

432-762

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

OFFICE OF
CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 9, 2011

Bayer Environmental Science
c/o Mr. Jan Brill
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Amendment to Correct Errors in First Aid Statement, Precautionary Statements,
and Container Disposal Statements
Delta Technical, EPA Reg. No. 432-762
Submission dated June 8, 2011
Decision No: 450785

Dear Mr. Brill:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable, subject to the following comment:

- Include the "Net Contents: ___ pounds" reference on the label, preferably, on the front panel.

Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records. If you have any questions regarding this action, please contact Rosanna Louie-Juzwiak at (703) 308-0037.

Sincerely,

A handwritten signature in black ink, appearing to read "for [Name]".

Mark Suarez
Product Manager 13, Insecticide Branch
Registration Division (7505P)

Enclosures: Delta Technical label, Stamped *Accepted with Comments*

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ACCEPTED
with COMMENTS
In EPA Letter Dated:

SEP 9 2011
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
432-762

Delta Technical

❖ INSECTICIDE FOR FORMULATION PURPOSES ONLY

ACTIVE INGREDIENT: Deltamethrin [CAS#52918-63-5].....	99.0%
OTHER INGREDIENTS:	1.0%
	100.0%

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 swallow. • Do not induce vomiting unless told 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 eye 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 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 its labeling.

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 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: Refer to the Net Contents section of this product's labeling for the applicable "Non-refillable Container" designation.

Non-refillable Plastic and Metal Containers (Capacity Equal to or Less Than 50 Pounds):

Non-refillable 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 ¼ 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 for Plastic Container, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Non-refillable Plastic and Metal Containers (Capacity Greater Than 50 Pounds):

Non-refillable 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 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. Then for Plastic Container, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. For Metal Containers, offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Non-refillable Paper or Plastic Bags, Fiber Sacks including Flexible Intermediate Bulk Containers (FIBC) or Fiber Drums with Liners:

Non-refillable container. Do not reuse or refill this container. Completely empty paper or plastic bag, fiber sack or drum liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer for recycling if available or dispose of empty paper or plastic bag, fiber sack or fiber drum and liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

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.



Bayer Environmental Science

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Delta Technical (PENDING) 06/08/11