

4-32-762

9/5/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Jan Brill
Bayer Environmental Science
2 T.W. Alexander Drive
Raleigh, NC 27709

SEP 05 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear Mr. Brill:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for July 20, 2010

EPA Registration Number: 432-762 Delta Technical

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark ES", written over the typed name "Mark Suarez".

Mark Suarez
Product Manager 13
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other:

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-762	2. EPA Product Manager M. Suarez	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Delta Technical	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T.W. Alexander Dr. Raleigh, NC 27709		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Check if this is a new address

Section - II

- Amendment - Explain below.
- Resubmission in response to Agency letter dated _____
- Notification - Explain below.
- Final printed labels in response to Agency letter dated _____
- "Me Too" Application
- Other - Explain below

NOTIFICATION

SEP 05 2010

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

Notification of Label Changes per PR Notice 2007-4

This notification is consistent with the guidance of PR Notices 2007-4 and the requirements of EPA's regulations at 40 CFR § 156.10, 156.140, 156.144, 156.146, and 156.156. 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 40 CFR § 156, 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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Plastic
*Certification must be submitted					<input type="checkbox"/> Glass
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 - 500 lbs.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Jan Brill	Title Manager, Registrations	Telephone No. (include Area Code) 919/549-2421
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 or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Manager, Registrations	
4. Typed Name Jan Brill	5. Date 20 July 2010	

Bayer Environmental Science



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

ATTN: Mark Suarez, PM #13

Subject: Delta Technical
EPA Reg. No. 432-762
Notification of Label Changes per PR Notice 2007-4

Dear Mr. Suarez,

With this submission, Bayer Environmental Science notifies EPA of Label Changes to bring the subject product into compliance with PR Notice 2007-4.

To effect this action, enclosed please find the following;

1. EPA Form 8570-1
2. 1 copy of proposed labeling for the subject product
3. 1 copy of proposed labeling with the changes highlighted

July 20, 2010

Bayer Environmental
Science
P.O. Box 12014
2 T.W. Alexander Drive
Research Triangle Park,
NC 27709

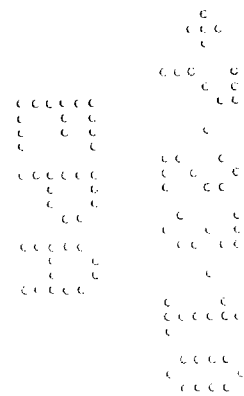
I trust that this completes the documentation for this registration action. If you have any questions, or require further information, please contact me either by telephone at 919/549-2421 or email at jan.brill@bayercropscience.com

Tel. 919 549-2421
Fax. 919-549-3937

Sincerely,

Manager, Registration

Email; jan.brill@bayercropscience.com



4/6

NOTIFICATION

SEP 05 2010

Delta Technical

❖ INSECTICIDE FOR FORMULATION PURPOSES ONLY

ACTIVE INGREDIENT:	
Deltamethrin [CAS#52918-63-5].....	99.0%
OTHER INGREDIENTS:	1.0%
	100.00%

EPA Reg. No. 432-762

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN

WARNING

PRECAUCION AL USARIO: 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.

FIRST AID

IF SWALLOWED:	<ul style="list-style-type: none"> • Call a 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 eyes 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. 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 And 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, chewing gum, 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 product 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 its labeling.

FOR FORMULATION OF INSECTICIDES ONLY.

INSTRUCTION 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 between 750 and 1500 ppm active ingredient. Delta Technical can be either added directly to the foam extrusion process or separately compounded in a polystyrene resin Concentrate which is then added to the foam extrusion process. Alternatively, Delta Technical can be coated on the polystyrene beads, and incorporated into the foam during the molding process.

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.

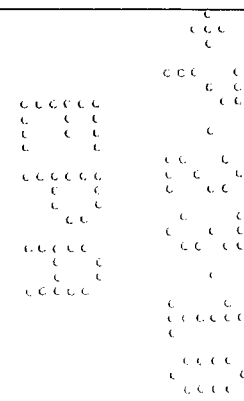
Storage: Store in a cool, dry place. Avoid extremes in temperatures.

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.

Container Disposal:
For Non-Refillable Containers:

Non-refillable container. Do not reuse or refill this container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling, if available or dispose of empty bag in a sanitary landfill or, if allowed by government regulations, by burning or incineration. If bag is burned, stay out of smoke. Consult Federal, State or Local disposal authorities for approved alternative procedures.

For Refillable Containers: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times



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 must be followed carefully. However, because of manner of use and other factors beyond Bayer CropScience's control, it is impossible for Bayer CropScience to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE 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 CropScience is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, Bayer CropScience disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 CROPSCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

DeltaGard is a registered trademark of Bayer.
[xxx] Denotes optional text/wording.



A Business Group of Bayer CropScience LP
PO Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Delta Technical (MASTER) 09/07/05, Notification 05/04/10

