

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

September 07, 2005

Mr. Jan Brill
Manager, Registration
Bayer Environmental Science,
A Business Group of Bayer CropScience LP
95, Chestnut Ridge Road
Montvale, NJ 07645

Subject: Add New Use: For Plastic Foam Board Protection
Delta Technical
EPA Reg. No. 432-762
Your submission dated December 16, 2004

Dear Mr. Brill:

We have reviewed the above referenced submission, in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. The labeling is acceptable with the following comments:

- Revise labeling to reflect correct "% ingredients", per approved CSF (dated 06/29/04).
- Ensure that the name of this product, as stated on the label is consistent with that on the CSF, and that it is not the same for any other registered product. This product is identified as "Deltamethrin Technical" on the CSF and in your application dated 12/61/04.
- Provide specific directions on the label or in technical bulletin to the manufacturers of polystyrene form board for the "incorporation of the product into the foam board". The directions presently on the label do not give specific instructions on how the pesticide is to be incorporated into the foam board.
- Specify a range of "incorporation rates" for the product into the treated foam board. The data submitted supports application rates of 250 to 1,500 ppm deltamethrin.
- Precautionary Statements: Revise the statement, "*Wash thoroughly with soap and water after handling . . .*" to read "*Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco*".

CONCURRENCES

SYMBOL	750SC							
SURNAME	AC/In/ES/04							
DATE	9/7/05							

Please make the above stated changes to the product's labeling and submit two (2) copies of the revised final printed label to the Agency. Enclosed, please find a copy of the stamped label for your records. If you have any questions concerning this action, contact Dr. B. A. Akinlosotu at (703) 605-0653.

Sincerely,



George T. LaRocca,
Product Manager 13
Insecticide Branch
Registration Division (7505C)

enclosure:

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

SEP 7 2005

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 432-762



DELTA TECHNICAL

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.

* INSECTICIDE FOR FORMULATION PURPOSES ONLY

ACTIVE INGREDIENT:

Deltamethrin [CAS#52918-63-5] 98.0%

OTHER INGREDIENTS: 2.0%
100.0%

PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicado ampliamente.
(TO THE USER: If you cannot read English, do not use this product until the label has been fully explained to you.)

EPA REG. NO. 432-762

EPA EST. NO.

**KEEP OUT OF REACH OF CHILDREN
WARNING**

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 do so by the poison control center or doctor. • 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 15-20 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.
IF INHALED:	<ul style="list-style-type: none"> • Move victim 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.

HOT LINE 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 1-800-334-7577 for emergency medical treatment information.

**See Side Panel For Additional
Precautionary Statements**

NET WEIGHT:

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

WARNING

May be fatal if swallowed. Harmful if inhaled or absorbed through skin. Causes substantial but temporary injury. Avoid breathing dust. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Skin contact (especially to the face) may result in a tingling sensation and reddening of the skin. Remove contaminated clothing and wash before reuse.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic organisms. 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 this label.

FOR FORMULATION OF INSECTICIDES ONLY

INSTRUCTIONS TO FORMULATORS

Formulators using this product are responsible for obtaining EPA registrations for their formulated product(s).

Only for formulation into an insecticide for the following uses: Domestic Indoor (household, Domestic Outdoor (lawns, perimeters, ornamentals), Commercial/Industrial/Institutional (indoor & outdoor), Food Handling Establishments (edible product areas), Terrestrial Non-Food (sod farms, golf courses, non-agricultural sites), various modes of transportation.

For use in the manufacture of polystyrene foam insulation to protect it from termites and other wood destroying insects. For optimum performance, Deltamethrin should be incorporated into polystyrene foam insulation at a rate of up to 1500 ppm active ingredient.

Finished board will have the following labeling:

Polystyrene foam [or Company trade name for foam] insulation contains Deltamethrin [DeltaGard® insecticide to [or which will] protect the foam from termites and other wood destroying insects.

STORAGE & DISPOSAL

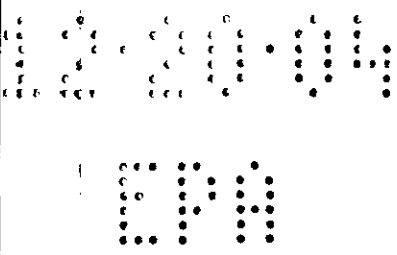
Do not contaminate water, food or feed by storage or disposal.

Storage: Store in a cool, dry place. Avoid extremes in temperatures.

Pesticide Disposal: Pesticide wastes are toxic. 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.

METAL CONTAINER DISPOSAL: 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 CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.



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. 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 Environmental Science. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: BAYER ENVIRONMENTAL SCIENCE MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer Environmental Science is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Bayer Environmental Science disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER ENVIRONMENTAL SCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

©Bayer, 2004

*DeltaGard is a registered trademark of Bayer.

[xxx] Denotes optional text/wording.

BAYER ENVIRONMENTAL SCIENCE
A Business Group of Bayer CropScience LP
95 Chestnut Ridge Road
Montvale, NJ 07645

PRODUCT OF FRANCE

120904 board addition