

432-1375

6/27/2008

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

JUN 27 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

Subject: Updating Container and Warranty Statement
Pre-Empt Fly Bait
EPA Reg. No. 432-1375
Your Submission date, April 18, 2008

Dear Mr. Brill:

The submitted data referencing the labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act is acceptable.

Should you wish to add/retain a reference to the company's website on your label, please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

As an alternative, you may refer consumers to the company's phone number or email address.

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A stamped copy of the review is enclosed for your records. Submit two (2) copies of you final printed labeling before you release the product for shipment. If there are questions call me at 703 305-5409.

Sincerely,



Dani Daniel
Insecticide-Rodenticide Branch
Registration Division 7505P

Pre-Empt[®] Fly Bait

For Pest Management Professionals, Livestock Producers, and commercial use only.

ACTIVE INGREDIENT:

Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N nitro-2-imidazolidinimine	0.50%
Z-9-Tricosene	0.10%

OTHER INGREDIENTS:	99.40%
	100.00%

EPA Reg. No. 432-1375

EPA Est. No. _____

**STOP – Read the label before use.
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 by a poison control center or doctor. • Do not give anything to an unconscious person.
If on skin	<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.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577.	
Note To Physician: No specific antidote is available. Treat the patient symptomatically.	

PRECAUTIONARY STATEMENTS

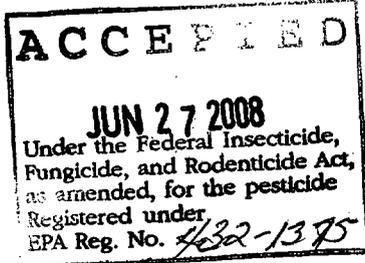
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, absorbed through skin, or inhaled. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco.

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates.

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area. This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.



PRO FACTS

- Fast acting
- Ready-to-use scatter bait or paint-on application
- Contains a specially formulated mixture of attractants
- Controls flies resistant to organophosphates and carbamates

MAXFORCE GRANULAR FLY BAIT	<ul style="list-style-type: none"> • Ready-to-use bait containing 0.5% imidacloprid. • Contains the attractant muscalure. • Contains Bitrex® bittering agent to help prevent ingestion by animals, children and pets.
CONTROLS	Flies
WHERE TO APPLY	<ul style="list-style-type: none"> • Around the outside of structures or partially enclosed or protected areas. • In and around agricultural production facilities. • Around the outside of commercial facilities.
MIXING INFORMATION	<ul style="list-style-type: none"> • Ready-to-use scatter bait. • Paint-on application: Mix the fly bait with water.
HOW TO APPLY	<ul style="list-style-type: none"> • Scatter application. • Place in any fly bait station. • Paint-on application.
COVERAGE	XX Square feet (5.7 to 6.3 oz/1000 sq ft)
RE-APPLY	Re-apply every 7 days as needed.
QUESTIONS ?? 	For questions or comments, call toll-free 1-800 331-2867 or visit us online at <i>[website address inserted at printing]</i>

DIRECTIONS FOR USE

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

FLY MANAGEMENT

WHERE TO APPLY	<ul style="list-style-type: none"> • For use only around the outside of commercial facilities like canneries, dairy, meat and poultry processing plants, beverage plants, food processing plants, restaurants, bakeries, supermarkets, warehouses, dumpsters, grease pits, recycling areas, loading docks. • For use only around the outside of agricultural production facilities like broiler houses, feedlots, livestock housing structures, and horse stables. • For use only around the outside of and in walkways of caged layer houses. Place bait in areas inaccessible to animals. • In horse stables, apply bait only in fly bait stations. Place bait stations in areas inaccessible to animals.
USE RATE	• 5.7 to 6.3 oz/1000 sq ft (scatter bait and bait station)
HOW TO APPLY	<p>Apply the bait in many locations. Avoid cool or windy locations because flies prefer warm sites for resting. Time applications to begin at the start of the season before fly populations have reached their peak.</p> <ul style="list-style-type: none"> • Scatter application: Scatter the bait directly from the container onto dry level surfaces so that the individual granules lie near each other without forming small piles. • Bait stations: Place in any fly bait station. Use 1 bait station to cover approximately 250 sq ft, and add up to 1.6 oz of bait per station. Secure bait stations at least 4 feet above the ground. Bait stations should be inaccessible to food-producing animals, children and pets. • Paint-on application: Mix 1.5 oz bait with 1 fl oz warm water (3 lbs bait in 1 quart water) and stir thoroughly. Let stand for about 15 minutes until a paste consistency suitable for painting has formed. Apply the paste with a brush to surfaces where flies rest avoiding surfaces that are dusty.
RESTRICTIONS 	<ul style="list-style-type: none"> • Do not place bait in areas accessible to food producing animals, children and pets. • Do not allow bait to come into contact with food or water. • Do not apply to milking equipment. • Do not apply inside food processing plants, restaurants or other commercial facilities.

MANAGEMENT TIPS

For Best Results: use the bait as part of an overall Integrated Pest Management program.

- Use proper sanitation and manure management.
- Use along with dilutable sprays like TEMPO®.
- Use environmental controls, such as proper light management.
- Consult with Cooperative Extension.

STORAGE AND DISPOSAL

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

Storage

Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, or feed. Store in original containers and out of the reach of children, preferably in a locked storage area. Handle and open container in a manner as to prevent spillage.

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

Completely empty container. Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Offer for reconditioning, if appropriate. Triple 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 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.

Dispose of container by offering for recycling or reconditioning, or at an approved waste disposal facility, or by incineration if allowed by state and local authorities. Do not use container in connection with food, feed, or drinking water.

Spills

If the container is leaking or material is spilled, carefully sweep up spilled bait and wash exposed area. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer Environmental Science Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer Environmental Science Emergency Response Telephone No. is 1-800-334-7577.

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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.

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Produced for



Bayer Environmental Science

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A Business Group of Bayer CropScience LP
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Research Triangle Park, NC 27709**

PRE-EMPT FLY BAIT (PENDING) 04/18/08