

 <p style="text-align: center;">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20004</p> <p style="text-align: center;">NOTICE OF PESTICIDE: <u> x </u> Registration <u> </u> Reregistration</p> <p>(under FIFRA, as amended)</p>	<p>EPA Reg. Number:</p> <p>11656-100</p>	<p>Date of Issuance:</p> <p>APR 26 2005</p>
	<p>Term of Issuance:</p> <p>Conditional</p>	
	<p>First Choice Permethrin Cutworm Bait</p>	
<p>Name and Address of Registrant (include ZIP Code):</p> <p>Western Farm Services, Inc. P.O. Box 1168 Fresno, CA 93715</p>		
<p>Note: Changes in labeling differing in 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.</p>		
<p>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.</p> <p>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.</p> <p style="text-align: center;">This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:</p> <ol style="list-style-type: none"> 1. Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of your product under FIFRA section 4. 2. Make the labeling changes listed below before you release the product for shipment: <ol style="list-style-type: none"> a. Add the phrase "EPA Registration No. 11656-100." b. Change the Hazards to Humans and Domestic Animals section to read "Harmful if swallowed, inhaled or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Avoid breathing dust." 		
<p>Signature of Approving Official:</p>		<p>Date:</p>

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c. Change the User Safety Recommendations section to "Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.". Also change waterproof gloves to chemical resistant gloves.

d. Under the Personal Protective Equipment (PPE) section add "Engineering controls statements: When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40CFR 170.240(d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS."

e.. Put the Agricultural Use Requirements section in a box format. Also make a bullet for long sleeved shirt and long pants; another bullet for chemical resistant gloves; and another bullet for chemical resistant footwear plus socks. Also move the statements "Do not apply this product in a way ... etc. and "For any requirements specific to your state xxx etc., immediately above the Agricultural Use Requirements box.

f. Under Artichoke, Asparagus, Broccoli ..., Cabbage ..., Collards, and Peppers Bell, Eggplant and Leafy Vegetables after "...per acre per season" add a bullet "Avoid application when honey bees are actively foraging by applying during early morning or during evening hours." Also replace the bee statement with the above statement in alfalfa.

g. Replace under Collards and Turnips " do not ... per season." with "Do not apply more than 0.8 lbs ai (160 lbs. product) per acre per season. Avoid application when honey bees are actively foraging by applying during early morning or during evening hours. Do not graze treated areas or feed crop to livestock. For use on collards in AR, AZ, GA, IL, NC, OK, SC, and TX Only.", for use on turnips in FL, GA, IL, IN, OK, SC, TX and WA.

h. Under Leafy Vegetables add "For spinach do not apply more than 1.0 pound active ingredient per acre per season."

i. Under Corn (field) ... add "Do not make treatments less than 6 days apart or apply less than 30 days prior to harvest of grain or fodder."

j. Under Corn, Sweet delete "Forage may be harvest on the day of application.". This is not supported by the me- too.

k. Under Tomatoes, Tomatillos (0) after "...per acre per season" add a bullet "Do not use on cherry tomato or other varieties in which the mature tomatoes will be less than 1 inch in diameter."

l. Under Environmental Hazards delete the beginning of the sentence "For terrestrial uses". The statement should begin "Do

not apply directly xxx etc."

m. Add the following restriction under Alfalfa, "Do not apply to mixed stands with intentionally grown forage grasses and/or legumes.". Also change the REI to (0)* and add *. When rates greater than 0.1 lb. active per acre are used do not apply within 14 days of harvest.

n. Under Curcubit Vegetables change REI to (0) and add the following bullet: "Applications may be made up to harvest."

o. Under Eggplant change the maximum lbs ai to 2.0 lbs ai per acre per season.

p. Revise the pesticide disposal statement to read, "Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility."

q. Under the warranty statement revise the first part of the sentence beginning, "In no case shall Western Farm Service xxx etc., to "To the fullest extent permitted by law Western Farm Service shall not be liable for consequential xxx etc."

3. Submit a one year storage stability and corrosion characteristics study on this formulation within one year from the date of this registration.

4. Delete the alternate Confidential Statement of Formula. The alternate source of the active ingredient has a different cis/trans ratio than the basic source of ai. If you want to use the alternate source of the ai you will need to apply for a separate registration.

5. Submit two (2) copies of your final printed labeling before you release 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 constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

Enclosure

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RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms
For retail sale to and use only by certified applicators, or persons under their direct supervision and only for those uses covered by the certified applicator's certification

ACCEPTED
WITH COMMENTS
in EPA Letter Dated

APR 26 2005



PERMETHRIN CUTWORM BAIT

For the control of cutworms, armyworms and crickets

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

11656-100

READ ENTIRE CONTAINER LABEL BEFORE USING THIS PRODUCT

ACTIVE INGREDIENT:

*Permethrin**0.5%

OTHER INGREDIENTS:.....99.5%

*(3-Phenoxyphenyl)methyl(+/-)cis-trans 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate
** cis/trans ration: Max. 55% (+/-) cis and min.45% (+/-) trans

First Choice® is a registered TM of Western Farm Service, Inc.

EPA REG. NO. 11656-XX EPA EST. NO. 11656-CA-02

PRECAUTIONARY STATEMENTS Hazards to Humans (and Domestic Animals)

CAUTION

Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly after handling.

Personal Protective Equipment:

- Applicators and other handlers must wear:
- Long-sleeved shirt and long pants
 - Waterproof gloves
 - Shoes plus socks

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.

User Safety Recommendations:

- Users should:
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. For terrestrial uses, 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 apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash waters. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. No not apply this product or allow it to drift to blooming crops if bees are visiting the treatment area.

KEEP OUT OF REACH OF CHILDREN CAUTION

First Aid

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferable mouth to mouth, if possible. Call a poison control center or doctor for further treatment advice.

If on skin or clothing: 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: 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.

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 the poison control center or doctor. Do not give anything by mouth to an unconscious person.

For Emergency Medical Response and Hazard communications Only, Call the National Poison Control Center at (800) 222-1222.

Manufactured by:
Western Farm Service, Inc.
P.O. Box 1168
Fresno, CA 93715
(559) 438-6133

Net Weight lbs. (Kg)

Leafy Vegetables (except Brassica) Crop Grouping including all varieties and hybrids of Amaranth; Arugula; Cardoon; Celery; Celery, Chinese; Celtuce, Chervil; Chrysanthemum, edible-leaved and garland; Corn salad; Cress, garden; Cress, upland; Dandelion; Dock; Endive; Fennel, Florence; Lettuce, head and leaf; orach; parsley; Purslane, garden; Purslane winter; Radicchio; Rhubarb; Swiss chard, Spinach (1)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 2.0 lbs. ai (400 lbs product) per acre per season. 		

Onions, Bulb and Garlic (1)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-60 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.3 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 2.0 lbs. ai (400 lbs product) per acre per season. 		

Peppers, Bell (3)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 1.6 lbs. ai (320 lbs product) per acre per season. 		

Potatoes (14)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 1.6 lbs. ai (320 lbs product) per acre per season. 		

Tomatoes, Tomatillos (0)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 1.2 lbs. ai (240 lbs product) per acre per season. 		

STORAGE AND DISPOSAL

Pesticide Storage

Do not use or store near heat, open flames or hot surfaces. Keep out of reach of children and animals. Store in original containers only. Store in a cool dry place and avoid excess heat. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal. To confine spill: Cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

Pesticide Disposal

Pesticide wastes are toxic. Wastes resulting from the use of this product may be disposed of at an approved waste disposal facility. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative of the nearest EPA Regional Office for guidance.

Container Disposal

Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY STATEMENT

Western Farm Service warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials or the manner of use or application, all of which are beyond the control of Western Farm Service. In no case shall Western Farm Service be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort, negligence, strict liability, or otherwise, shall not exceed the purchase price paid for this product or at Western Farm Service election, the replacement of this product. Western Farm Service MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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Broccoli, Brussels Sprouts, Cauliflower, Chinese Broccoli (gal lon, white flowering broccoli), **Broccoli Raab** (rapini) (1)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	10-20 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.05-0.10 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 0.8 lbs. ai (160 lbs product) per acre per season. 		

no

Corn, Sweet (1)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 1.2 lbs. ai (240 lbs product) per acre per season. Forage may be harvested on the day of application 		

Cabbage; Cabbage, Chinese (napa) (tight-heading varieties only) (1)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 1.0 lbs. ai (200 lbs product) per acre per season. 		

no

Cucurbit Vegetables Crop Group including all varieties and hybrids of cucumbers, melons, gourds, pumpkins, squash, etc. (1)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 1.6 lbs. ai (320 lbs product) per acre per season. Apply early morning or late evening if honeybees are actively foraging. 		

Collards and Turnips (1)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	10-20 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.05 -0.1 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 1.0 lbs. ai (200 lbs product) per acre per season. 		

Eggplant (3)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 3.0 lbs. ai (600 lbs product) per acre per season. 		

Corn (Field), Field Corn Grown for Seed, Popcorn

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 0.6lbs. ai (120 lbs product) per acre per season. Forage may be harvested on the day of application 		

Ornamental Nursery Stock (field grown)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	

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Physical/Chemical Hazards

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. 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.

Resistance: Some insects are known to develop resistance to products used repeatedly for control. Because the development of resistance cannot be predicted, the use of this product should conform to resistance management strategies established for the use area. Consult your local or state agricultural authorities for details.

If resistance to this product develops in your area, this product, or other products with similar mode of action, may not provide adequate control. If poor performance cannot be attributed to improper application or extreme weather conditions, a resistant strain of insect may be present. If you experience difficulty with control and resistance is a reasonable cause, immediately consult your local company representative or agricultural advisor for the best alternative method of control for your area.

AGRICULTURAL USE REQUIREMENTS

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) 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 hours.

PPE required for the 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: long sleeved shirt and long pants, waterproof gloves, and shoes plus socks.

GENERAL INSTRUCTIONS

Unless otherwise directed by supplemental labeling, follow the Directions for Use as shown in each crop group section. First Choice Permethrin 0.5% BAIT is a palletized formulations for the control of cutworms, armyworms, crickets and Darkling Ground Beetle. This product may be applied by hand equipment, ground equipment or aircraft. Apply when insects appear or feeding is noticed. The higher rate should be used as pest populations increase. With the exception of crops listed on this and the Pounce Insecticide label (EPA

Reg. No. 279-3014) rotational corps should not be planted within 60 days of last application.

Pre harvest interval is shown after each crop in ().

Alfalfa; Alfalfa grown for seed (14)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-40 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.2 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 0.2 lbs. ai (40 lbs product) per acre per cutting. For seed alfalfa, make applications early morning or late evening when bees are not actively foraging. 		

Artichoke (0)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	20-60 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.1 -0.3 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 1.5 lbs ai (300 lbs product) per acre per season 		

Asparagus (1)

Insects Controlled	Rate of Application	Comments
Cutworms Armyworms Crickets	10-20 lbs/A	Use higher recommended dosage for increased pest pressure or for increased residual pest control
Darkling Ground Beetle	0.05 -0.1 lbs ai/A	
<ul style="list-style-type: none"> Do not apply more than 0.4 lbs. ai (80 lbs product) per acre per season. 		