

432-1150

4/15/2010

2/7



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

April 15, 2010

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

Subject: Label Notification(s) for Pesticide Registration Notices
2007-4 (Revising the Container Disposal Statement) and updating the
Warranty Statement

Dear Ms. Brill:

The Agency is in receipt of your Application(s) for Pesticide Notification under
Pesticide Registration Notice PRN 2007-4 dated March 23, 2010 for the following product(s):

- Pyrenone Crop Spray (EPA Reg. No. 432-1033)**
- Pyrenone 25-5 M.A.G.C. (EPA Reg. No. 432-1050)**
- Permanone Multi-Purpose 10% E.C. (EPA Reg. No. 432-1132)**
- Permanone 31% Butacide 66% Manufacturing Concentrate (EPA Reg. No. 432-1150)**

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,

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



EPA

United States
Environmental Protection Agency
 Washington, DC 20460

- Registration
 Amendment
 Other:

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-1150	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Permanone 31% Butacide 66% Manufacturing Concentrate	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T.W. Alexander Dr. Raleigh, 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

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

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

Notification of label changes per PR Notice 2007-4 and PR Notice 98-10

Notification of label changes per PR Notices 2007-4, and PR Notice 98-10. This notification is consistent with the guidance of PR Notice 2007-4, 98-10 and EPA regulations at 40 CFR § 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 PR Notice 2007-4, 98-10 and 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	<input checked="" type="checkbox"/> Plastic
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1, 5, 30, 35 & 55 gallons		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input 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
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 23 March 2010	

Permanone 31% Butacide 66% Manufacturing Concentrate

EPA Reg. No. 432-1150

23 March 2010

Section II Explanation – Continued

Notification of changes to labeling

1. Page 2, Revised container disposal statement in accordance with PR Notice 2007-4
2. Page 3, Revised Warranty statement as outlined on Page 9 of Chapter 12 in the EPA Label Review Manual

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: Richard Gebken, PM #10

Subject: Permanone 31% Butacide 66% Manufacturing Concentrate
EPA Reg. No. 432-1150
Notification of Label Changes per PR Notices 2007-4 & 98-10

Dear Mr. Gebken,

With this submission, Bayer Environmental Science notifies EPA of Label Changes to bring the subject product into compliance with PR Notice 2007-4, and to update the warranty statement as outlined on Page 9 of Chapter 12 in the EPA Label Review Manual.

To effect this action, enclosed please find the following;

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jan Brill', is written over a horizontal line.

Manager, Registration

Email; jan.brill@bayercropscience.com

March 23, 2010

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

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

5/7

PERMANONE® 31% BUTACIDE® 66% MANUFACTURING CONCENTRATE

NOTIFICATION

APR 15 2010

*** AN INSECTICIDE FOR FORMULATION USE ONLY**

ACTIVE INGREDIENT:

*Permethrin:*3-(phenoxyphenyl) methyl (+/-) cis/trans 3-(2,2-dichloroethenyl) 2,2-dimethyl cyclopropanecarboxylate.....31.28%

*Piperonyl Butoxide.....66.00%

OTHER INGREDIENTS:.....2.72%

..... 100.00%

*Equivalent to 52.8% (butylcarbityl)(6-propylpiperonyl)ether and 13.2% related compounds

EPA REG. NO. 432-1150

EPA EST. NO.

KEEP OUT OF REACH OF CHILDREN CAUTION

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 a 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 to 20 minutes. • Call a poison control center or doctor for treatment advice.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • if person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.. • Call a poison control center or doctor for further treatment advice.
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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.
HOT LINE NUMBER: 1-800-331-2867 [Synthetic Pyrethroid]	
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 CONTENTS:

PRECAUTIONARY STATEMENTS Hazards To Humans & Domestic Animals

CAUTION

Harmful if swallowed, absorbed through skin or inhaled. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Avoid contact with skin, eyes or clothing. Remove contaminated clothing and wash before reuse.

Environmental Hazards

This product is extremely toxic to fish and aquatic invertebrates. 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

6/7

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. Physical data and formulating information are given on the Product Description Sheet.

Formulators using this product are responsible for obtaining EPA registration for their products.

Only For Formulation Into An Insecticide For (1) The following Uses: Terrestrial Food/Feed and Non-Food Crops, Greenhouse Non-Food, Domestic Indoor and Outdoor, Indoor Non-Food; (2) Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and, (3) Uses for experimental purposes that are in compliance with US EPA requirements.

STORAGE & DISPOSAL

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

STORAGE: Do not store at temperatures below 40°F (4.5°C). If this material has been exposed to temperatures below 40°F (4.5°C), there may be precipitation. Check for crystallization. If evident, warm to 80°F (26.5°C) and thoroughly mix before use. **DO NOT USE OPEN FLAME.**

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of at an approved waste disposal facility.

Container Disposal:

Rigid, Non-refillable containers small enough to shake (i.e., with capacities equal to or less than 5 gallons)

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure 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 mineral oil 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 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.

Rigid Non-refillable containers that are too large to shake (i.e., with capacities greater than 5 gallons or 50 lbs)

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure 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 1/4 full with mineral oil. 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. 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 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.

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 mineral oil. Agitate vigorously or recirculate mineral oil with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. 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 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.

Permanone is a registered trademark of Bayer AG.
Butacide is a registered trademark of Valent BioSciences Corporation.

BAYER ENVIRONMENTAL SCIENCE

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

Permanone 31%Butacide 66% (PENDING) 03-10-10