

432-799

09-22-2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 22, 2011

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

Subject: Amended Reregistration Label
Product Name: AquaPy®
EPA Registration Number: 432-799
EPA Decision Numbers: 411267, 411836

Dear Mr. Brill:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all of the information submitted with your application to support the reregistration of the above referenced product in connection with the Pyrethrins and Piperonyl Butoxide REDs, and has concluded that your submission is acceptable.

NOTE: This product is not being reregistered under sections 3(c)5 and 4(g) of FIFRA at this time.

Please note that the record for this product currently contains the Confidential Statements of Formulation (CSFs) listed below. Any previously dated CSFs are superseded.

- Basic CSF, dated 11/8/2010
- Alternate CSF #1, dated 11/9/2010
- Alternate CSF #2, dated 11/10/2010
- Alternate CSF #3, dated 11/11/2010
- Alternate CSF #4, dated 11/12/2010
- Alternate CSF #5, dated 11/13/2010
- Alternate CSF #6, dated 11/14/2010
- Alternate CSF #7, dated 11/15/2010

Storage stability and corrosion characteristics data (Guidelines 830.6317 and 830.6320) remain outstanding for this product. These data must be submitted to the Agency on or before September 30, 2012.

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 or durably marked on the container itself, and can be added by non-notification per PRN 98-10.

A copy of your label stamped "Accepted" is enclosed along with copies of the acute toxicity and product chemistry reviews completed for the subject product. Products shipped after 12 months from the date of this amendment or the next printing of the label whichever occurs first, must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e).

If you have any questions about this letter, please contact Julie Chao at (703) 308-8735 or chao.julie@epa.gov.

Sincerely,



Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)

*Enclosures: Label stamped "Accepted," dated September 22, 2011
Acute Toxicity Review, dated May 12, 2010
Product Chemistry Reviews, dated September 29 and December 20, 2010*

AquaPy®

- * Specially Formulated to Give Equal Performance with Oil-Based Sprays when Applied Undiluted or Diluted with Water
- * For Indoor Application as a Space, Area or Contact Spray. Dependent upon Pests to be Controlled and the Area to be Treated, May be Applied Through Mechanical Aerosol Generators (ULV) or Conventional Fogging or Spraying Equipment
- * Indoor Use Areas - Unoccupied Livestock Shelters (Cattle Barns, Poultry Houses, Swine Houses) Bakeries, Beverage Plants, Canneries, Commercial Transportation Facilities, Daycare Centers, Dried Food Products in Storage or Processing, Flour Mills, Food and Feed Processing and Handling Sites, Grain Elevators, Granaries, Horse Barns, Hospices, Hospitals, Hotels, Homes, Industrial Installations, Meat Packing Plants, Motels, Nonresidential Buildings, Nursing Homes, Office Buildings, Private and Commercial Dwellings, Railroad Cars, Restaurants, Schools, Ships' Holds, Stored Food in Multi-Walled Paper or Cloth Bags, Supermarkets, Truck Trailers, Warehouses, Zoos
- * Water based formulation
- * CONTAINS 0.245 LBS PYRETHRINS PER GALLON
- * CONTAINS 1.223 LBS PIPERONYL BUTOXIDE TECHNICAL PER GALLON
- * A FFAST™ FORMULATION

ACTIVE INGREDIENTS:

Pyrethrins	3.0%
**Piperonyl Butoxide.....	15.0%
OTHER INGREDIENTS:	<u>82.0%</u>
	100.0%

** (butylcarbityl)(6-propylpiperonyl) ether and related compounds.

EPA Reg. No. 432-799

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
IF INHALED:	<ul style="list-style-type: none"> • Move 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.
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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. 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 Precautions

NET CONTENTS:

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 1-800-471-0660.

FOR PRODUCT INFORMATION, CALL TOLL FREE: 1-800-331-2867.

ACCEPTED
SEP 22 2011

**Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under:**

EPA. Reg. No: 432-799

PRECAUTIONARY STATEMENTS Hazards To Humans & Domestic Animals

CAUTION

Harmful if inhaled. Avoid breathing vapors or spray mist. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, applicators and other handlers must wear the following:

- Long-sleeved shirt and long pants,
- Shoes plus socks,

In addition to the above PPE, applicators using a high pressure handwand in an enclosed area must wear at least a NIOSH-approved respirator with:

- a dust/mist filter (MSHA/NIOSH approval number prefix TC-21C) or
- any N, R, P or HE filter.

In addition to the above PPE, applicators using hand held foggers in an enclosed area must wear a half-face, full-face, or hood-style NIOSH-approved respirator with:

- a dust/mist filtering cartridge (MSHA/NIOSH approval number prefix TC-21D),
- or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or
- a cartridge or canister with any N, R, P or HE filter.

See engineering controls for additional requirements.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

User Safety Recommendations

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Engineering controls

Pilots must use an enclosed cockpit that meet the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.24(d)(6)].

Human flagging is prohibited. Flagging to support aerial application is limited to use of the Global Positioning System (GPS) or mechanical flaggers.

ENVIRONMENTAL HAZARDS for TERRESTRIAL APPLICATIONS

This pesticide is toxic to aquatic organisms, including fish and invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. This product may contaminate water through runoff. This product has a potential for runoff for several weeks after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow drift to blooming crops or weeds while bees are actively visiting the treatment area.

Do not apply directly to water, to areas where surface water is present to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment wash-waters or rinsate.

Physical And Chemical Hazards

Do not use water-based sprays of AquaPy in conduits, motor housings, junction boxes or other electrical equipment because of possible shock hazard.

DIRECTIONS FOR USE

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

SHAKE OR AGITATE THOROUGHLY BEFORE DILUTING.

AquaPy is designed to be diluted with water. The unique patented formulation greatly reduces the evaporation rate of water from the spray droplets and enables the water-based spray cloud to behave as that produced by a typical oil-based formulation.

AquaPy effectively controls the following insects when the applicator follows the directions for use as given below.

Angoumois Grain Moths	Dried Fruit Beetles	Mosquitoes
Ants	Drugstore Beetles	Mushroom Flies
Bees	Fleas	Red Four Beetles
Boxelder Bugs	Fruit Flies	Rice Weevils
Cadelles	Fungus Gnats	Saw-toothed Grain Beetles
Cheese Mites	Grain Mites	Silverfish
Cheese Skippers	Granary Weevils	Small Flying Moths
Cigarette Beetles	Horn Flies	Spiders
Clover Mites	Hornets	Spider Beetles
Cockroaches	Horse Flies	Stable Flies
Confused Flour Beetles	House Flies	Tobacco Moths
Crickets	Indian Meal Moths	Wasps
Deer Flies	Lice	Yellow Mealworms
	Mediterranean Flour Moths	Dark Mealworms

USE RESTRICTIONS FOR SPACE CONTACT OR ANIMAL QUARTER USE

- Do not enter or allow others to enter until sprays have dried.
- Remove and cover exposed food and drinking water before application.
- Remove or cover dishes, utensils, food processing equipment, and food preparation surfaces, or wash them before use.
- Do not apply this product in a way that will contact workers or other persons, either directly or through drift.
- Only protected handlers may be in the area during application.
- Do not remain in treated area. Exit area immediately and remain outside the treated area until aerosols, vapors, and/or mists have dispersed.
- Do not enter or allow others to enter until vapors, mists, and aerosols have dispersed, and the treated area has been thoroughly ventilated.
- Do not use in aircraft cabins.
- When used in dairy barns or facilities: Close milk bulk tank lids to prevent contamination from spray and from dead or falling insects. Remove or cover milking utensils before application. Wash teats of animals before milking.
- Do not make space spray applications when facility is in operation.
- Prior to space spray applications, cover or remove food.
- Prior to space spray applications, cover food processing surfaces or clean after treatment and before use.
- Do not apply directly into sewers or drains, or to any area like a gutter where drainage to storm sewers, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.
- Not for use in outdoor residential misting systems.
- Do not wet articles to point of runoff or drip.
- Do not use treated article until spray has dried.
- Not for use in indoor metered release devices.
- Not for use in indoor misting systems used in commercial barns, stables, and animal quarters.
- Not for use in outdoor metered release devices.
- Do not use more than 15 ounces of product per 1000 sq ft when making crack & crevice treatments.

INDOOR USE, UNDILUTED

The use of this product in food/feed processing or food/feed handling establishments (bakeries, beverage plants, canneries, food/feed processing plants, hospitals, hotels, industrial installations, meat packing plants, restaurants, schools, supermarkets and warehouses) should be confined to time periods when the plants or facilities are not in operation. Food/feed should be removed or covered during treatment. All food/feed processing surfaces should be covered during treatment or thoroughly cleaned before reusing.

Space and Contact Spray Application

To control accessible adult stages of:

Ants	Fleas
Boxelder Bugs	Flies
Cheese Mites	Fruit Flies
Cheese Skippers	Hornets
Clover Mites	Mosquitoes
*Cockroaches (German)	Silverfish
Crickets	Small Flying Moths
Wasps	

and the following common stored product pests:

Angoumois Grain Moths	Indian Meal Moths
Cadelles	Mediterranean Flour Moths
Cigarette Beetles	Red Flour Beetles

Confused Flour Beetles
Dark Mealworms
Drugstore Beetles
Granary Weevils
Grain Mites

Rice Weevils
Saw-toothed Grain Beetles
Spider Beetles
Tobacco Moths
Yellow Mealworms

Close doors and windows and shut off ventilating systems. Vacate the area. Only the applicator should be in the treatment area during application. Use a mechanical aerosol generator or a fogger adjusted to deliver aerosol droplets (30 microns or less). Direct the spray first into all cracks and crevices, behind all equipment, cupboards, obstructions or dark harborage areas to provide maximum penetration and impingement on the insects. Then treat as a space spray, directing the spray towards the ceiling and upper corners of the area and behind any obstructions, apply at a rate of 6 milliliters or 0.20 ounces per 1,000 cu ft of space (or 1 oz per 5,000 cu ft). Keep area closed for at least one hour. Leave the treated area and ventilate before reoccupying. Repeat treatment as necessary.

The maximum space spray rate for residential areas is 0.00033 lbs pyrethrins per 1000 cubic feet, which equates to 5 milliliters (1 tsp) of product.

*Rates up to 9 ml or 0.30 oz per 1,000 cu ft may be required for control of some German Cockroach populations (dependent on temperature, sanitation and other factors).

Treatment of Stored Food/Feed Areas

Foods/feeds in multi-walled bags or in cloth bags stored in warehouses, storage rooms, flour mills, grain elevators and granaries.

To control accessible adult stages of:

- | | |
|---------------------------|--------------------|
| Angoumois Grain Moths | Cheese Mites |
| Cadelles | Cheese Skippers |
| Confused Flour Beetles | Cigarette Beetles |
| Indian Meal Moths | Grain Mites |
| Mediterranean Flour Moths | Granary Weevils |
| Rice Weevils | Dark Mealworms |
| Saw-toothed Grain Beetles | German Cockroaches |
| Yellow Mealworms | Red Flour Beetles |

Infested stored products should be destroyed, fumigated or treated by other effective methods using an approved product intended for this purpose. Vacate the area. Only the applicator should be in the treatment area during application. As noted above, disperse AquaPy first by directing spray into cracks and crevices, corners, under pallets, and around stacks of packaged goods - hitting as many insects as possible and then apply as a space spray at a dosage of 4 milliliters or 0.13 ounces per 1,000 cu ft of room space (or 1/2 oz per 4,000 cu ft). Repeat application as necessary for insect control. Leave the treated areas closed for one hour. Do not remain in the treated area and ventilate before reentry.

ACTISOL® SPRAY EQUIPMENT

Deep Harborage: To kill **Cockroaches, Carpenter Ants, Termites, Spiders, Bees, Wasps** and other labeled pests, treat wall voids, insect tunnels, boxed beams and other hollow elements of construction, using UNDILUTED product through mechanical aerosol generators such as ACTISOL® equipment, inject void for 5-10 seconds followed by sufficient air to pressurize the void.

Crack and Crevice Treatment: For treatment of **Cockroaches, Silverfish, Ants, Waterbugs, Crickets, Centipedes, Sowbugs, Millipedes, Spiders, Scorpions, Mites, Bedbugs, Lice, Carpet Beetles, Wasps, Hornets, Yellow jackets and Grain Insects**, crack and crevice treatments with ACTISOL equipment, using undiluted product, represents a one second injection into openings, seams, holes, etc.

INDOOR USE, DILUTED

Space Spray Application: For use in mechanical fogging or spray equipment. To control accessible stages of:

- | | | |
|-------------|------------|--------------------|
| Flies | Gnats | Small Flying Moths |
| Fruit Flies | Mosquitoes | |

Cover or remove exposed food/feed and cover food/feed handling surfaces in edible product areas of food/feed handling establishments. Close rooms and shut off air conditioning or ventilating equipment. Vacate the area. Only the applicator should be in the treatment area during application. Mix 16 ounces of AquaPy with sufficient water to equal 1 gallon of diluted spray. Apply at the rate of 8 fluid ounces per 1,000 cu ft, filling the room with mist. Keep area closed for at least 15 minutes. Leave the treated area and ventilate before reoccupying. Repeat treatment if reinfestation occurs. Do not apply while food/feed processing is underway.

ANIMAL QUARTER USE

(Cattle barns, horse barns, poultry houses, swine houses, zoos): As a space spray, dilute for use in conventional fogging or spraying equipment.

To control **Fleas, Flies, Gnats, Mosquitoes, Small Flying Moths**: Mix 16 ounces of AquaPy with sufficient water to equal one gallon of diluted spray. Vacate the treatment area. Animals must be removed prior to treatment. Only the applicator should be in the area during application. Apply at the rate of 8 ounces per 1,000 cu ft of space. Direct spray towards the upper portions of the enclosure filling the room with mist. Keep area closed for at least 15 minutes. Leave the treated area and ventilate before reoccupying. Repeat treatment if reinfestation occurs.

AccounTable™ System

AEROSOL SPRAY	Food Processing Plants		Commercial		Residential	
	Operating [†]	Nonoperating	Fabric	Without Fabric	Fabric	Without Fabric
ACTISOL® Space Spray		X	X	X	X	X
SPRAY EQUIPMENT Deep Harborage/ Crack & Crevice	X	X	X	X	X	X
COARSE WET SPRAY						
Surface Spray	X	X		X	X	X
Crack & Crevice	X	X		X	X	X

[†]Pesticide applications are permitted in non-USDA inspected facilities when they are operating.

SURFACE SPRAY APPLICATION

To control accessible stages of:

- Ants
- Fleas
- Crickets
- German Cockroaches

Mix 2 to 4 ounces of AquaPy with sufficient water to equal one gallon of diluted spray. Apply as a coarse droplet spray using approximately one gallon to 1,000 sq ft of surface area. Spray walls, floors and other surfaces of bins and storage and handling areas thoroughly.

NOTE: Over-application may cause discoloration of light colored surfaces.

Fleas: AquaPy is effective as part of a total management program for Flea Control. It is suggested that infested areas be thoroughly vacuumed prior to treatment. These areas include all carpet, upholstered furniture, baseboards and other indoor areas frequented by pets. The vacuum cleaner bag should be discarded in an outdoor trash container. Pet bedding should be cleaned or replaced.

Apply AquaPy alone or in combination with an appropriate IGR (see below), to rugs, carpets, upholstered furniture, pet beds, floor coverings, pet resting areas and other infested habitats. The quantity of finished spray required is dependent upon carpet/fabric density. Provide uniform coverage, apply until infested area is moist.

Effective flea control includes controlling the source of flea infestations. This can require treatment of pets with a product registered for such use and treating outside areas frequented by pets. AquaPy can also be applied out-of-doors for flea control. Do not treat pets with this product. Do not allow pets to contact treated areas until spray has dried. Remove animal and feed before spraying.

In Combination with Insect Growth Regulators (IGRs): To extend control of immature stages of cockroaches and fleas, tank-mix the recommended rate of AquaPy with the correct amount of IGR per finished gallon. Follow all directions for use patterns and spray intervals from the IGR label to achieve maximum benefit.

For In-Transit Protection: Clean and spray truck beds, boxcars and ships' holds before loading. Thoroughly treat walls and floors and spray each layer of cartons or containers lightly as stacked.

Treatment of Stored Grain: To control accessible adult stages of Indian Meal Moths and Angoumois Grain Moths: Apply to the surface of binned grain at a rate of 1 gallon per 1000 sq ft. Apply at monthly intervals with the first appearance of moths and continue until early fall. In severe infestations, break up webbing with a rake before spraying and make a second application in two weeks.

Treatment of Flying Insects' Resting Places: To aid in the control of **Mosquitoes, Small Flying Moths and Gnats**: Treat walls, ceilings, moldings, screens, door frames, window frames, beams, light cords and similar resting places with the above dilution of AquaPy.

STORAGE & 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: Pesticide, spray mixture or rinse water that cannot be used according to label instructions must be disposed of at or by an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent) then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by other approved State and local procedures.

CONTAINER DISPOSAL:

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. 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. Offer for recycling, if available or wrap container in several layers of newspaper and discard in trash.

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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, 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.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP 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 LP 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 LP 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 LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Aqua Py is a registered trademark of Bayer AG.



Bayer Environmental Science

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