

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

November 13, 2006

Dr. Jan Brill
Bayer Environmental Science
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

NOV 13 2006

Dear Dr. Brill,

Subject: Agency Initiated Action PR Notice 2005-1 – Product Labeling
Omen 30-30
EPA Reg. No. 432-1235
Submission dated October 31, 2006

The label amendment above, submitted in connection with the Federal Insecticide, Rodenticide, and Fungicide Act (FIFRA) is acceptable provided you make the following change:

1. Under the section entitled "Aerial Application" change the sentence: "Do not apply by fixed wing aircraft at a height less than 100 feet, or by helicopter at a height less than 75 feet unless specifically approved by the state or tribe based on public health needs" to "Do not apply by fixed wing aircraft at a height less than 100 feet, or by helicopter at a height less than 75 feet."

Please note that the availability of EPA's reregistration eligibility document (RED) for products containing permethrin was published in the FR on June 28, 2006 (Vol.71 No.124 pg. 36788). Additional data or labeling changes may be required for products containing permethrin.

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A stamped copy is enclosed for your records. Please submit two (2) copies of the final printed label before releasing the product for shipment. If you have any questions, please contact Kevin Sweeney at (703) 305-5063.

Sincerely,



George LaRocca

Product Manager 13
Registration Division (7505P)
Insecticides Branch

Enclosure

3 8 6



OMEN 30-30 ULV

FOR USE ONLY BY FEDERAL, STATE, TRIBAL OR LOCAL GOVERNMENT OFFICIALS RESPONSIBLE FOR PUBLIC HEALTH AND VECTOR CONTROL, OR BY PERSONS CERTIFIED BY THE STATE OR TRIBAL LEAD PESTICIDE REGULATORY AGENCY TO PERFORM ADULT MOSQUITO CONTROL APPLICATION, OR EY PERSONS UNDER THEIR DIRECT SUPERVISION

- * CONTAINS A QUICK KNOCKDOWN, LOW ODOR, NON-CORROSIVE SYNERGIZED SYNTHETIC PYRETHROID
- * FOR CONTROL OF ADULT MOSQUITOES IN RESIDENTIAL AND RECREATIONAL AREAS
- * FOR USE AGAINST BITING AND NON-BITING MIDGES AND BLACK FLIES
- * CONTAINS 2.5 LBS. A.I. PERMETHRIN/GALLON

**ACCEPTED
with COMMENTS**
In EPA Letter Dated
NOV 13 2006
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
432-1235

ACTIVE INGREDIENTS:

| | |
|---|---------------|
| Permethrin (3-Phenoxyphenyl)methyl (+/-) Cis/trans-3-(2,2-dichloroethyl)-2, 2-dimethyl cyclopropanecarboxylate* | 30.0% |
| Piperonyl Butoxide Technical** | 30.0% |
| INERT INGREDIENTS† | 40.0% |
| TOTAL: | 100.0% |

*cis/trans isomer ratio: min. 35%(+/-) cis and max. 65% (+/-) trans.

**Equivalent to min. 24.0% (butylcarbityl (6-propylpiperonyl) ether and 6.0% related compounds.

† Contains Petroleum Distillate

EPA Reg. No. 432-1235

EPA Est. No. 432-TX-1

**SEE SIDE/BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS
KEEP OUT OF REACH OF CHILDREN
CAUTION**

Si usted no entiende la etiqueta, busque algien para que se la explique a usted en detalle (If you do not understand the label get someone to explain it to you in detail).

| 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 by a poison control center or doctor. • Do not give anything to an unconscious person. |
| 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. • Call a poison control center or doctor for treatment advice. |
| IF ON SKIN: | <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. |
| Note to Physician: May pose an aspiration pneumonia hazard. Contains petroleum distillates. | |

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.

| |
|--|
| <p>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.</p> |
|--|

Net Contents: 1 Gallon, 5 Gallons, 30 Gallons or 275 Gallons

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

CAUTION.

Harmful if absorbed through skin. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body. Do not contaminate water when disposing of equipment wash waters.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow drift when bees are actively visiting the treatment area, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes, or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort. Applications should be timed to provide the maximum possible interval between treatment and the next period of bee activity.

Physical and Chemical Hazards

Do not use, pour, spill 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.

READ ENTIRE LABEL FOR DIRECTIONS

Applications shall only be made when recommended by public health officials and trained personnel of mosquito abatement districts and/or other mosquito control programs. Before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if permits or other regulatory requirements exist.

Do not allow spray treatment to drift onto pastureland, cropland, poultry ranges or potable water supplies. Do not use on crops for food forage or pasture. In treatment of corrals, feed lots, swine lots, and zoos, cover any exposed drinking water, drinking water fountains and animal feed before application.

GENERAL

OMEN 30-30 is recommended for application as a thermal aerosol and an Ultra Low Volume (U.L.V.) nonthermal aerosol (Cold Fog) to control adult mosquitoes in residential and recreational areas where these insects are a problem; such as but not limited to parks, campsites, woodlands, athletic fields, golf courses, residential areas, municipalities, gardens, playgrounds, recreational areas and overgrown waste areas. For best results, treat when mosquitoes are most active and weather conditions are conducive to keeping the fog in the air column close to the ground, e.g. cool temperatures and wind speeds are equal to or greater than 1 mph. Application during the cool hours of night or early morning is usually preferable. All types of applications should be conducted at temperatures above 50°F.

Do not exceed 25 applications at 0.007 pounds of permethrin per acre (not to exceed 0.18 pounds of permethrin per acre) in any given season. More frequent applications may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations

Spray Droplet Size Determination

Ground Equipment:

Spray equipment must be adjusted so that the volume median diameter is less than 30 microns ($D_v 0.5 < 30 \mu\text{m}$) and that 90% of the spray is contained in droplets smaller than 50 microns ($D_v 0.9 < 50 \mu\text{m}$). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Aerial Equipment:

Spray equipment must be adjusted so that the volume median diameter produced is less than 60 microns ($D_v 0.5 < 60 \mu\text{m}$) and that 90% of the spray is contained in droplets smaller than 115 microns ($D_v 0.9 < 115 \mu\text{m}$). The effects of flight speed and, for non-rotary nozzles, nozzle angle on the droplet size spectrum must be considered. Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

GROUND APPLICATION

ULV NON-THERMAL AEROSOL (COLD FOG)

To control **Mosquitoes**, **Midges** and **Blackflies** apply OMEN 30-30 using standard U.L.V. ground equipment or portable backpack sprayer. For vehicle-mounted non-thermal ULV equipment, base the acreage calculation on a swath width of 300-ft. If this product is applied undiluted at a flow rate of 1 fluid ounce per minute and a vehicle speed of 10 mph; the rate is equivalent to 0.0035 pounds permethrin. If a different vehicle speed is used, adjust accordingly (see Dilution Table below). Vary flow rate according to vegetation density and mosquito population. Use the higher flow rate in heavy vegetation or when populations are high. Calibrate equipment to ensure the proper flow rate. OMEN 30-30 may also be applied by diluting with a suitable solvent such as mineral oil. Do not treat a site with more than 0.007 pounds of permethrin per acre in a given twenty-four-hour period.

The following table presents sample dilutions and per acre rates for ground ULV applications. If an alternate dilution rate is used, adjust the flow rate accordingly.

| DILUTION TABLE* | | | | | | | |
|--|------------------------|---------------------------|-----------|---------------------------|-----------|---------------------------|-----------|
| GROUND ULV (300' swath width) | | | | | | | |
| Application Rate (lbs Permethrin/A) | Vehicle Speed (MPH) | Undiluted | | Diluted 1:4 | | Diluted 1:8 | |
| | | Flow Rate (Fl. oz/min) | Fl. oz /A | Flow Rate (Fl. oz/min) | Fl. oz /A | Flow Rate (Fl. oz/min) | Fl. oz /A |
| 0.0015 | 5 | 0.23 | 0.08 | 1.15 | 0.39 | 2.07 | 0.70 |
| | 10 | 0.47 | | 2.35 | | 4.23 | |
| | 15 | 0.70 | | 3.50 | | 6.30 | |
| 0.0035 | 5 | 0.54 | 0.18 | 2.70 | 0.90 | 4.86 | 1.62 |
| | 10 | 1.09 | | 5.45 | | 9.81 | |
| | 15 | 1.63 | | 8.15 | | 14.67 | |
| 0.007 | 5 | 1.08 | 0.36 | 5.40 | 1.80 | 9.72 | 3.24 |
| | 10 | 2.18 | | 10.9 | | 19.62 | |
| | 15 | 3.26 | | 16.3 | | 29.34 | |

* If an alternate dilution rate is used adjust the flow rate accordingly.

AERIAL APPLICATION

OMEN 30-30 may be applied either diluted or undiluted at rates of 0.0035 lbs to 0.007 pounds Permethrin-FBO per acre by fixed wing or rotary aircraft capable of making a ULV application. Do not apply by fixed wing aircraft at a height less than 100 feet, or by helicopter at a height less than 75 feet unless specifically approved by the state or tribe based on public health needs. Apply when ground wind speed is equal to or greater than 1 mph. Applications shall only be made when recommended by public health officials and trained personnel of mosquito abatement districts and other mosquito control programs. Do not treat a site with more than 0.007 pounds of permethrin per acre in a given twenty-four-hour period.

For best results, treat when insects are most active and meteorological conditions are conducive to keeping the spray cloud in the air column close to the ground. In order to compensate for windy conditions and ensure drift onto the target area aerial application with aircraft equipped with Global Positioning Systems (GPS) is recommended.

IN FLORIDA: Do not apply by aircraft unless approved by the Florida Department of Agriculture and Consumer Services.

THERMAL AEROSOL FOGGING

TRUCK MOUNTED: Apply OMEN 30-30 using thermal fogging equipment. Dilute with a mineral oil (such as BVA13 mineral oil) or another suitable non-phytotoxic, highly refined base oil diluent. Diluents should have a flash point minimum of 168° F, an API gravity minimum of 32 @ 60° F and their density should be from 7.0 to 7.25 lbs/gal @ 60° F. Do not exceed the maximum rate. May be applied at speeds of 5 mph up to 15 mph with variable flow systems. For use with hand carried foggers, apply at rates up to but not exceeding 0.007 pounds permethrin per acre. Do not wet foliage since certain oil base formulations may be phytotoxic. Apply when ground wind speeds are equal to or greater than 1 mph. Use a well-maintained and properly calibrated fogger. Fog downwind.

STORAGE AND DISPOSAL

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

Storage: Store product in its original container in a cool, dry, locked place designated for such insecticides and out of reach of children. Avoid exposure to extreme temperatures. In case of spillage, soak up with absorbent material such as sawdust, or fullers earth, sweep up and place in a labeled container and dispose of as follows:

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: (Metal) 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. (Plastic) Triple rinse or equivalent. 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 should 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

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For Product information call Toll-Free: 1-800-331-2867

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Produced for
Bayer Environmental Science
A Business Group of Bayer Crop Science LP
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