



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

September 27, 2005

William Washburn  
Micro Flo Company LLC  
P.O. Box 772099  
Memphis, TN 38117

Subject: Label Amendment - Addition of New Uses  
Bifenthrin 98% Technical  
EPA Reg. No. 51036-390  
Your Submission Dated September 15, 2004.

Dear Mr. Washburn:

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. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Add "prepared" under FOOD HANDLING ESTABLISHMENT, ".....where food is held, processed, prepared or served."
2. Correct the typo's "Cramba" with "Crambe", "Braccica" with "Brassica", and "Schrubs" with "Shrubs".
3. Delete "In no case shall Micro Flo or seller be liable for consequential, special, or indirect damages resulting from the use or handling of this product." from the Warranty Statement. This statement is overly broad and implies buyer has no legal right to recover damages from manufacturer and is unacceptable under statutory and regulatory standards. We recommend revising it to read "To the fullest extent permitted by law Micro Flo or seller shall not be liable for any ..... etc" or "It is Micro Flo or seller intention that in no case shall Micro Flo or seller be liable ..... etc."

Sincerely,

*George T. LaRocca*

George T. LaRocca

Product Manager (13)

Insecticide Branch

Registration Division (7505C)

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## BIFENTHRIN 98% TECHNICAL

### ACTIVE INGREDIENT:

Bifenthrin: (2-methyl[1,1'-biphenyl]-3-yl)methyl 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-cyclopropane carboxylate\* . . . . . 98.65%

OTHER INGREDIENTS: . . . . . 1.35%

TOTAL: . . . . . 100.00%

Cis isomers 97% minimum, trans isomers 3% maximum

### WARNING

#### FIRST AID

##### 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.

##### IF INHALED:

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably 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.
- 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.

NOTE TO PHYSICIAN: Do not administer milk or milk products.

EPA Reg. No. 51036-390  
Ad 022003

EPA Est. No. XXX-XX-XXX

NET CONTENTS:

Manufactured For:  
MICRO FLO COMPANY  
P.O. BOX 772099  
MEMPHIS, TN 38117

ACCEPTED  
with COMMENTS  
In EPA Letter Dated

SEP 27 2005

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

51036-390

## **PRECAUTIONARY STATEMENTS**

### **Hazards to Humans (and Domestic Animals)**

**WARNING.** Fatal if swallowed. Harmful if inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes, and clothing. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling, and before eating, drinking or using tobacco.

Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

### **EMERGENCY NUMBERS:**

- Transportation or spill, call CHEMTREC 800-424-9300.
- Human health, call 1-800-HELP (4357)
- Animal health, call ASPCA at 800-345-4735.

## **ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or public waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

## **PHYSICAL AND CHEMICAL HAZARDS**

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

## **DIRECTIONS FOR USE**

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

## **STORAGE AND DISPOSAL**

**PESTICIDE STORAGE:** Do not freeze. Do not store below 40 F. If solid crystals are observed, warm material to above 60 F by placing container in warm location. Shake or roll container periodically to redissolve solids.

Keep out of reach of children and animals. Store in original container only. Store in a cool dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink

containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

In case of spill, avoid contact, isolate area, and keep out animals and unprotected persons. Confine spills.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter, or commercial clay. If dry material cover up to prevent dispersal. Place damaged package in a holding container. Identify contents.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Do not contaminate water, food, or feed by storage or disposal. Improper disposal of excess pesticide, spray mixture, or rinsate, is a violation of Federal law. Dispose of excess waste or pesticide by use according to the label directions, or contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

This material requires further mixing before use.

#### **ONLY FOR FORMULATION INTO AN INSECTICIDE/MITICIDE FOR:**

(1) The following uses: Sweet Corn, Succulent Peas and Beans, Head and Stem Braccica Vegetables, Globe Artichoke, Curcubits, Herbs, Bananas, (import only), Legume Vegetables, Cotton, Field Corn (grain and silage), Popcorn, Field Corn Grown for Seed, Hops, Grapes, Greenhouse Grown Ornamental Trees, Shrubs, Plants, Flowers, Non-Bearing Fruit and Nut Trees, Rapeseed, Canola, Cramba, Strawberries, Caneberries, Lettuce (head), Pears, Citrus, Tomato, Peppers (bell and non-bell), Eggplant, Spinach, Tree Nuts.

#### **TERRESTRIAL NON-FOOD:**

Termiticide and Soil contact Non-fumigation Treatment

Wood Treatment and Protection

Outdoor Insect Control

Ornamental Plants, trees (including Non-bearing fruit and nut trees), shrubs, and vines (woody)

Residential Lawns

Indoor Insect Control

#### **FOOD HANDLING ESTABLISHMENT:**

Places other than private residences in which food is held, processed or served.

#### **NON-FOOD/FEED AREAS:**

May be used to manufacture as end-use products for use as a spot or crack and crevice treatment in non-food areas. Similar areas in which insects hide or through which insects may enter may be treated. Examples of non-food areas include: garbage rooms, lavatories, floor drains (to sewers), and entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling).

#### **FOOD/FEED AREAS:**

May not be used to manufacture products for use in food/feed areas. Do not use in food areas of food handling establishments, restaurants, or other areas where food is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served, such as dining rooms but excluding areas where food may be prepared or held. Example of food areas are areas for receiving, storage, packing, (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas (when food is exposed and facility is in operation) also would be considered food areas. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed.

(2) Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and —

(3) Uses for experimental purposes that are in compliance with USEPA requirements.

Formulators using this product are responsible for obtaining US EPA registration for their formulated product, which may be labeled for the use of patterns found as listed on the label.

#### **CONDITIONS OF SALE AND WARRANTY**

The Directions For Use of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, 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 use of the product in a manner inconsistent with its labeling, all of which are beyond the control of MICRO FLO COMPANY LLC ("Micro Flo") or the Seller. All such risks shall be assumed by the Buyer. Micro Flo 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. MICRO FLO MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. IN NO CASE SHALL MICRO FLO OR THE SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. Micro Flo and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of Micro Flo.