

3862-80

11/17/2008

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

NOV 17 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Kim Inman
ABC Compounding Co., Inc.
P.O. Box 16247
Atlanta, GA 30321

Dear Ms. Inman:

Subject: Terminator
EPA Reg. No. 3862-80
Submission dated 8/13/08

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments listed below. One copy of the finished labeling must be submitted prior to releasing the product for shipment.

Revise the Warranty Statement in accordance with guidance posted on the Agency website at: <http://www.epa.gov/pesticides/regulating/labels/pdf/warranty.pdf>.

Revise the Container disposal statements as follows:

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available, for reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

Revise the Environmental Hazards Statements in accordance with the Resmethrin RED as follows:

This pesticide is toxic to fish, aquatic invertebrates, and oysters/shrimp. 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 washwater or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. This product may contaminate water through runoff. This product has a potential for runoff for several days after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product. A level, well maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for

contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours. Sound erosion control practices will reduce this product's contribution to surface water contamination.

Revise the second and third sentences of the Precautionary Statements as follows:
Do not get on skin, in eyes or on clothing. Do not breathe vapors or spray mist.

In the Directions for Use, create a subsection entitled "General Precautions and Restrictions". Move the following statements to this subsection:

Cover or remove exposed food and feed. In food handling establishments, do not apply while facility is in operation. After spraying in areas where food is handled, wash all equipment, benches, shelving etc. where food is handled with an effective cleaning compound followed by a potable water rinse. Do not contaminate cooking utensil and food preparation surfaces. Remove pets and cover fish aquariums before spraying.

In the Directions for use on bedbugs add the following:
Treated mattresses must be thoroughly dried before use.

Revise the Directions for use for Grain insects, Wasps, hornet, yellow jackets to clarify which statements are advisory and which statements are mandatory. See PR Notice http://www.epa.gov/PR_Notices/pr2000-5.htm.

Add to the directions for fleas the following:
Do not spray dogs, cats or horses with this product.

Delete the statement, which is confusing, since this product will be applied by commercial applicators:
For persistent infestations, consult a professional applicator.

Delete "similar areas of heavy infestation" as this may lead to misuse.

Revise the statement about use on horses to read as follows:
Do not use on horses intended for slaughter.

Please note that a notice of availability of EPA's reregistration eligibility document (RED) for products containing resmethrin was published in the Federal Register on July 26, 2006. Additional data and/or labeling changes may be required for products containing resmethrin. For more information, see the following website:
http://www.epa.gov/pesticides/reregistration/REDs/resmethrin_red.pdf

The confidential statement of formula is in review, and the results will be sent to you when the review is complete.

If you have questions, please call Ann Sibold at 703 305-6502.

Sincerely,

for *Ann Sibold*
Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

ACCEPTED
with COMMENTS
In EPA Letter Dated:

NOV 17 2008

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
3862-80



Manufactured by:

ABC Compounding Co., Inc.
P.O. Box 16247
Atlanta, GA 30321-0247
Toll Free 800-795-9222

EPA REG. NO. 3862-80
EPA EST. NO. 3862-GA-1

ACTIVE INGREDIENTS:

*=Resmethrin [5-(phenylmethyl)-
3-furanyl]methyl 2,2-dimethyl
-3-(2-methyl-1-propenyl)
cyclopropanecarboxylate.....0.250% w/w
**INERT INGREDIENTS.....99.750%
TOTAL.....100.000% w/w

**Contains Petroleum Distillate
*Cis/trans Isomers ratio: max. 30%(±)
cis and min. 70%(±)trans. =U.S. Patent
Nos. 3,455,007 and 3,542,928

Terminator

**A SYNTHETIC PYRETHROID FOR CONTROLLING
THE FOLLOWING FLYING AND CRAWLING INSECTS:**

House Flies, Mosquitoes, Gnats, Flying Moths (Millers), Fruit Flies, Vinegar
Flies, Wasps, Hornets, Yellow Jackets, Cockroaches, Waterbugs, Bedbugs,
Fleas, Ants, Crickets, Silverfish, Earwigs, Spiders, Grain Insects (Adults of
Confused Flour Beetles, Saw-Toothed Grain Beetles, Shiny Spider Beetles,
Cigarette Beetles, Grain Weevils, Angoumois Grain Moths, Mediterranean
Flour Moths, Indian Meal Moths, Grain Mites), Carpet Beetles, Sowbugs,
Centipedes and Millipedes.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

Net Contents:

Batch No.:

5/5

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner that is inconsistent with its labeling. FOR USE INDOORS AND OUTSIDE PREMISES OF HOTELS, MOTELS, FOOD HANDLING ESTABLISHMENTS, PACKAGING AND PROCESSING PLANTS, COMMERCIAL, INDUSTRIAL, OFFICE, INSTITUTIONAL AND STORAGE BUILDINGS, SUPERMARKETS, RESTAURANTS, IN BUSES, AUTOMOBILES, AND TRUCKS ALSO FOR USE IN DOG KENNELS AND HORSE STABLES. IN HORSE STABLES, NOT FOR APPLICATION IF HORSES WILL BE USED FOR FOOD. **INDOORS:** SPACE SPRAY: To kill house flies, mosquitoes, gnats, flying moths, fruit flies, vinegar flies - Close room or area to be treated. Shut off air conditioner and ventilator system. Seal all open vents. Remove pets, birds and cover fish aquaria prior to treatment. Apply undiluted as a very fine mist space spray through manually operated equipment or with electrical, other powered applicators or mechanical misting equipment. Avoid staining by holding the spray nozzle at least five feet from objects. Direct the fine spray mist toward the upper corners of the room. Fill the room with a fine mist spray at the rate of 5 fl. oz. per 5,000 cu. ft. Leave room closed for one hour. Ventilate thoroughly before reentry. Sweep up and destroy insects. **CONTACT SPRAY:** To kill cockroaches, silverfish, earwigs, ants, waterbugs, spiders, fleas, crickets, centipedes, sowbugs, millipedes, carpet beetles: Apply as a coarse wet spray on walls, floors and other surfaces of bins and storage handling areas, unloading and processing areas being careful to treat cracks and crevices in these places, as well as beneath sinks, inside conveying, processing and handling equipment, and around the bases of heavy machinery equipment. **TO KILL SPIDERS:** Spray directly on these pests and use repeated applications to the webbing and all cracks and crevices which harbor spiders. **TO KILL ANTS:** Spray doors, around window frames, ant trails and hills. **TO KILL BEDBUGS AND LICE:** Apply as a spot treatment to cracks and crevices around baseboards, floorboards, bedboards, and walls. First, thoroughly clean and air mattresses and springs. Then spot treat only areas that may harbor pests concentrating on tufts, folds and seams. Repeat as necessary. For persistent infestations, consult professional applicator. **TO KILL FLEAS:** Spray directly on insects as well as floors, floor coverings, and base boards, cracks and crevices, infested furniture, and animal resting areas. Hold spray nozzle about 18 inches from areas to be treated. Apply spray until area is moist. Treat pet bedding the same way. Also spray entire inside surface of dog houses. Repeat as necessary. Do not allow pets to contact treated areas until spray has dried. Remove or cover animal feed before spraying. Also, treat dogs, cats and horses with a registered flea control product before they reenter the treated area. **TO KILL GRAIN INSECTS:** Remove infested grain, cereal or flour and destroy. Avoid contamination of other foods and foodstuffs in the areas by removing before spraying. Spray directly on exposed stages and into cracks and crevices where grain insects may be hiding. The shelves and drawers should be clean and thoroughly sprayed so as to contact all pests, and covered with shelf paper after allowing shelves to dry. Any utensils that are contacted with spray should be washed before using. Repeat as necessary. **TO KILL WASPS, HORNETS, YELLOW JACKETS:** Application should be made in late evening when insects are at rest. Spray liberally into hiding and nesting places contacting as many insects as possible. Repeat as necessary. **OUTDOORS:** To control nuisance pests around buildings, patios, and paved areas: Apply as a contact spray. Spray directly on insects. Avoid spraying turf or plants. **TO KILL FLEAS:** Apply as a contact spray, as for indoor use. **TO KILL ANTS:** Apply as a contact spray, as for indoor use. **TO KILL WASPS, HORNETS, YELLOW JACKETS:** Application should be made in late evening when insects are at rest. Spray liberally into hiding and nesting places contacting as many insects as possible. Aim spray at nest openings in bushes, under eaves, chimneys, cracks and crevices to saturation in and around nest openings. Contact as many insects as possible. Repeat as necessary. **TO KILL EARWIGS, SOWBUGS, SPIDERS, CENTIPEDES, AND MILLIPEDES:** Apply as a contact spray, as for indoor use. To control named flying and crawling insects around premises, spray thoroughly doors, window frames and similar areas of entry. Also, thoroughly spray garbage and refuse areas, especially around poultry houses, barns, and similar areas of heavy infestation. Do not spray on turf or plants. **THERMAL APPLICATIONS:** This formulation is to be used undiluted in only such portable thermal applicator equipment that can deliver spray particle sizes within the aerosol size range. **THERMAL APPLICATIONS INDOORS:** For the control of house flies, mosquitoes, and gnats in warehouses, restaurants and industrial institutions. Remove or cover exposed food and food handling surfaces. Remove animals and plant life. Shut off ventilating systems, air ducts, air-conditioning equipment and close off room or area to be treated. Do not spray while food processing plant is occupied or in operation. Extinguish all flames and pilot lights. Apply as a dry fog at the rate of 1 fl. oz. per 1,000 cu. ft. of space. Direct nozzle of thermal applicator toward upper corners of the room and along the ceiling. Close off room for at least one hour. Do not remain in the treated areas. Ventilate thoroughly before reentry.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **STORAGE:** Store product in original container in a locked storage area. Do not store, use, pour, or spill near heat or open flame. **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:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

FIRST AID:

If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not give any liquid to the person. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 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.
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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

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

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing mist. Cover or remove exposed foods. In food processing establishments, do not apply while facility is in operation. After spraying in areas where food is handled, wash all equipment, benches, shelving, etc., where food will be handled, with an effective cleaning compound followed by a potable water rinse. Avoid contamination of cooking utensils and food preparation surfaces. Remove pets and cover fish aquariums before spraying.

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to fish. 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 and runoff from treated sites may be hazardous to fish in adjacent waters. Do not contaminate water when disposing of equipment washwaters.

PHYSICAL AND CHEMICAL HAZARDS

Extinguish open flame before space spraying. This formulation is combustible. **DO NOT USE OR STORE NEAR HEAT OR OPEN FLAME. FLASH POINT MINIMUM 150°F (65.5°C).** Do not apply this product around electrical equipment due to the possibility of shock hazard.

WARRANTY STATEMENT

Our recommendations for the use of this product are based upon tests believed to be reliable. The use of this product being beyond the control of the manufacturer, no guarantee, expressed or implied, is made as to the effects of such or the results to be obtained if not used in accordance with directions or established safe practice. The buyer must assume all responsibility, including injury or damage, resulting from its misuse as such, or in combination with other materials.

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