

432-877

04/15/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

April 15, 2010

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

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

Dear Mr. Mattern:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated March 19, 2010 for the following product(s):

Permanone Technical Insecticide III (EPA Reg. No. 432-877)
Permethrin 11.55% Concentrate (EPA Reg. No. 432-1461)

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 98-10. 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 nonrefillable 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 Regina Foushee'-Smith at 703-605-0780.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Gebken".

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7505P)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-877	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Permanone Technical Insecticide III	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science P.O. Box 12014, 2 T.W. Alexander Drive Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: NOTIFICATION EPA Reg. No. <u>APR 15 2010</u> Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

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

Update of label container disposal section in accordance with PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 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 for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and we 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	or
				<input checked="" type="checkbox"/> Plastic	or
				<input checked="" type="checkbox"/> Glass	or
				<input checked="" type="checkbox"/> Paper	
* Certification must be submitted				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label or <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container Various (1 to 200 kg)		5. Location of Label Directions <input type="checkbox"/> Product label	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph or <input checked="" type="checkbox"/> Paper glued or <input checked="" type="checkbox"/> Stenciled or <input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Gregory C. Mattern	Title Regulatory Product Manager	Telephone No. (Include Area Code) (919) 549-2630	
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 <i>Gregory C. Mattern</i>	3. Title Regulatory Product Manager		
4. Typed Name Gregory C. Mattern	5. Date March 19, 2010		

APR - 6 2010

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

Formulators using this product are responsible for obtaining EPA registration for their formulated product which may be labeled for use patterns as found listed on this label.

Only for formulation into an insecticide for the following uses:

1. Food Crops (Domestic Outdoor Only): Alfalfa, Almonds, Apples, Artichokes, Asparagus, Avocados, Bell, Cherries, Cole Crops¹, Cucurbit Vegetables², Eggplant, Field Corn/Popcorn/ Seed Corn, Filberts, Horseradish, Leafy Vegetables³, Mushrooms, Onions (Dry Bulk & Garlic), Papaya (FL Only), Peaches, Pears, Peppers, Pistachios, Potatoes, Range Grass, Soybeans, Sweet Corn, Tomatoes, Turnips, Walnuts

¹COLE CROPS: Broccoli, Chinese broccoli, Brussels, sprouts, cabbage, Chinese cabbage, cauliflower, collards and mustard greens.

²CUCURBIT VEGETABLES: Chayote (fruit); Chinese waxgourd (Chinese preserving melon); citron melon; cucumber, gherkin; gourds, edible (includes hyotan, cucuzza, hechima, Chinese okra); Momordica spp. (includes balsam apple, balsam pear, bitter melon, Chinese cucumber); muskmelons, including hybrids such as true cantaloupe, cantaloupe, casaba, crenshaw, golden pershaw melon, honeydew melons, honey balls, mango melon, Persian melon, pineapple melon, Santa Claus melon, snake melon); pumpkin; squash, summer (includes crookneck squash, scallop squash, straightneck squash, vegetable marrow, zucchini) and winter (butternut squash, calabaza, hubbard squash, acorn squash, spaghetti squash); watermelon, including hybrids.

³LEAFY VEGETABLES (Except Brassica): Amaranth (leafy amaranth, Chinese spinach, tampala); arrugula (roquette); cardoon; celery; Chinese celery; celtuce; chervil; corn salad; chrysanthemum, edible-leaved; chrysanthemum, garland; cress, garden; cress, upland (yellow rocket, winter cress); dandelion dock (sorrel); endive (escarole); fennel, Florence; lettuce (head and leaf); orach; parsley; purslane, garden; purslane, winter; radicchio (red chicory); rhubarb; spinach; spinach, vine (Malabar spinach, Indian spinach); spinach, New Zealand; Swiss chard.

2. Terrestrial Nonfood: Christmas Trees (container & field-grown), Chrysanthemums, Conifers (container & field-grown) Ornamentals/Nursery Stock (field-grown), Pine Seed Orchards, Roses (field-grown & greenhouse)

3. Domestic Farm Animals: Cattle, Horses, Hogs, Poultry

4. Agriculture Premise

5. Companion Animals

6. General Outdoor Insect Control

7. Mosquito and biting Fly Control

8. General Indoor Insect Control

Food/Feed Handling Establishments Places other than private residences in which food/feed is held, processed, prepared or served.

Nonfood/feed Areas: May be used to manufacture end-use products for use as a general spot or crack and crevice treatment in non-food/feed areas. Similar areas where insects hide or through which insects may enter can be treated. Examples of nonfood/feed areas including garage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after canning or bottling)

Food/Feed Areas: May not be used to manufacture products for use in food/feed areas. Do not use in food areas of food handling establishments, restaurants or other areas where food is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where foods may be prepared or held. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed. Examples of food areas are areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas (when food is exposed and facility is in operation) also would be considered a food area.

9. Fiber Product Protection

NOTE: Not for use to formulate products to be used in warehouses where raw or cured tobacco is stored or while raw agricultural commodities for food or feed are stored, or in greenhouses where crops for food feed are grown.

10. For use in the manufacture of nursery plant containers to protect from, repel and/or control imported fire ants. (For optimum performance, permethrin should be incorporated into the polyethylene at a rate of 10% w/w (10000ppm) active ingredient, to be further diluted in the manufacturing process to a concentration of 1% w/w (1000ppm) or 0.5% w/w (500ppm) active ingredient. Or permethrin can be added directly to the polyethylene batch to produce a final concentration of 1 % w/w (1000ppm) or 0.5% w/w (500ppm) active ingredient.)

STORAGE AND DISPOSAL

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

Storage: Keep container closed when not in use. Do not store near food or feed. Protect from freezing. IN case of spill or leak on floor or paved surfaces, soak up with sand, earth or synthetic absorbent. Remove to chemical waste area. 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 at an approved waste disposal facility.

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.

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Permanone is a registered trademark of Bayer.

PRODUCT OF INDIA



Bayer Environmental Science

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Permanone Technical Insecticide (MASTER) Approved 12/29/06, Notification 03/19/10