPLICATIONS

For use in nonthermal ULV portable backpack equipment, mix 70 fl oz of this product with 1 gal of refined soybean oil, light mineral oil of 54 second viscosity or other suitable solvent or diluent. Adjust equipment to deliver fog particles of 18-50 microns mass median diameter. Apply at the rate of 4.25-8.50 fl oz of finished formulation per acre as a 50 ft swath while walking at a speed of 2 mph. This is equivalent to 0.0035-0.0070 pounds resmethrin per acre. Where dense vegetation is present, the use of higher label rates is recommended.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE AND SPILL PROCEDURES: Store upright at room temperature. Avoid exposure to extreme temperatures. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Metal Containers - Triple rinse or equivalent.

Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities.

Plastic Containers - Triple rinse or equivalent. Then offer for recycling or reconditioning, 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. Then dispose of in a sanitary landfill or by other approved state and local procedures.

CONTAINER DISPOSAL FOR RETURNABLE CONTAINERS: Replace the dry disconnect cap if applicable, and seal all openings which have been opened during use. Return empty container to a collection site designated by Bayer Environmental Science. If container has been damaged and cannot be returned according to the recommended procedures, contact Bayer Environmental Science Customer Service Center at 800-843-1702.

RETURNABLE/REFILLABLE SEALED CONTAINER: Do not rinse container. Do not empty remaining formulated product. Do not break seals. Return intact to point of purchase.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

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NET CONTENT

Produced for



Bayer Environmental Science

**A Business Group of Bayer CropScience LP
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Research Triangle Park, North Carolina 27709**

Scourge 4% + 12% Insecticide (PENDING) Submitted to EPA 05/15/06, Resubmitted 01-17-07