

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

December 2, 2008

Ms. Dana M. Thomas,
Manager, Product Registrations
Whitmire Micro-Gen Research Laboratories, Inc.
3568 Tree Court Industrial Boulevard
St. Louis, MO 63122-6682

**Subject: Revised Labeling, Rebuttal to Agency Letter Dated July 31, 2008
Whitmire TC 262, EPA Registration No. 499-522
Your Resubmission Dated November 19, 2008**

Dear Ms. Thomas:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable with the following provision(s):

General Statement:

- 1. Provide clarification regarding the "Transportation Equipment" use site. This should not include aircrafts.

Ingredient Statement section comment(s)::

- 2. Revise the 2nd footnote to read: "1 gal of TC 262 contains 0.211 lbs of pyrethrins and 1.053 lbs of piperonyl butoxide."

First Aid Statement section comment(s):

- 3. Replace the 2nd sentence within the 3rd text grouping with: "For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call 1-800-225-3320." ¹

Environmental Hazards section comment(s):

- 4. To facilitate inclusion of language from the REDs for pyrethrins and piperonyl butoxide and PR Notice 2008-1, replace the existing "TERRESTRIAL USES" portion of this section with:

"ENVIRONMENTAL HAZARDS

This product is toxic to aquatic organisms, including fish and invertebrates. Drift and run-off may be hazardous to aquatic organisms in water adjacent to treated areas. This product may contaminate water through run-off. This product has a potential for run-off for several weeks after application. Poorly draining soils and soils with shallow water tables are more prone to produce run-off that contains this product.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

To protect the environment, do not allow pesticide to enter or run-off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather, when rain is not predicted for the next 24 hours, will help to ensure that wind or rain does not blow or wash pesticide off the treatment area."

¹ Please note that the "1-800-225-3320" number listed must be available twenty-four (24) hours per day, seven (7) days per week for answering and responding to any medical emergencies or health concerns.

2/8
Directions for Use section comment(s):

5. To facilitate inclusion of language from the REDs for pyrethrins and piperonyl butoxide, replace the "USE RESTRICTIONS" text box immediately following the statement "IT IS A VIOLATION OF ..." with:

GENERAL PRECAUTIONS & USE RESTRICTIONS

- Apply this product only as specified on this label.
- Do not contaminate food or feedstuffs.
- Do not enter or allow others to enter until vapors, mists and aerosols have dispersed, and the area has been thoroughly ventilated.
- 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.
- Do not apply directly to or near water, storm drains or drainage ditches. Do not apply when windy. To prevent product run-off, do not over water treated area(s) or apply prior to heavy rainfall.
- Do not remain in treated area. Exit area immediately and remain outside the treated area until aerosols, vapors and/or mists have dispersed.
- Remove or cover exposed food and drinking water before application.
- Remove or cover dishes, utensils, food processing equipment and food preparation surfaces, or wash them before use.
- For indoor food handling/processing facilities: Do not make space spray applications when facility is in operation. During space spray applications, cover or remove exposed food. During space spray applications, cover food processing surfaces or clean after treatment with a suitable detergent, rinse with potable water before use. Do not apply more than 1 time per day.
- For health care facilities: Remove patients prior to treatment and thoroughly ventilated treated for 2 hours before returning patients. Do not apply more than 1 time per day.
- For general outdoor sites: Do not apply more than 1 time per day.
- Remove pets, birds and cover fish aquariums before application.
- NOTE: Some furniture finishes, particularly plastics, can be damaged by petroleum-based insecticides. To avoid damage, cover those items and do not spray directly. If in doubt, test by applying this product to an inconspicuous area before spraying.

6. To facilitate inclusion of language from PR Notice 73-04 (copy enclosed), revise the paragraph immediately following the section labeled as "USE IN FOOD HANDLING ESTABLISHMENTS" to read:

"USE IN FOOD HANDLING ESTABLISHMENTS

Applications are permitted in food/feed areas of food handling establishments as a contact spray, space spray or Crack & Crevice[®] treatment, including those operating under the Federal meat, poultry, shell egg grading and egg products inspection programs. Food handling establishments are defined as places other than private residences in which food is held, processed, prepared and/or served. Food areas of food handling establishments are defined as areas for receiving, serving, storing (dry, cold, frozen, raw), packing (canning, bottling, wrapping, boxing), preparing (cleaning, slicing, cooking, grinding), edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). To apply this product, follow the Directions for Use under the Indoor/Outdoor Use section below."

7. Delete the "USE RESTRICTIONS" text box under the heading "USE IN FOOD HANDLING ESTABLISHMENTS" since its contents have been included in the revised text box in Item #5 above.
8. Replace the "USE RESTRICTIONS" text box under the heading "FOR USE ON DOMESTIC ANIMALS/LIVESTOCK" with:

GENERAL PRECAUTIONS & USE RESTRICTIONS

- Do not use on dogs and cats.
- For direct application to domestic animals/livestock: Do not apply more than 1 time per day.
- When used in dairy barns or facilities: Close milk bulk tank lids to prevent contamination from spray and from dead or falling insects. Remove or cover milking utensils before application. Wash teats of animals before milking. Do not apply more than 1 time per day.

Storage & Disposal section comment(s):


- 9. To facilitate inclusion of language from PR Notice 2007-4, insert the words "If empty:" immediately preceding the word "Nonrefillable" as part of the "Container Disposal:" statement.

Whitmire Micro-Gen Research Laboratories, Inc. should note that a notice of availability of EPA's RED for products containing pyrethrins was published in the *Federal Register* on July 26, 2006 (Volume 71, Number 143, Pages 42387-42389). In addition, EPA's RED for products containing piperonyl butoxide was published in the *Federal Register* on July 26, 2006 (Volume 71, Number 143, Pages 42385-42386). As a result, additional data and/or labeling changes may be required for products containing pyrethrins and/or piperonyl butoxide.

A copy of your label stamped "Accepted with Comments" is enclosed for your records. Please submit two (2) copies of the final printed labeling, incorporating the above changes, before releasing the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing amended labeling constitutes accepting of these conditions.

If you have any questions regarding the label review, please contact Mr. Carmen J. Rodia, Jr. at (703) 306-0327 or via e-mail at Rodia.Carmen@epa.gov.

Sincerely yours,

For

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

Enclosure: Copy of label stamped "Accepted with Comments"
 Copy of PR Notice 73-04

4/8

TC 262

For indoor or outdoor application as a space, area or contact spray. Dependent upon insects to be killed and the area to be treated, this product may be applied through mechanical aerosol or Ultra Low Volume (ULV) cold aerosol generators, such as Whitmire Micro-Gen equipment, as well as thermal and conventional fogging or spraying equipment.

KILLS: Angoumois Grain Moths, Ants [except Carpenter, Pharaoh and Harvester], Bed Bugs, Boxelder Bugs, Cadelles, Cheese Mites, Cigarette Beetles, Cockroaches, Confused Flour Beetles, Crickets, Earwigs, Fruit Flies, Fire brats, Gnats, Granary Weevils, House Flies, House Spiders, Indianmeal Moths, Millipedes, Rice Weevils, Spiders [except Black Widow and Brown Recluse], Stable Flies, Tick (Eastern Wood), Tobacco Moths and Wasps

FOR USE IN AND AROUND: Apartments and Homes; Cafeterias; Dormitories; Food Service, Storage and Preparation Areas; Grocery and Convenience Stores; Health Care Facilities; Hotels; Motels; Office Buildings; Restaurants; Schools; Universities and On Domestic Animals/Livestock

[See page x for additional insects and use sites.]

ACTIVE INGREDIENTS:

Pyrethrins, a botanical insecticide	3.00%
Piperonyl butoxide, technical*	15.00%

OTHER INGREDIENTS:	82.00%
Contains Petroleum Distillate	TOTAL: 100.00%

* Consists of 12% (butylcarbityl) (6-propylpiperonyl) ether and 3% related compounds

1 gal contains 0.211 lbs of pyrethrins and 1.053 lbs of piperonyl butoxide

**ACCEPTED
with COMMENTS
In EPA Letter Dated
December 2, 2008**
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
499-522

KEEP OUT OF REACH OF CHILDREN CAUTION

(See inside for First Aid and Precautionary Statements)

EPA Reg. No. 499-522 • EPA Est. No. 499-MO-1

FIRST AID

IF SWALLOWED: Immediately call a poison control center or doctor for treatment advice. 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 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also call 1-800-225-3320 for emergency medical treatment information.

NOTE TO PHYSICIAN: May pose an aspiration pneumonia hazard. Contains petroleum distillate.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Do not get in eyes or on clothing. Wear protective eyewear*. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

*Protective eyewear includes goggles, face shield and/or safety glasses.

ENVIRONMENTAL HAZARDS

This product is highly toxic to fish. Do not contaminate bodies of water when disposing of equipment rinsate or washwaters.

TERRESTRIAL USES: This product is highly toxic to bees. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift from treated areas may be hazardous to organisms in adjacent aquatic sites. Do not contaminate water when disposing of equipment washwaters.

[For Containers >5 gal: Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without

5/8

previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.]

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not apply this product around electrical equipment due to the possibility of shock hazard.

DIRECTIONS FOR USE

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

USE RESTRICTIONS

- Apply this product only as specified on this label.
- Do not remain in enclosed areas after use. Do not remain in treated area when applying as a space treatment. Ventilate area thoroughly before reentering.
- Do not allow children or pets to enter the treated area until it has been thoroughly ventilated.
- Remove pets, birds, cover fish aquariums and turn off air pump motor before application.
- In health care facilities, remove patients prior to treatment and thoroughly ventilate treated area for 2 hr before returning patients.
- Some furniture finishes, and particularly plastics, can be damaged by petroleum based insecticides. To avoid damage, cover those items and do not spray directly. If in doubt, test by applying this material to an inconspicuous area before spraying.

USE IN FOOD HANDLING ESTABLISHMENTS

Applications are permitted in food/feed areas of food/feed handling establishments as a contact spray, space spray or Crack & Crevice® treatment, including those operating under the Federal meat, poultry, shell egg grading and egg products inspection programs. Food/feed handling establishments are defined as places other than private residences in which exposed food/feed is held, processed, prepared or served. Food/feed areas are areas for receiving, storing, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups) of food. Serving areas where food is exposed and the facility is in operation are also considered food areas. To apply this product, follow the Directions for Use under the Indoor/Outdoor Use section below.

USE RESTRICTIONS

- Do not apply directly to food.
- Food must be removed or covered prior to use.
- Do not apply while food processing is underway, when applying as a space treatment.
- Remove or cover dishes, utensils, food processing equipment and food preparation surfaces or clean after treatment with a suitable detergent and rinse with potable water before resuming operations.

INDOOR/OUTDOOR USE

CONTACT SPRAY: Apply through equipment which can deliver a pin-stream spray. Apply the spray into all cracks and crevices in woodwork, walls, floors, underneath sinks, behind pipes and in all places where these insects harbor. Contact as many insects as possible with the spray. Do not allow spray to contact stored food. Kills only the pests present at the time of application.

SPACE SPRAY: With a mechanical aerosol generator (no droplets over 70 microns in diameter and 80% less than 30 microns), apply this product at a dosage rate of approx. 1 fl oz/1,000 ft³ of treatable room space. Do not remain in treated areas after application and leave the room closed for 1 hr. Ventilate the area thoroughly before occupants are allowed to reenter. To kill flying and crawling insects in establishments and structures, close doors and windows and shut off all ventilating equipment prior to application. Leave room closed for 1 hr after application and ventilate thoroughly before occupants are allowed to reenter. Reapply 1/day if retreatment is necessary.

LINEAR APPLICATION ALONG BASEBOARDS, TRIM MOLDING AND VOIDS: With equipment designed for deep void Ultra Low Volume (ULV) applications, follow the manufacturer's recommendations for proper equipment setup and operation pressures. Place the tip of the applicator at or into the crack or crevice to be treated. Apply product in short bursts while keeping tip in position. Move the tip at a steady rate of approx. 1 ft/sec. Allow the air stream to push insecticide deep into voids. Repeat application as necessary to flush insects from voids. Avoid applying to the point of runoff or drip. Ventilate thoroughly before occupants are allowed to reenter. Reapply 1/day if retreatment is necessary.

OUTDOOR USE

OUTDOOR GROUND FOGGING APPLICATION: Use to kill flies and gnats, applying at the rate of 4 fl oz/acre. Use at a time when the temperature is cool (75°F or less) and the wind velocity is approx. 10 mph.

HANDHELD EQUIPMENT: When using ULD equipment such as Whitmire Micro-Gen equipment, apply at the rate of 4 fl oz/acre. Figure application travel path for a coverage of a 50 ft swath. Allow spray drift to penetrate dense foliage. Repeat application as required for control.

FOR USE ON DOMESTIC ANIMALS/LIVESTOCK

Use to protect beef cattle, dairy cattle and horses from horn flies, house flies and gnats, apply a light mist sufficient to wet the tips of the hair. To kill stable flies, horse flies and deer flies on beef cattle, dairy cattle and horses, apply 2 fl oz/adult animal, sufficient to wet the hair but not to soak the hide. To kill the motile stages of blood sucking lice on beef and dairy cattle, apply the spray to thoroughly wet the hair. Use 2 fl oz or less/animal and repeat every 2 - 3 weeks as required.

Space treatment over animals in barns and corrals: Select proper dilution and treat with ULD equipment over animals.

USE RESTRICTIONS

- Do not use on dogs or cats.
- Do not apply more than 1/day.
- Do not reapply within 1 day
- Do not remain in treated area.
- Do not allow unprotected persons to enter until treated area has been ventilated.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in secured dry storage area. If container is damaged or spill occurs, use product immediately or dispose of product and damaged container as indicated below.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site in accordance with the label directions or at an approved waste disposal facility.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container! Empty container by using the product according to the label directions. Offer for recycling, if available. If container is partly filled, contact your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

ULD® and Crack & Crevice® are registered trademarks of Whitmire Micro-Gen Research Laboratories, Inc.®

In addition to sites listed previously, this product is acceptable for use in and around the following sites:

INDOOR:

Animal Areas and Quarters	Food Handling Establishments	Meat Packing Plants
Apartments	Food Preparation Areas	Milk Rooms
Auditoriums	Food Processing Plants	Missions
Bakeries	Food Service Areas	Mobile Homes
Beverage Plants	Food Storage Areas	Motels
Boats	Freight Containers	Museums
Bottling Plants	Fruit Packing Sheds	Mushroom Processing Plants
Brandy Storage Warehouses	Garbage Cans	Nursing Homes
Buildings	Garbage Compactors	Office Buildings / Offices
Busess	Goat Houses	Passenger Rail Cars
Cabins	Grain Elevators	Peanut Processing Plants
Cafeterias	Grain Mills	Peanut Storage Warehouses
Canneries	Grain Handling Equipment	Poultry Houses
Cattle Barns	Granaries	Poultry Processing Plants
Churches	Grocery Stores	Prisons
Closets	Health Care Facilities	Public Buildings
Condominiums	Homes	Rabbit Processing Plants
Communication Centers	Hotels	Rabbit Houses
Convenience Stores	Horse Stables/Barns	Railroad Cars
Correctional Facilities	Hospices	Recreational Vehicles
Dairy and Livestock Barns	Industrial Installations	Research Animal Areas
Dormitories	Institutions	Restaurants
Drains and Sewers	Jails	Restrooms
Drugstores	Laboratories	Rice Mills
Dumpsters	Libraries	Schools
Dwellings	Livestock Barns	Shade Houses
Egg Processing Plants	Loafing Sheds	Ships
Factories	Locker Rooms	Ship holds
Flour Mills	Mills	Stables
	Mausoleums	Stable Bins

Master Label

v1.0.3 (10/9/08; dmt)

Stored Seed Warehouses
 Stores
 Supermarkets
 Swine Houses
 Textile Mills and Warehouses
 Theaters
 Tobacco Plants
 Tobacco Warehouses
 Townhouses
 Trains
 Transportation Equipment
 Trucks
 Truck Trailers
 Universities
 Utilities

Utility Rooms
 Voids (Attics, Walls, Ceilings)
 Warehouses
 Wineries
 Wine Storage Warehouses
 Zoos
OUTDOOR:
 Campgrounds
 Corrals
 Drive-in Restaurants
 Drive-in Theaters
 Dumpsters
 Feedlots
 Garbage Dumps

Golf Courses
 Junkyards
 Kennels
 Landscapes
 Lath Houses
 Manure Piles
 Parks
 Plantscapes
 Playgrounds
 Recreational Areas
 Sewers
 Swineyards
 Zoos

This product is also effective against the following insects when used according to label directions:

FLYING INSECTS:

Aphids
 Barn Flies
 Bees
 Blow Flies
 Bottle Flies
 Boxelder Bugs
 Cheese Skippers
 Deer Flies
 Face Flies
 Flies
 Fruit Flies
 Fungus Gnats
 Gnats
 Horn Flies
 Hornets
 Horse Flies
 House Flies
 Mushroom Flies
 Skipper Flies
 Stable Flies
 Thrips
 Vinegar Flies
 Wasps
 Whiteflies
 Yellowjackets

GRAIN BORERS:

Larger Grain Borers
 Lesser Grain Borers

CRAWLING INSECTS:

Ants(except Pharaoh, and Harvester)
 Bed Bugs
 Booklice
 Cabbage Loopers
 Cabbage Worms
 Centipedes
 Chrysanthemum Leaf Miners
 Cockroaches
 Crickets
 Earwigs
 Fire Ants

Firebrats
 Grasshoppers
 Mealybugs
 Millipedes
 Palmetto Bugs
 Pill Bugs
 Tick (Eastern Wood)
 Sowbugs
 Vegetable Leaf Miners

SPIDERS AND MITES:

Clover Mites
 Cheese Mites
 Grain Mites
 Red Spider Mites
 Spider Mites
 Spiders

WORMS:

Dark Mealworms
 Lesser Mealworms
 Yellow Mealworms

BETLES:

American Black Flour Beetles
 Black Carpet Beetles
 Black Fungus Beetles
 Broadhorned Flour Beetles
 Brown Spider Beetles
 Cadelles
 Carpet Beetles
 Catorama Beetles
 Cereal Beetles
 Cigarette Beetles
 Confused Flour Beetles
 Corn Sap Beetles
 Darkling Beetles
 Depressed Flour Beetles
 Dermestid Beetles
 Drugstore Beetles
 Flat Grain Beetles
 Foreign Grain Beetles
 Fungus Beetles

Ground Beetles
 Hairy Fungus Beetles
 Hairy Spider Beetles
 Hide Beetles
 Khapra Beetles
 Large Black Flour Beetles
 Longheaded Flour Beetles
 Merchants Grain Beetles
 Mexican Grain Beetles
 Murrmidius Beetles
 Red Flour Beetles
 Red Horned Grain Beetles
 Rusty Grain Beetles
 Saw-toothed Grain Beetle
 Slenderhorned Flour Beetles
 Smalleyed Flour Beetles
 Spider Beetles
 Squarenecked Grain Beetles
 Trogoderma Beetles
 Two Banded Beetles
 White Marked Spider Beetles

WEEVILS:

Bean Weevils
 Broadnosed Grain Weevils
 Coffee Bean Weevils
 Granary Weevils
 Maize Weevils
 Rice Weevils

MOTHS:

Almond Moths
 Angoumois Grain Moths
 Chocolate Moths
 Clothes Moths
 Cocoa Bean Moths
 European Grain Moths
 Indianmeal Moths
 Mediterranean Flour Moths
 Rice Moths
 Pink Scavenger Caterpillars
 Tobacco Moths

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A Prescription Treatment® brand insecticide from:
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3568 Tree Court Industrial Blvd.
St. Louis MO 63122-6682
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