

499-479

10-05-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 5, 2010

Ms. Patricia A. Hodge,
Product Regulations Specialist
BASF Corporation, Pest Control Solutions
3568 Tree Court Industrial Boulevard
St. Louis, MO 63122-6682

**Subject: Label Notification(s); Pesticide Registration Notification (PRN) 98-10
TC 123 Insecticide, EPA Reg. No. 499-479
Your Submission Dated July 26, 2010**

Dear Ms. Hodge:

The Agency is in receipt of your application for Pesticide Notification under Pesticide Registration Notification (PRN) 98-10, dated July 26, 2010, for the referenced product. The Registration Division has conducted a review of this request for its applicability under PRN 98-10, and finds that the action(s) requested fall within the scope of PRN 98-10.

Please be reminded that 40 CFR §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 non-refillable containers. The code may appear either on the label (and can be added by non-Notification/PRN 98-10) or durably marked on the container itself.

The label submitted with this application has been time-stamped "Notification," and will be placed within the administrative file for this product. If you have any questions, please contact Mr. Carmen Rodia at (703) 306-0327 or via e-mail at Rodia.Carmen@epa.gov.

Sincerely yours,

A handwritten signature in black ink that reads "Richard J. Gebken".

Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)



 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 499-479	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TC-123 Insecticide	PM# 10	
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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Label notification.
 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 <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
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					
* 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 type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input 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 Patricia A Hodge	Title Product Regulations Specialist	Telephone No. (Include Area Code) _____
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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 7/26/2010	



The Chemical Company

NOTIFICATION

OCT 05 2010

July 26, 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
TC 123 Insecticide
EPA Reg. No: 499-479**

Dear Mr. Gebken:

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 (000499-00479.20100726v33.Notif.pdf).

- 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.

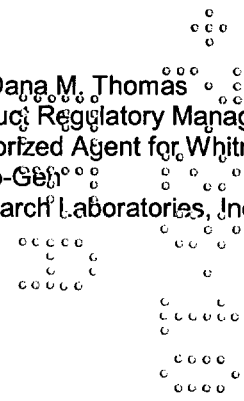
Thank you for your assistance in this matter. Please don't hesitate to contact me at 636-861-4272 or, via electronic mail at patricia.hodge@basf.com, should you have any questions or require additional information regarding this action.

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-Gel
Research Laboratories, Inc



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**TC 123
Insecticide**

OCT 05 2010

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

FOR COMMERCIAL USE ONLY

KILLS: Ants (excluding Fire Ants), Aphids, Beetles (Colorado Potato Beetle, Confused Flour Beetles, Cucumber Beetles, Dried Fruit Beetles, Flea Beetles, Red Flour Beetles, Watermelon Beetles), Cabbage Worms, Cadelles, Centipedes, Crickets, Fungus Gnats, Hornworms, Indian Meal Moths, Leafhoppers, Mealy Bugs, Mediterranean Flour Moths, Mites, Moths, Rose Aphid, Rose Chafer, Rose Slugs, Scale, Silverfish, Spider Mites, Spiders, Trogoderma, Thrips and Whiteflies

FOR USE IN: Garden Centers, Greenhouses, Hobby Greenhouses and Nurseries

FOR USE ON THESE GROWING CROPS: Ornamentals, Flowering Plants, Root and Tuber Vegetables, Bulb Vegetables, Leafy Vegetables, Brassica (cole) Leafy Vegetables, Legume Vegetables, Fruiting Vegetables, Cucurbit Vegetables

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

ACTIVE INGREDIENTS:

Pyrethrins..... 4.0%
Piperonyl Butoxide*, Technical..... 16.0%

OTHER INGREDIENTS: 80.0%

Contains petroleum distillates. TOTAL: 100.0%

* Equivalent to 12.8% (butylcarbityl)(6-propylpiperonyl) ether and 3.2% related compounds.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID

IF SWALLOWED: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give ANY liquid to the person. Do not give anything by mouth to an unconscious person.

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.

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 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.

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.

NOTE TO PHYSICIAN: Contains petroleum distillate – vomiting may cause aspiration pneumonia. Treatment is symptomatic. Antihistamines are of value.

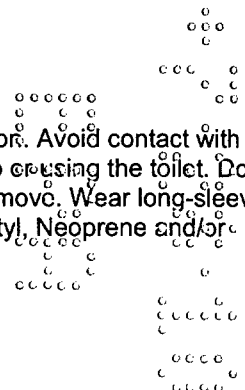
See page 2 for Precautionary Statements and Directions for Use.

EPA Reg. No. 499-479 • EPA Est. No. 7969-MO-1

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Do not contaminate water, food, food stuffs or feed. Remove all pets. Cover fish tanks or remove. Wear long-sleeved shirt and long pants, socks and shoes and chemical resistant gloves (such as Nitrile, Butyl, Neoprene and/or Barrier laminate).



USER SAFETY RECOMMENDATIONS**Users should:**

- Wash hands before eating, drinking, chewing gum, using tobacco or using toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 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 H on an EPA chemical resistance selection chart.

APPLICATORS AND OTHER HANDLERS MUST WEAR: Long-sleeved shirt and long pants, chemical-resistant footwear plus socks, and chemical-resistant gloves (Such as Nitrile, Butyl, Neoprene and/or Barrier Laminate or PVC or Viton), and a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P, or HE prefilter. 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. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark.

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.



Highly Flammable Ingredient
 Ingrediente Altamente Inflamable

DIRECTIONS FOR USE

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

Contents of container must be at room temperature before use. Therefore, cans must be stored at room temperature (above 65°F) for 24 hours before application. Make sure spray is unobstructed above units by foliage or other physical objects in order to obtain maximum distribution of fog.

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 on 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). 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 restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: coveralls, chemical-resistant gloves, such as Barrier laminate or Butyl rubber or Nitrile rubber or Neoprene rubber or PVC or Viton and shoes plus socks.

PRE-APPLICATION DIRECTIONS: For best results, apply during early evening when foliage is dry and temperature is between 60° - 80°F. Do not place cans within 10 horizontal ft of any ignition source such as pilot lights, other open flames, or running electrical appliances that cycle off and on. Shut off all exhaust fans and close all windows, doors and ventilators. Keep greenhouse closed for four hours, preferably overnight, following treatment. All human occupants and pets must be removed before treatment. Greenhouse must be ventilated according to the requirements of the Worker Protection Standard before re-entry.

TOTAL RELEASE DOSAGE: Initially two applications should be made one week apart. Additional applications should be applied at two week intervals as long as immature insects are present or adult egg laying is expected.

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: Start with can farthest away from exit door. Activate each can by pressing tab down and locking it. Leave greenhouse at once. The entire contents will release automatically.

FOR USE INDOORS 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, holly, ilex, juniper, oak, pine, rhododendron, roses, spiraea, spruce, viburnum and yew

ALSO THESE GROWING CROPS

Root and Tuber Vegetables (such as): beets, carrots, potatoes, radishes, sweet potatoes and turnips

Bulb Vegetables (such as): garlic and onion

Leafy Vegetables (such as): celery, endive, lettuce, parsley and spinach

Brassica (Cole) Leafy Vegetables (such as): broccoli, brussels sprouts, cabbage, cauliflower, collards, kale and mustard greens

Legume Vegetables (such as): field peas, garden peas, lima beans, snap beans and soybeans

Fruiting Vegetables (such as): eggplant, peppers and tomatoes

Cucurbita Vegetables (such as): cucumbers, melons, pumpkins, squash and watermelons

Herbs (such as): basil, chives, fennel, marjoram, oregano, parsley and thyme

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. Unintentional consequences such as crop injury or ineffectiveness may result because of certain environmental or growing conditions, manner of use or application, and insect resistance. Therefore, before treating a large number of plants, spray a few plants and observe for plant damage and for performance prior to full scale application.

STORAGE AND DISPOSAL

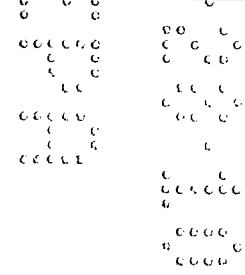
Do not contaminate water, food or feed by storage or disposal.

STORAGE: Store in a cool dry place away from heat or open flame. This product is extremely flammable.

PESTICIDE DISPOSAL: Wastes 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 in accordance with 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.

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

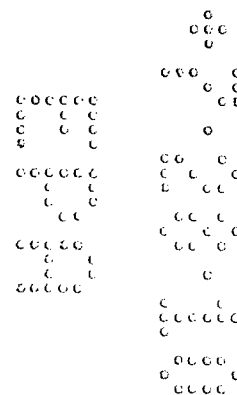


CONDITIONS OF SALE AND WARRANTY

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.

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.



TC 123 Insecticide

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

TREATS UP TO 3,000 SQUARE FEET FOR COMMERCIAL USE ONLY

KILLS: Aphids, Beetles, Cucumber Beetles, Dried Fruit Beetles, Flea Beetles, Cabbage Worms, Fungus Gnats, Hornworms, Leafhoppers, Mealy Bugs, Mites, Rose Chafers, Rose Slugs, Spider Mites, Spiders, Trogoderma, Thrips and Whiteflies (See full label for additional insects)

FOR USE IN: Garden Centers, Greenhouses, Hobby Greenhouses and Nurseries

ACTIVE INGREDIENTS:

Pyrethrins.....	4.0%
Piperonyl Butoxide*, Technical.....	16.0%

OTHER INGREDIENTS: 80.0%

Contains petroleum distillates. TOTAL: 100.0%

* Equivalent to 12.8% (butylcarbityl)(6-propyl-piperonyl) ether and 3.2% related compounds.

EPA Reg. No. 499-479 EPA Est. No. 7969-MO-1

KEEP OUT OF REACH OF CHILDREN CAUTION

See full label for First Aid, Precautionary Statements and Directions for Use.

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.

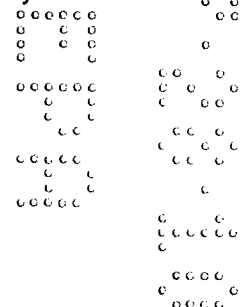
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PHYSICAL OR CHEMICAL HAZARDS

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.



Highly Flammable Ingredient
Ingrediente Altamente Inflamable



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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

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