

15 JAN 1992

Sumitomo Chemical America, Inc.
c/o Dr. Robin Todd
1330 Dillon Heights Avenue
Baltimore, MD 21228

Dear Dr. Todd:

Subject: Revised Labeling
2% d-Phenothrin Insecticide Aerosol
EPA Reg. No. 39398-1
2% Sumithrin Total Release Insecticide, Aerosol
EPA Reg. No. 39398-2
Insecticide Aerosol d-Phenothrin
EPA Reg. No. 39398-5
Pesguard NS 4/1 WB
EPA Reg. No. 39398-10
Submission dated January 9, 1992

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. ~~Five copies of the finished labeling must be submitted prior to releasing the product for shipment.~~

1) In the Precautionary Statement paragraph, the "Hazards to Humans" section requires that you indicate the precaution to be taken to avoid injury or damage and to indicate the appropriate first aid statement for the hazard. As new labels are prepared, modify this precaution in accordance with 40 CFR 156.10(h)(2)(i). The following may serve as an example.

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Call a physician or Poison Control Center immediately.

IF IN EYES: Flush with plenty of water. Get medical attention if irritation persists.

IF ON SKIN
OR CLOTHING: Remove contaminated clothing and wash before reuse. Wash skin with soap and warm water. Get medical attention if irritation persists.

IF INHALED: Remove victim to fresh air. Apply artificial respiration if indicated.

2) Submit a revised Confidential Statement of Formula for EPA Reg. No. 39398-2.

You should be advised that two of the ingredients in your products (Freon 11 and Freon 12) have been identified as Class I substances under Title VI of the Clean Air Act, 1990 amendments. Based upon this Act, Congress has implemented provisions to protect the stratospheric ozone layer from deterioration. Many currently registered products as well as new applications for registration will ultimately be affected by this Act. Any questions concerning this issue are welcomed by the Agency.

Sincerely,



Richard F. Mountfort
Product Manager (10)
Insecticide-Rodenticide Branch
Registration Division (H7505C)



INSECTICIDE AEROSOL D-PHENOTH

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS

CAUTION

Harmful if swallowed. Do not use in commercial food serving areas while food is exposed. Do not contaminate food or foodstuffs.

ENVIRONMENTAL HAZARDS

Do not apply directly to water or wetlands (swamps bogs, and marshes).

PHYSICAL HAZARDS

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130° may cause bursting.

STORAGE AND DISPOSAL

STORAGE

Store in a cool, dry area.

DISPOSAL

Do not re-use empty container. Securely wrap in several layers of newspaper and discard trash.

For Use By or Under the Direction of Federal/State Personnel for JAPANESE BEETLE Control According to the Plant Protection and Quarantine Manual.

ACTIVE INGREDIENTS:

3-phenoxybenzyl (1RS, 3RS; 1 RS, 3SR) -2, 2- methyl-prop-1-enyl) cyclopropanecarboxylate 10.0%

INERT INGREDIENTS: 90.0%

DIRECTIONS FOR USE

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

Spray 5 grams (5 seconds) per square meter in accordance with Plant Protection Manual.

NOTICE — READ LABEL

CONDITIONS OF SALE:

Sumitomo (and seller) offers no warranties, express or implied, to the buyer and all users are deemed to accept the conditions of sale and warrant their own written agreement of a duly authorized agent.

WARRANTY LIMITATION

Sumitomo warrants that the product conforms to the description in the directions for use. It does not warrant against risks referred to below. THERE IS NO WARRANTY, MERCHANTABILITY and there is no description of the label.

INHERENT RISKS:

The directions for use of this product should be followed carefully and should be followed carefully to minimize all risks associated with use or application. No instructions or resulting from use.

LIMITATION OF LIABILITY

In no case shall Sumitomo be liable for consequential damages resulting from use and no claim of any kind shall be made in excess of the purchase price of the product claimed.

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE SIDE PANEL FOR PRECAUTIONARY STATEMENTS

ACCEPTED WITH COMMENTS
In EPA Letter dated
15 JAN 1992
Under the Federal Insecticide, Fungicide, and Rodenticide Act registered for the pesticide 39398-5
EPA Reg No.

EPA Registration No. 39398-5
EPA Est. No.

SUMITOMO CHEMICAL AMERICA, INC.
345 Park Avenue
New York, NY 10154

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