

432-1166

05-24-2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Gregory Mattern
Bayer Environmental Science
P.O. Box 12014
2 T.W. Alexander Drive
Research Triangle Park, NC 270709



Dear Mr. Mattern:

Subject: Application for Pesticide Notification (PRN 98-10)
Comply with Agency pyrethroid labeling letter dated June 4, 2009,
Revise per Pesticide Registration Notice 2007-4 (Container Disposal),
and Update Warranty Statement
Permanone Arthropod Repellent
EPA Reg. No. 432-1166
Your submission dated April 16, 2010

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated April 16, 2010 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. The label submitted with the application has been 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 regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at pilitt.dana@epa.gov.

Sincerely,

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

Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)



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 432-1166	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Permanone Arthropod Repellent	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: EPA Reg. No. _____ Product Name _____	

NOTIFICATION
 MAY 24 2011

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.)
 Notification of label modification per (1) the June 4, 2009, letter from Agency regarding Environmental Hazard labeling for pyrethroid non-agricultural outdoor products, (2) PR Notice 2007-4 (Container Disposal update), and (3) PR Notice 98-10 (update to warranty statement).
 Please see attached Section II explanation for required self-certification statements.

Section - III

1. Material This Product Will Be Packaged In:					
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	2. Type of Container <input checked="" type="checkbox"/> Metal or <input checked="" type="checkbox"/> Plastic or <input checked="" type="checkbox"/> Glass or <input checked="" type="checkbox"/> Paper or <input type="checkbox"/> Other (Specify) _____		
* 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 or <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 30-55 gal		5. Location of Label Directions <input type="checkbox"/> Label or container	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph or <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued or <input checked="" 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 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 April 16, 2010	

APR 32 2010

Section II - Explanation

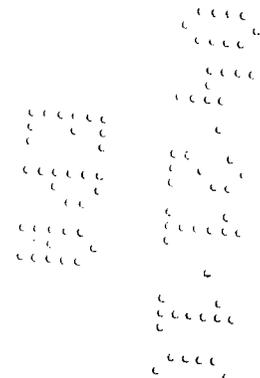
With this application, Bayer Environmental Science is submitting a Notification of label updates for Permanone Arthropod Repellent, EPA Reg. No. 432-1166. The following modifications have been made to the product labeling:

1. The Environmental Hazard section was updated according to the Agency letter dated June 4, 2009, for pyrethroid non-agricultural outdoor products. This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR Part 156. Except as noted in this explanation, 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 part 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.

2. The Container disposal section of the label was updated 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. Except as noted in this explanation, 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.

3. The warranty statement was updated and the phrase "Produced for" was added, consistent with the provision of PR Notice 98-10. This notification is consistent with the guidance in PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and except as noted in this explanation, 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 98-10 and 40 CFR 152.46, 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.

Attached are 3 copies of the revised label (one copy with all changes highlighted in yellow).



PHYSICAL OR CHEMICAL HAZARDS

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

DIRECTIONS FOR USE

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

SHAKE WELL BEFORE USING

To be used for treatment of hot weather and temperate field clothing and mosquito netting only. DO NOT TREAT UNIFORM CAP.

For protection against *Mosquitoes and Ticks* select an outdoor area protected from the wind, spray outer surfaces of clothing (while not being worn) and mosquito netting with a slow sweeping motion to lightly moisten the surface of the fabric. Treat the clothing for a minimum of 30 seconds on each side and allow 2 hours (4 hours under humid conditions) to dry prior to being worn. Hold can at a distance of 6 to 8 inches from the object being treated. Treatment should moisten the surface of the fabric enough to cause a slight color change. Use approximately 3/4 of this container to treat one complete field uniform. Use remainder on mosquito netting

Treat the entire outside surface of clothing with special attention to socks, trouser cuffs, and shirt cuffs. Pant cuffs should be worn inside the socks or footwear to ensure full protection against Ticks and Chiggers. This item must be used in conjunction with the standard issue repellent approved for application to exposed skin areas to achieve maximum protection from Mosquitoes. Follow standard field uniform laundering procedures weekly. Reapply after six weeks and sixth laundering.

STORAGE AND DISPOSAL

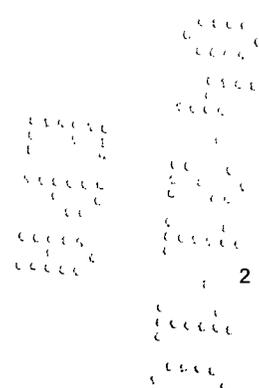
Pesticide Storage: Store upright in original container in a cool dry place inaccessible to children and pets and away from heat or open flame. Avoid exposure to extreme temperatures. In case of spill or leakage, soak up with absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

Pesticide Disposal: Pesticide, spray mixture, or rinse water that cannot be used according to label instructions may be disposed of on site or by an approved waste disposal facility.

Container Disposal: Do not puncture or Incinerate.

If empty: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available.

If partly filled: Call your local solid waste agency or toll free at ~~###-###-####~~ for disposal instructions. In field situations where no other alternative exists, bury the container in the ground.



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 LP's control it is impossible for Bayer CropScience LP 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 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 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.

PRODUCED FOR



Bayer Environmental Science

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

PERMANONE Arthropod Repellent (MASTER) Approved 09/08/2003, Notification 04/16/10

