

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

January 5, 2024

Kathy Skates Regulatory Affairs Manager Y-TEX Corporation 1825 Big Horn Ave. Cody, WY 82414

Subject: Label Amendment - Registration Review Mitigation for Permethrin Product Name: GARDSTAR 40% EC LIVESTOCK AND PREMISE INSECTICIDE EPA Registration Number: 39039-8 Application Date: March 11, 2021 Decision Number: 572081

Dear Kathy Skates:

The Agency, in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the Permethrin Interim Decision, and has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling

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before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

If you have any questions about this letter, please contact Carolyn Smith by phone at 202-566-2273, or via email at <u>smith.carolyn@epa.gov</u>.

Sincerely,

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Kelly Sherman Chief, Risk Management & Implementation Branch 3 Pesticide Re-evaluation Division Office of Pesticide Programs

ENCLOSURE: Stamped label

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PERMETHRIN GROUP 3A INSECTICIDE

GardStar[®] 40% EC Livestock and Premise Insecticide

- For Both Indoor and Outdoor Use
- For Agricultural/Commercial Use and Vector Control Agency, Pest Control Operators Only.
- For Control of Flies, Lice, Mites, and Ticks on Livestock and their Premises.
- Can be used on Lactating and Non-Lactating Dairy Cattle and Goats, Beef Cattle, Sheep, Swine, Poultry and Horses.
- Can be used in all areas of Dairy Barns, including Milk Rooms.
- For Control of Fleas and Ticks on Dogs by spray, dip wash or dip tank. Application of product on pets must only be done indoors.
- Aids in Control of Fire Ants.
- For aid in Control of Small Hive Beetles around Honey Bee Hives.

ACTIVE INGREDIENT	
Permethrin*	40.00%
†OTHER INGREDIENTS:	60.00%
	100.00%

*(3-Phenoxyphenyl)methyl(±)cis/trans

3-(2,2-dichloroethenyl) 2,2-dimethylcyclopropanecarboxylate. cis/trans isomers ratio: Min. 35%(±)cis and Max. 65%(±) trans. †Contains Petroleum Distillate

GardStar-Registered Trademark of Y-TEX Corporation.

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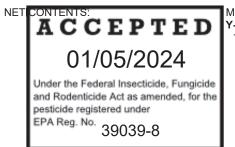
KEEP OUT OF REACH OF CHILDREN

WARNING

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 minutes. Call a poison control center or doctor for treatment advice.		
NOTE TO PHYSICIAN			
Contains petroleum distillate – vomiting may cause aspiratio pneumonia.			

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information regarding medical emergencies or pesticide incidents, call Chem-Tel, Inc. at 1-800-255-3924. For product information, call 1-307-578-0240 (Y-TEX Corporation).

SEE ATTACHED BOOKLET FOR ADDITIONAL PRECAUTIONARY STATEMENTS



Manufactured for Y-TEX CORPORATION 1825 Big Horn Avenue Cody, WY 82414

PRECAUTIONARY STATEMENTS Hazards To Humans and Domestic Animals

WARNING

May be fatal if swallowed. Avoid contact with skin or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators using ULV cold foggers or fog/mist generators in indoor spaces must wear:

- Coveralls over long-sleeved shirt and long pants;
- Chemical-resistant gloves made of barrier laminate, nitrile rubber, neoprene rubber or viton;
- Chemical-resistant footwear plus socks, and

• Chemical-resistant headgear, if overhead exposure. Applicators using ULV cold foggers and/or fog/mist generators in outdoor spaces must wear:

- Long-sleeve shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves made of barrier laminate, nitrile rubber, neoprene rubber or viton.

All other mixers, loaders, applicators, and other handlers must wear:

- Long-sleeve shirt and long pants,
- Shoes plus socks,
- Chemical-resistant gloves made of barrier laminate, nitrile rubber, neoprene rubber or viton.
- Chemical-resistant apron for mixers/loaders, persons cleaning equipment, and persons exposed to the concentrate and for handlers performing animal dip applications.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should 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.

Environmental Hazards

This pesticide is extremely toxic to aquatic organisms, including fish and invertebrates. Do not apply directly to water, 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 disposing of equipment wash waters.

Under some conditions, it may also have a potential for transport into surface water in runoff (primarily absorbed to suspended soil particles), for several months or more after January 3, 2024

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applications. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, and areas overlying extremely shallow groundwater, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas over-lying tile drainage systems that drain to surface waters.

This pesticide is highly toxic to bees and other pollinating insects exposed to direct treatment or to residues in/on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area. **Protect pollinating insects by following label directions intended to minimize drift and to reduce risk to these organisms.**

PHYSICAL OR CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame.

STORAGE AND DISPOSAL

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

Pesticide Storage And Spill Procedures:

Store upright at room temperature, preferably under lock and key. Avoid exposure to extreme temperatures. Post as a pesticide storage area. Always store pesticides in the original container. Store away from food, pet food, feed, seed, fertilizers, and veterinary supplies. Place liquid formulations on lower shelves and dry formulations above. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

Pesticide Disposal:

Pesticide wastes are acutely hazardous. To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry). Do not pour or dispose down the drain or sewer. Call your local solid waste Agency for local disposal options.



CONTAINER HANDLING:

CONTAINERS 5 GALLONS OR SMALLER: Nonrefillable container. Do not reuse or refill this container.

Triple rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a rinse tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill or by incineration. Do not burn unless allowed by state and local ordinances.

NOTICE OF WARRANTY: To the extent consistent with applicable law, Y-TEX CORPORATION MAKES NO WARRANTY OF MERCHANTABILITY, FITNESS FOR ANY

PURPOSE, OR OTHERWISE, EXPRESSED OR IMPLIED concerning this product or its uses which extend beyond the use of the product under normal conditions in accord with the statements made on this label, and in any case, is limited to replacement of product only.

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READ ENTIRE LABEL BEFORE EACH USE

DIRECTIONS FOR USE

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

Resistance-management Recommendations. For resistance management, GardStar 40% EC Livestock and Premise Insecticide contains a Group 3A insecticide. Any pest population may contain individuals naturally resistant to GardStar 40% EC Livestock and Premise Insecticide and other Group 3A insecticides. The resistant individuals may dominate the insect/mite/pest population if this group of insecticides are used repeatedly in the same areas. Appropriate resistance-management strategies should be followed.

GENERAL PRECAUTIONS AND RESTRICTIONS

For both indoor and outdoor use.

FOR PET USE - USE ONLY ON DOGS.

Application of product on pets must only be done indoors.

Except when applying to dogs or livestock, do not enter or allow others to enter treated area until sprays have dried.

Except when applying to dogs or livestock, do not enter or allow others to enter until vapors, mists, and aerosols have dispersed, and the treated area has been thoroughly ventilated.

Except when applying to dogs or livestock, do not apply this product in a way that will contact workers or other persons, either directly or through drift.

Except when applying to dogs or livestock, only protected handlers may be in the area during application.

Do not breathe dust, vapors, or spray mist.

Not for use in outdoor residential misting systems.

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.

All outdoor spray applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

- (1) Applications to pervious sufaces such as soil, lawn, turf, and other vegetation
- (2) Perimeter band treatments of 7 feet wide or less from the base of a man-made structure to pervious surfaces (e.g., soil, mulch, or lawn);
- (3) Applications to vertical surfaces (such as the side of a man-made structure) directly above impervious surfaces (e.g. driveways, sidewalks, etc.), up to 2 feet above ground level.

Spot treatments must not exceed two square feet in size (for example, 2 ft. by 1 ft. or 4 ft. by 0.5 ft.).

For soil or foliar applications, do not apply by ground within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds.

Do not spray the product into fish pools, ponds, streams, or lakes. Do not apply directly to sewers or storm drains, or to any area like a drain or gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur.

Do not allow the product to enter any drain during or after application.

Do not apply directly to impervious horizontal surfaces such as sidewalks, driveways, and patios except as a spot or crack-and-crevice treatment.

Treat surfaces to ensure thorough coverage but avoid runoff.

To treat insects harbored in voids and cracks-and-crevices, applications must be made in such a manner to limit dripping and avoid runoff onto untreated structural surfaces and plants.

Do not apply or irrigate to the point of runoff.

Do not allow the product to enter indoor or outdoor drains. *No permita la entrada a desagües internos o externos.* Follow proper disposal procedures on this label. *Siga las indicaciones del etiquetado para el desecho apropiado del pruducto.*



Do not make applications during rain. Avoid making applications when rainfall is expected before the product has sufficient time to dry (minimum 4 hours).

Rainfall within 24 hours after application may cause unintended runoff of pesticide application.

Do not use this or any other pesticide on sick, old or debilitated animals.

Do not use on dogs under 4 months old. Consult a veterinarian before using this product on medicated, debilitated, aged, pregnant or nursing animals. Sensitivities may occur after using any pesticide product for pets. If signs of sensitivity occur, bathe your pet with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately.

Directions for use in commercial animal premise automatic misting systems:

Not for use in outdoor residential misting systems (indoor or outdoor).

Do not apply this product in barns or stables where animals intended for slaughter or human consumption will be maintained.

Do not apply when food, feed or water is present.

Do not apply directly to animals.

When using this product, installers and service technicians must comply with the license, certification, or registration requirements of the state(s), tribe(s), or local authority(ies) where they are installed.

When applying via a remote activation device, do not apply when people and pets are present. If possible, when applying via automatic timer, set the timing for application when people and pets are unlikely to be present.

Direct nozzles to spray towards the target area and away from areas where people are typically present.

Do not use in an evaporative cooling system.

Do not use in misters located within 3 feet of air vents, air conditioner units, or windows.

If used in a system with a reservoir tank for the end use dilution, the system reservoir tank must be locked. Securely attach the end use pesticide label and a dilution statement to the system reservoir tank in a weather protected area or plastic sleeve. The dilution

statement must be phrased as follows: this container holds ____ parts GardStar 40% EC Livestock and Premise Insecticide to ____ parts water.

If used in a direct injection system, the pesticide container must be locked. Securely attach the end use label to the pesticide container in a weather protected area or plastic sleeve.

This product must only be used in systems that have been calibrated to apply no more than the maximum application rate of 4 fluid ounces per 1000 cubic feet or 10 gallons of diluted product.

SPRAY DRIFT ADVISORIES

Handheld Technology Applications:

Take precautions to minimize spray drift

Following best management practices can help reduce risk to terrestrial pollinators. Examples of best management practices include applying pesticides in the evening and at night when pollinators are not foraging and checking to confirm hive locations before spraying. For additional resources on pollinator best management practices, visit <u>https://www.epa.gov/pollinator-protection/find-best-management-practices-protect-pollinators</u>.

Managed pollinator protection plans are developed by states/tribes to promote communication between growers, landowners, farmers, beekeepers, pesticide users, and other pest management professionals to reduce exposure of bees to pesticides. If available, visit state plans for additional information on how to protect pollinators.

How to Report Bee Kills: It is recommended that users contact both the state lead agency and the U.S. Environmental Protection Agency to report bee kills due to pesticide application. Bee kills can be reported to EPA at <u>beekill@epa.gov</u>. To contact your state lead agency, see the current listing of state pesticide regulatory agencies at the National Pesticide Information Center's website: http://npic.orst.edu/reg/state_agencies.html.

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
Lactating and Non-Lactating Dairy Cattle and Goats, Beef Cattle and Sheep			
Horn flies only (for 1 week residual control)	High pressure spray	4 fl. oz. (118 ml) to 50 gals. water (treats 200) 0.025% Active Ingredient (AI)	1 qt. of coarse spray per animal

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Horn flies, Face flies, Stable flies, House flies, Horse flies, Deer flies, Black flies, Mosquitoes, Eye gnats, Mange mites, Scabies mites, Ticks, Lice, Sheep keds (1-2 weeks residual control of horn flies)	High pressure spray	4 fl. oz. (118ml) to 25 gals. water. (treats 50-100) 0.05% Al	1-2 qt. of coarse spray per animal over whole body surface. For Mange, Scabies, Ticks and Lice, thoroughly wet animal. Repeat application 10-14 days for Mites and Lice.
Horn flies, Face flies, Stable flies, Ear ticks and Lice (2-3 weeks residual control of horn flies)	Low pressure spray (Hand pump sprayer)	4 fl. oz. (118ml) to 2 1/2 gals. water. (treats 64-80) 0.5% Al	For fly and lice control, spray midline from face to tailhead to point of runoff (4-5 fl. oz.) (118-148 ml). For ear tick control, spray directly into each ear 0.50 fl. oz. (15 ml) each.
Horn flies, Face flies, Stable flies (Season long control of horn flies)	Backrubber, Self Oiler	4 fl. oz. (118ml) to 10 gals. diesel oil or suitable mineral oil. 0.125% Al	Keep rubbing device charged. Results improved by daily forced use.
Poultry			
Northern fowl mites, Lice	High pressure spray	1-4 fl. oz. (30 - 118ml) to 3.75 gals. water. (treats 375) 0.08 - 0.33% Al	1 gal. of coarse spray per 100 birds, paying particular attention to vent area.
Swine (Allow 5 days between	last treatment and sla	uahter)	
Lice, Mange	Sprayer or Dip	4 fl. oz. (118ml) to 25 gals. water. (treats 50-100) 0.05% Al	Thoroughly wet or dip animals including ears. For Mange, spray pen floors, sides and bedding. Repeat at 14 days.
Horses & Dogs (Do not use or	ו cats)		
Horn flies, Face flies, Stable flies, House flies, Horse flies, Black flies, Mosquitoes, Eye gnats, Mange mites, Scabies	Low Pressure Spray	0.25 fl. oz. (7.5ml) to 1 pt. water. 0.625% Al	1-2 fl. oz. (30-60ml) spray per animal. Spot treat back, face, legs, tail and ears.
mites, Ticks, Lice, Fleas	Dip Wash	0.25 fl. oz. (7.5ml) to 1.25 gals. water. 0.0625% Al	Thoroughly wet animal to skin with sponge or rag. Let drip dry.
	Dip (dogs only)	4 fl. oz. (118ml) to 20 gals. water. 0.0625% Al	Make sure all areas are soaked to skin. Let drip dry on animal. Do not rinse off.

DIRECTIONS FOR USE (Continued)

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
Premises - in and around Hors Outside Meat and Honey Proc			, Animal Hospitals, Pens and Kennels and
House flies, Stable flies, Little house flies (<i>Fannia spp</i>). Aids in control of Cockroaches, Ants, Spiders, Mosquitoes and	Surface Spray	4 fl. oz. (118ml) to 10 gals. water. 0.125% Al	Spray surfaces until wet or 1 gal. per 750- 1000 sq. ft. (Do Not Use in Milk Rooms)
Crickets.	Space Spray	1.5 fl. oz. (45ml) to 1 gal. water. 0.469% Al	Apply as fog or fine mist until area is filled with mist, using 2 fl. oz. (60ml) per 1000 cubic ft. (Can be used in Milk Rooms)
	Overhead space spray system	4 fl. oz. (118ml) to 10 gals. mineral oil. 0.125% Al	4 fl. oz. (118ml) spray per 1000 cu. ft. of air space. (Do Not Use in Milk Rooms)
Temporary reduction of annoyance from pests mentioned above.	Outdoor space spray	1.5 fl. oz. (45ml) to 1 gal. water. 0.469% Al	Fill area with mist. Apply while the air is still and avoid wetting foliage.
Bed bugs and Chicken mites	Sprayer	4 fl. oz. (118ml) to 10 gals. water. For severe infestation it is permissible to use 4 fl. oz. to 4 gals.	Spray crevices of roost poles, cracks in walls and cracks in nest and nest boxes.
Ticks, including the Deer tick, Fleas	Indoor spray	3 fl. oz. (90ml) to 2 gals. water. 0.469% Al	Treat around windows, doors, porches, screens, eaves, patios, garages, under stairways and in crawl spaces where these pests may occur. Apply until surface is wet but do not let runoff occur (approx. 1 gal. per 750-1000 sq. ft.).
	Outdoor spray	4 fl. oz. (118ml) to 100 gals. water. For longer residual, use up to 8 fl. oz. (236 ml) to 100 gals. water. 0.0125 - 0.025% Al	Use enough finished spray to penetrate foliage, usually 50-100 gals. per acre. To prevent infestation of buildings, treat a band of vegetation 7 feet wide or less from the base of the structure.
For Aid in Control of the Small Hive Beetle, <i>Aethina tumida.</i>	Sprinkler Can	0.17 fl. oz. (5 ml) to 1 gal. water. 0.05% Al	For treatment of existing infestations, apply as soon as beetles or larvae are observed in or around the hive. Thoroughly wet ground in an area 18-24 inches wide in front of each hive (1 gal. per 6 hives). Apply spray in late evening after bees become inactive.
	Sprinkler can, hand pump sprayer or other low pressure sprayer	0.17 fl. oz. (5 ml) to 1 gal. water. 0.05% Al	For pre-placement cleanup of apiary, apply to entire ground surface 24-48 hrs. prior to hive placement.
Imported fire ants	Sprinkler Can	3 fl. oz. (90ml) to 1 gal. water. 0.938% Al	Gently sprinkle 1 gal. over the surface of each mound. Thoroughly wet the mound and surrounding area to treat a 4 ft. diameter. For best results, apply in cool weather 65-80°F (early morning or late evening). Pressurized sprayers may disturb ants and cause migration reducing product effectiveness.

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DIRECTIONS FOR USE (Continued)

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
Premises - in and around Hors Outside Meat and Honey Proc		Sheep and Poultry Premises	, Animal Hospitals, Pens and Kennels and
For prevention of imported fire ant movement in- or out- of honey bee hives positioned on supports such as pallets	Sprinkler can, hand held pump sprayer or other low pressure sprayer	0.17 fl. oz. (5 ml) to 1 gal water, 0.05% Al Soil Drench	For pre-placement of apiary apply to ground surface 24-48 hours <i>prior to</i> hive support placement. Thoroughly wet ground area (1 gal. solution per 16 sq. ft. or 6 gal per 100 sq. ft.) to make a treated square large enough to place the support plus a 2 to 4 ft. treated buffer around the structure, such as a 10 sq. ft. area with a 4 sq. ft. pallet to be placed in the center. Retreat area prior to each season. Prior to moving support pallets onto trailer for transport, assure that no treated soil remains on pallet that may result in bees
For prevention of imported fire ant movement in- or out- of honey bee hives positioned on supports such as pallets (continued)	Low pressure sprayer	3-4 fl. oz. (90-118 ml) to 10 gals. water, 0.1-0.13% Al Surface spray	contacting treated surfaces during transport. Apply to bottom pallet of two support pallets until surface is wet but do not let runoff occur (approx. 0.5 gal per pallet) and let dry before placing pallet supporting bee hives on top. Retreat pallets prior to each season. For transport, move only non-treated hive support pallet onto trailer. Leave treated (bottom) pallet on site, properly discard or transport separately to new site.
hive or any other surfaces that b Hand pump sprayers may only b	ees may contact. Wher be used when hives are ource that may be in th	n hives are present, applications <u>not</u> present and only for pre-pla e area or apply during windy col	contact by spray or spray drift with the bees, may only be made with a sprinkler can. icement cleanup of apiary. Do not nditions. For better soil penetration and

Do not apply dilutions for **premise treatment directly on livestock or poultry. Ensure that feed and water are not contaminated by spray drift. For **space spraying**, do not remain in treated areas and ventilate the area before reoccupying. Animals should be removed from area prior to treatment. The use of any residual fly spray should be supplemented with proper manure management and general sanitation to reduce or eliminate fly breeding sites.