

499-550

05/31/2011

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505P)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

EPA Reg. Number:
499-550

Date of Issuance:
MAY 31 2011

Term of Issuance:
Conditional

Name of Pesticide Product:
TC-323

NOTICE OF PESTICIDE:

- Registration
- Reregistration

(Under FIFRA as amended)

Name and Address of Registrant (include ZIP Code):

BASF Corporation
Pest Control Solutions
3568 Tree Court Industrial Blvd.
St. Louis, MO 63122

Note: Changes in labeling, claims, or substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product, always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided:

1. You will submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. All of the product chemistry data requirements for this product have been satisfied, except for:
 - a) OCSPP Guidelines 830.6317 and 830.6320, Storage Stability and Corrosion Characteristics studies, respectively. Within one-year of the date of this registration you must submit these data including interim reports made at 0, 3, 6, 9, and 12 month intervals.
3. You make the following label changes before releasing the product for shipment:
 - a) Revise the EPA Registration Number to read "EPA Reg. No.499-550".

Signature of Approving Official:

see last page

Richard Gebken, Product Manager, RD/IB (7505P)

Date:

MAY 31 2011

3. Continued:

b) Based on the petroleum distillate concentration in this product, we suggest you add an "If swallowed" statement to the First Aid section of the label:

"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."

c) Add as a second sentence below the heading "Directions for Use":

"READ ALL DIRECTIONS COMPLETELY BEFORE USE."

4. The cited acute toxicity studies were reviewed and classified as acceptable. The acute toxicity profile for this product is:

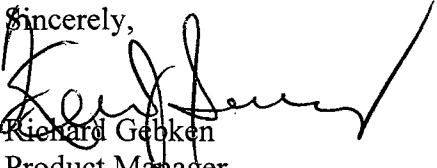
Acute oral toxicity	IV	Acceptable
Acute dermal toxicity	IV	Acceptable
Acute inhalation toxicity	IV	Acceptable
Primary eye irritation	III	Acceptable
Primary skin irritation	III	Acceptable
Dermal sensitization	Negative	Acceptable

5. The basic Confidential Statement of Formula (CSF) dated November 4, 2010 is acceptable and supersedes all previous CSFs to become the basic CSF of record. The Alternate #1 CSF dated November 4, 2010 is also acceptable.

Please submit three (3) copies of your final printed labeling within 60 days of the date of this notice but 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 acceptance of these conditions. The data evaluation reviews and a stamped copy of the label are enclosed for your records.

If you have any questions regarding this registration action, please contact Kevin Sweeney at (703) 305-5063. Thank you for your cooperation in this matter.

Sincerely,



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

Enclosure

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Master Label

v1.0 (11/4/10; dmt)

[Text in this color may be print-restricted from the marketplace label.]

TC-323

Alternate Brand Name: TBD

Descriptor: TBD

**ACCEPTED
with COMMENTS
In EPA Letter Dated
MAY 31 2011**

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
499-550**

KILLS ON CONTACT

USE OUTDOORS AND IN ATTICS & CRAWL SPACES ONLY

KILLS: Bees, Hornets, Yellowjackets and Wasps

ACTIVE INGREDIENT:

Prallethrin [(RS)-2-Methyl-4-oxo-3-(2-propynyl) cyclopent-2-enyl-(1RS)-cis, trans-chrysanthemate]..... 0.1%

OTHER INGREDIENTS*: 99.9%

*Contains Petroleum Distillate

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION

[Alternate text – all or in part: See side panel(s) for First Aid, Precautionary Statements, Directions for Use and Storage and Disposal.]

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

NET WEIGHT: 1 lb, 1.5 oz (17.5 oz)

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 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 call 1-800-832-HELP (4357) for emergency medical treatment information.

NOTE TO PHYSICIAN: Contains petroleum distillate - vomiting may cause aspiration pneumonia.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and launder before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is 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.

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 by cleaning of equipment or disposal of equipment washwaters.

PHYSICAL HAZARDS

Flammable. Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

DIRECTIONS FOR USE

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

USE RESTRICTIONS

- Use outdoors and in attics and crawl spaces only.
- When using in an attic, do not contaminate stored items, HVAC systems, water heaters or other non-structural items.

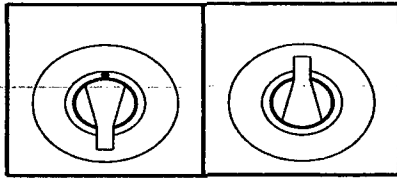
Master Label

v1.0 (11/4/10; dmt)

[Text in this color may be print-restricted from the marketplace label.]

APPLICATION INSTRUCTIONS

[Alternate Text & Pictogram: For optimum performance in overhead treatments, align the actuator opening with the mark on valve cup. When treating in a downward direction, align the actuator opening directly opposite the mark on valve cup.]



WASPS AND HORNETS: Hold container in upright position. Stand a safe distance, 6 – 10 ft from the nest, and not directly underneath. Align actuator opening with the mark on the valve cup. Aim the actuator opening toward the nest with the wind at your back. Treat the nest until thoroughly wet. Contact wasps and hornets on the nest with spray when possible. The best time of day to treat is in evening or early morning, since wasps and hornets congregate on or in the nest at night.

YELLOWJACKETS AND BEES: Locate nest. Align actuator opening directly opposite the mark on the valve cup. Press down on the actuator and apply, using a sweeping motion, contacting any stimulated or stirred-up yellowjackets and bees around the nest opening. Then move forward to the nest opening and apply for 6 – 8 sec directly into the nest hole.

INDUSTRIAL SPECIFICATIONS

Flame Projection: >18"; no flashback

Dielectric Breakdown: 47,400 volts

Arcing: TBD

Tested on Polyethylene, Polycarbonate, Noryl®, ABS-T and ABS-SB4500 plastics with no damage.

May cause staining (darkening) of asphalt surfaces and shingles.

STORAGE AND DISPOSAL

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

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

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. **If empty:** Offer empty container for recycling, if available, or place in trash if allowed by state and local regulations. **If 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:
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