

499-472

09-02-2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 2, 2010

Patricia Hodge
Whitmire Micro-Gen Research Laboratories Inc.
3568 Tree Court Industrial Blvd.
St. Louis, MO 63122-6682

Subject: Notification - Revise Storage & Disposal and Warranty Statement sections
EPA Registration Number: 499-472
Date of Submission: August 2, 2010

Dear Ms. Hodge:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN) 98-10 dated August 2, 2010, for the above mentioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please contact BeWanda Alexander at (703) 305-7460.

Sincerely,

A handwritten signature in cursive script that reads "BeWanda Alexander for".

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

Enclosures: Copy of Label Stamped "Notification"



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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 EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 499-472	2. EPA Product Manager Mark Suarez	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) PT 1820 TR (Prescription Treatment brand Attain Micro Total Release Insecticide)	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Whitmire Micro-Gen Research Laboratories Inc. 3568 Tree Court Industrial Blvd. St. Louis, MO 63122-6682 <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 _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION SEP - 2 2010
<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.)

Label Notification to remove 1-800-CLEANUP and some minor updates to label verbiage. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the CSF 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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <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 type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> _____	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<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 Patricia A Hodge	Title Product Regulations Specialist	Telephone No. (Include Area Code) _____
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 	3. Title Product Regulations Specialist	
4. Typed Name Patricia A Hodge	5. Date 8/2/2010	



The Chemical Company

August 2, 2010

Document Processing Desk 7504P (e-sub)
US EPA Office of Pesticide Programs
2777 S Crystal Drive
Arlington, VA 22202-4501

**RE: Notification to Remove 1-800-Clean Up Number and other minor items
PT 1820 TR (Prescription Treatment brand Attain Micro Total Release Insecticide)
EPA Reg. No: 499-472**

Dear Mr. Suarez:

Enclosed in support of this action are a completed application and one (1) copy of the amended label and one (1) copy submitted as an e-submission on disk.

- Removed the 1800-Clean Up number from Storage and Disposal section
- Updated to the correct EPA Est. Number of 7969-MO-1
- Revised Emergency Contact telephone number in First Aid to 1-800-832-HELP
- Abbreviated units of time and measure throughout
- Replaced web address with "Questions? Call 1-800-777-8570"
- Adding BASF company "standard" warranty statement

There is no change in label rates, and we did not make any revisions to the Directions for Use that would change the content in any way.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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.

Thank you for your assistance in this matter. Please don't hesitate to contact me at 636-861-4272 or, via electronic mail at patricia.hodge@basf.com, should you have any questions or require additional information regarding this action.

Sincerely,
BASF – Pest Control Solutions

Patricia Hodge
Product Regulations Specialist

BASF Corporation
Pest Control Solutions
3568 Tree Court Industrial Blvd.
St. Louis, MO 63122
Tel: (800) 777-8570
www.PestControl.basf.us

For Dana M. Thomas
Product Regulatory Manager
Authorized Agent for Whitmire
Micro-Cent Research Laboratories, Inc

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[2 oz. Container]

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**WHITMIRE MICRO-GEN
PRESCRIPTION TREATMENT brand**

NOTIFICATION

SEP - 2 2010

Attain TR Micro Total Release Insecticide

[ALTERNATE BRAND NAME: Prescription Treatment® brand Attain® TR Micro Total Release Insecticide]

TREATS UP TO 3,000 SQUARE FEET

**FOR COMMERCIAL USE ONLY
NOT FOR USE IN AND AROUND RESIDENTIAL AREAS**

KILLS: Aphids, Armyworms, Bagworms, Caterpillars, Fungus Gnats, Mealybugs, Mites, Omnivorous Leafrollers, Plant Bugs, Scale, Thrips, and Whiteflies

FOR USE IN: Commercial Greenhouses

ACTIVE INGREDIENTS:

Bifenthrin..... 4.0%

OTHER INGREDIENTS: 96.0%

TOTAL: 100.0%

EPA Reg. No. 499-472 EPA Est. No. 7969-MO-1

KEEP OUT OF REACH OF CHILDREN

WARNING AVISO

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

See full label for First Aid and Precautionary Statements.

NET WEIGHT: 2 oz.

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

See full label for complete Directions for Use.

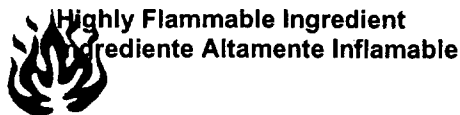
AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to additional labeling entitled Agricultural Use Requirements in the "Directions for Use" section of the full label for information about this standard.

TOTAL RELEASE DOSAGE: Apply when pest (or plant damage typical of an indicated pest) is seen. Make 1 - 3 applications/wk depending on the severity of the infestation. Do not apply product within 48 hrs of a previous application. Use one 2 oz. can /3,000 ft². In situations where insect control is difficult due to tough to control insects or high crop density, it is permissible to use one 2 oz. can for 1,500 - 3,000 ft². For smaller greenhouses between 1,500 - 3,000 ft², use one 2 oz. can.

PHYSICAL OR CHEMICAL HAZARDS

Extremely Flammable. Contents under pressure. Keep away from fire, sparks and heated surfaces. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the "Directions for Use" on this label very carefully.



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[2 oz. Container]

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CONDITIONS OF SALE AND WARRANTY

Follow the **Directions for Use**. It is impossible to eliminate all risks inherently associated with use of this product, and therefore all such risk shall be assumed by the Buyer. Whitmire warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions for Use**, subject to the inherent risks, referred to above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW: (A) WHITMIRE MAKES NO OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF FITNESS FOR PARTICULAR PURPOSE OR MERCHANTABILITY, (B) BUYER'S EXCLUSIVE REMEDY AND WHITMIRE'S AND SELLER'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT, AND (C) WHITMIRE AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. Whitmire and the Seller offer this product, and the Buyer accepts it, subject to these **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of Whitmire.

Manufactured for:

Whitmire Micro-Gen Research Laboratories, Inc.

By BASF Corporation

3568 Tree Court Industrial Blvd.

St. Louis MO 63122-6682

Questions? Call 1-800-777-8570

© 2010 Whitmire Micro-Gen Research Laboratories, Inc.

WHITMIRE MICRO-GEN

**PRESCRIPTION TREATMENT brand
Attain TR Micro Total Release Insecticide**

[ALTERNATE BRAND NAME: Prescription Treatment® brand Attain® TR Micro Total Release Insecticide]

**FOR COMMERCIAL USE ONLY
NOT FOR USE IN AND AROUND RESIDENTIAL AREAS**

KILLS: Aphids, Armyworms, Bagworms, Caterpillars, Fungus Gnats, Mealybugs, Mites, Omnivorous Leafrollers, Plant Bugs, Scale, Thrips, and Whiteflies

FOR USE IN: Commercial Greenhouses

MAY BE USED ON: Bedding Plants, Cut Flowers, Flowering Hanging Baskets, Foliage, Potted Flowering Plants and Ornamentals

ACTIVE INGREDIENT:

Bifenthrin 4.0%

OTHER INGREDIENTS: 96.0%

TOTAL: 100.0%

EPA Reg. No. 499-472

EPA Est. No. 7969-MO-1

KEEP OUT OF REACH OF CHILDREN

WARNING AVISO

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

FIRST AID

IF IN EYES: Hold eyes open and rinse slowly and gently with water for 15 - 20 min. Remove contact lenses, if present, after the first 5 min, then continue rinsing eyes. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: 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 INHALED: 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 treatment advice.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 - 20 min. 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. You may also contact 1-800-832-HELP for emergency medical treatment information.

See page 2 for additional Precautionary Statements.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING: Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear goggles or face shield while handling. Harmful if swallowed. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

[Complete/Full Label]

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- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

PERSONAL PROTECTIVE EQUIPMENT: Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category C on an EPA chemical resistance category selection chart.

APPLICATORS AND OTHER HANDLERS MUST WEAR: Long-sleeved shirt and long pants, shoes plus socks and protective eyewear. Follow manufacturer's instructions for cleaning/ maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENVIRONMENTAL HAZARDS

This product is highly toxic to fish and aquatic invertebrates. Keep out of lakes, streams or ponds. Do not contaminate water when disposing of equipment wash waters. Apply this product only as specified on this label.

PHYSICAL OR CHEMICAL HAZARDS

Extremely Flammable. Contents under pressure. Keep away from fire, sparks, and heated surfaces. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the "Directions for Use" on this label very carefully.



DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

Control of target insects is best achieved before populations reach economically damaging levels. Repeat application as necessary to achieve control using higher rates (see TOTAL RELEASE DOSAGE for proper rates) as pest pressure and foliage area increase.

Use of an alternative class of chemistry in a continuing treatment program is recommended to prevent or delay pest resistance.

NOTICE: Good greenhouse management must overrule the use of this product when any conditions might be created by tightly closing greenhouses that would harm plant foliage or flowers. Example: Creation of high temperatures or humidity conditions. Do not use this product in greenhouses with unvented or defective gas heating systems or when open combustion exists.

AGRICULTURAL USE REQUIREMENTS

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers in farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hrs. PPE required for early entry to treated areas that is permitted under Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is: Coveralls, waterproof gloves, shoes plus socks and protective eyewear.

PLANT SAFETY INFORMATION

This product has been tested on a wide variety of plants and in our opinion has demonstrated excellent plant safety. However, not all varieties or strains of the plants listed have been tested. Therefore, before treating a large number of plants, treat a few plants and observe for plant damage and for performance prior to full scale application. Growers should collect a variety of sample plants, flowers, foliage or ornaments of concern, place them in an empty greenhouse (or designated testing area) and activate one can of product per the Directions for Use.

[Complete/Full Label]

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STORAGE & DISPOSAL

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

STORAGE: Store in a cool area away from heat or open flame.

PESTICIDE DISPOSAL: Waste resulting from use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Do not puncture or incinerate! Empty container by using the product according to the label directions. Offer empty container for recycling, if available, or place in trash if allowed by state and local regulations. If container is partly full, contact your local solid waste agency for disposal instructions.

PREAPPLICATION DIRECTIONS: For best results, apply during early evening when foliage is dry and greenhouse temperature is between 60° - 80° F. Canister should be at room temperature (about 65° F). Shut off all exhaust fans and close all windows, doors and ventilators. Do not place within 10 horizontal ft of any ignition source such as pilot lights, other open flames or running electrical appliances that cycle off and on. All human occupants and pets must be removed before treatment. Place cans evenly throughout the area of the greenhouse to be treated, positioned to allow uninhibited release. Low volume horizontal air flow may help optimize performance. Greenhouse must be ventilated according to the requirements of the Worker Protection Standard before re-entry.

TOTAL RELEASE DOSAGE

Apply product when pest (or plant damage typical of an indicated pest) is seen. Make 1 - 3 applications/week depending on the severity of the infestations. Do not re-apply product within 48 hrs of a previous application.

Use one 2 oz. can/3,000 ft². In situations where insect control is difficult due to tough to control insects or high crop density, it is permissible to use one 2 oz. can for 1,500 - 3,000 ft². For smaller greenhouses between 1,500 - 3,000 ft², use one 2 oz. can.

TO ACTIVATE CANS: Activate each can by pressing tab down and locking it. Leave greenhouse at once. The entire contents will release automatically. In an application requiring multiple canisters, activate the canisters moving from the interior of the house toward an exit.

FOR USE IN GREENHOUSES ON

Bedding plants (such as): impatiens, marigolds, petunias, geraniums and garden mums

Cut flowers (such as): roses, chrysanthemums, carnations, snapdragons and orchids

Flowering hanging baskets (such as): fuchsia, lantana, New Guinea impatiens, ivy and geraniums

Foliage (such as): Boston fern, dracaena, ficus, schefflera and philodendron

Potted flowering plants (such as): poinsettia, chrysanthemums, florist's azaleas, lilies, African violets, geraniums, hibiscus, kalanchoes and begonias

Ornamentals (such as): azalea, barberry, cotoneaster, euonymus, ilex, juniper, oak, pine, rhododendron, roses, spiraea, spruce, viburnum and yew

Contains no CFCs or other ozone depleting substances.
Federal regulations prohibit CFC propellants in aerosols.



CONDITIONS OF SALE AND WARRANTY

Follow the Directions for Use. It is impossible to eliminate all risks inherently associated with use of this product, and therefore all such risk shall be assumed by the Buyer. Whitmire warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use, subject to the inherent risks, referred to above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW: (A) WHITMIRE MAKES NO OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF FITNESS FOR PARTICULAR PURPOSE OR MERCHANTABILITY, (B) BUYER'S EXCLUSIVE REMEDY AND WHITMIRE'S AND SELLER'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT, AND (C) WHITMIRE AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. Whitmire and the Seller offer this product, and the Buyer accepts it, subject to these Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of Whitmire.

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[Complete/Full Label]

v2.2 8/10

Manufactured for:
Whitmire Micro-Gen Research Laboratories, Inc.
By BASF Corporation
3568 Tree Court Industrial Blvd.
St. Louis MO 63122-6682
Questions? Call 1-800-777-8570
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