

53883-27

09/23/2005

2-DAY Fed Ex 1/8

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 53883 - 27	2. EPA Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Martin's Viper EC	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION SEP 23 2005
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below. ✓	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of insertion of dilution chart to facilitate ease of use PR Notice 98-10. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 2.5 gallon		5. Location of Label Directions <input type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Joe Blake	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 800-242-5562
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Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment, or both under applicable law.

6. Date Application Received
(Stamped)

2. Signature 	3. Title Director, Regulatory Affairs
4. Typed Name Joe Blake	5. Date 09-07-05

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NOTIFICATION
SEP 23 2005

Martin's

Viper

Insecticide Concentrate

- Provides Effective Insect Control
- Use Areas: Houses, Warehouses, Industrial Buildings, Apartment Buildings & Other Sites Listed

For Industrial/Institutional/Commercial Use Only

ACTIVE INGREDIENT:

Cypermethrin
 (±)α-cyano-(3-phenoxyphenyl)methyl
 (±)-cis, trans-3-(2,2-dichloroethenyl)-2,2-
 dimethylcyclopropanecarboxylate* 25.4%

INERT INGREDIENT:** 74.6%

TOTAL: 100.0%

*Cis/trans ratio: 47/53 (±) 10

** Contains petroleum distillates

Contains 2 pounds active ingredient per gallon.

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.

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.

IF INHALED: 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.

Note to Physician: Contains Petroleum Distillates – Vomiting may cause aspiration pneumonia.

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

Net Contents: 16 oz.

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

WARNING

MAY BE FATAL IF SWALLOWED. CAUSES SKIN IRRITATION. HARMFUL IF ABSORBED THROUGH SKIN OR INHALED. CAUSES MODERATE EYE IRRITATION. MAY CAUSE ALLERGIC SKIN REACTIONS. Do not get on skin or clothing. Avoid contact with eyes. Avoid breathing vapor or spray mist. Wear protective clothing and impermeable gloves when spraying, handling, or mixing concentrate. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish. Do not contaminate water when disposing of equipment wash waters. Do not apply directly to any body of water. Apply this product only as specified on this label. Care should be used when spraying to avoid fish and reptile pets.

For Treatment of Preconstruction Lumber and Logs: Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other 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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PHYSICAL AND 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.

For residual pest control in and on buildings and structures and their immediate surroundings and on modes of transport. Permitted areas of use include industrial buildings, houses, apartment buildings, laboratories, buses, greenhouses (non-commercial), and the nonfood/feed areas of stores, warehouses, vessels, railcars, trucks, trailers, aircraft (cargo areas only), schools, nursing homes, hospitals (nonpatient areas), restaurants, hotels and food manufacturing, processing, and servicing establishments.

Let treated surfaces/areas dry before allowing humans and pets to contact treated surface/areas. Do not use in commercial greenhouses or nurseries. Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

Do not use on food or feed crops.

Viper Insecticide Concentrate is intended for dilution with water for spray application.

Fill sprayer with the desired volume of water and add Viper Insecticide Concentrate. Close and shake before use in order to ensure proper mixing. Shake or reagituate sprayer before use if spraying is interrupted. Make up only as required; repeat treatments when needed.

Pests		Concentration of Active Ingredient	Dilution Rate
Ants Boxelder Bugs Centipedes Chiggers ^{2,3} Cockroaches (Maintenance) Crickets Earwigs Elm Leaf Beetle ³	Firebrats Fleas ² Flies ¹ Millipedes Mosquitoes ² Pillbugs Silverfish Sowbugs	0.1%	½ fl. oz. (1 tbsp.) per 1 gal. water
Bees Cockroaches (Clean-out) Scorpions Spiders	Ticks Wasps Wood Infesting Beetles	0.2%	1 fl.oz. (2 tbsp.) per 1 gal. water

¹Not for indoor use in California for fly control.
²Outdoor use only.
³Not approved for use in California.

Cockroaches, Spiders, Crickets, Scorpions, Silverfish, Ticks, and Firebrats: Apply as a coarse, low-pressure spray to areas where these pests hide, such as baseboards, corners, storage areas, closets, around water pipes, doors and windows, attics and eaves, behind and under refrigerators, cabinets, sinks, furnaces and stoves, the underside of shelves, drawers, and similar areas. Pay particular attention to cracks and crevices; also see "OUTSIDE SURFACES AND AROUND BUILDINGS."

Ants: Apply to any trails, around doors and windows, and similar areas where ants may be found. Refer to "BARRIER TREATMENT" directions to prevent infestation; also see "OUTSIDE SURFACES AND AROUND BUILDINGS."

Wasps and Bees: Application to nests should be made late in evening when insects are at rest. Thoroughly spray nest and entrance and surrounding areas where insects alight; also see "OUTSIDE SURFACES AND AROUND BUILDINGS."

Boxelder Bugs, Sowbugs, Pillbugs, Millipedes, Elm Leaf Beetle, and Centipedes: Apply around doors and windows and similar areas where these pests may be found or where they may enter premises. Spray baseboards, storage areas, and other locations. Refer to "BARRIER TREATMENT" directions to prevent infestation; also see "OUTSIDE SURFACES AND AROUND BUILDINGS"

[BACK/SIDE LABEL PANEL]

Flies: Apply directly to walls, ceilings, window screens, and other fly resting areas as a residual surface treatment. May be used inside residential buildings as well as in and around carports, garages, and storage sheds; also see "OUTSIDE SURFACES AND AROUND BUILDINGS."

Scorpions: Treat and remove accumulations of lumber, firewood, and other materials which serve as harborage sites. Apply as a coarse spray to the point of drip; also see "OUTSIDE SURFACES AND AROUND BUILDINGS."

Control of Wood Infesting Beetles: To control wood infesting insects, such as powderpost beetle (*Lyctidae*), false powderpost beetles (*Bostrichidae*), deathwatch beetles (*Anobiidae*), old house borers (*Cerambycidae*), and ambrosia beetles (*Scolytidae*), in homes and other structures, apply as an emulsion containing 0.2% Viper Insecticide Concentrate. For treatment of small areas, apply by brushing the emulsion evenly on wood surfaces. For large or overhead areas, apply as a coarse spray but do not let runoff occur. When spraying overhead interior areas of homes, apartment buildings, etc., spray to the point of runoff, cover

all surfaces below the area being sprayed with plastic sheeting or other material which could be disposed of by placing in trash if contamination from dripping occurs. Sprayed surfaces should be avoided until spray has totally dried. Do not use in structures occupied by animals to be used for food purposes or which produce products for human consumption.

Food-Handling Establishments: Places other than private residences in which food is held, processed, prepared, or served:

Nonfood/Feed Areas: Viper Insecticide Concentrate may be used as a general, spot, or crack and crevice treatment in nonfood/feed areas. Similar areas where insects hide or through which insects may enter should be treated. Examples of nonfood areas include garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling).

Food Areas: Viper Insecticide Concentrate is not labeled for use in food 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 foods may be prepared or held. 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. Examples of food areas are 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 a food area.

OUTSIDE SURFACES AND AROUND BUILDINGS

Apply Viper Insecticide Concentrate using a 0.1% emulsion as a residual treatment to outside surfaces of buildings including, but not limited to, exterior siding, foundations, porches, window frames, eaves, patios, garages, and other similar areas. Also may be used on lawns and ornamentals in landscaped areas around private homes, duplexes, townhouses, condominiums, house trailers, apartment complexes, carports, garages, fence lines, storage sheds, barns, and other residential structures and commercial, industrial, institutional, and public buildings. Treatment may also be made to soil, trunks of woody ornamentals, and other similar areas where pests congregate or are active.

When making an application to vinyl siding, treat a small area and allow to dry. Some types of vinyl siding, particularly if aged or weathered, may show some staining after application of an emulsifiable concentrate product.

Barrier Treatment (except cockroaches): Apply 0.1% to a band of soil and vegetation 6 to 10 feet wide around and adjacent to the structure. Also, treat the foundation of the structure to a height of 2 to 3 feet. Use treatment volume of 2 to 10 gallons per 1,000 square feet. Higher volumes of water may be needed if mulch or leaf litter is present or dense foliage. House siding may be treated if boxelder bugs, elm leaf beetles, earwigs or silverfish, or other similar pests are present.

Treatment of Preconstruction Lumber and Logs*:

PRE-CONSTRUCTION TREATMENT: DO NOT APPLY AT A LOWER DOSAGE AND/OR CONCENTRATION THAN SPECIFIED ON THIS LABEL FOR APPLICATIONS PRIOR TO INSTALLATION OF THE FINISHED GRADE.

TABLE 1 Treatment Solution Specifications		
Pests	Concentration of Viper Insecticide Concentrate	Dilution Rate
Wood infesting insects such as: Termites, Carpenter Ants, Wood-boring beetles including Powder Post Beetles, old House Borers, Ambrosia Beetles, and others.	0.25%	1:400 (2 ½ gal per 1,000)
	0.5%	1:200 (5 gal per 1,000)

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To protect unseasoned lumber and logs from wood-destroying insects, such as termites, carpenter ants, and beetles (ambrosia, powder-post, old house borers, and others), totally treat wood with a 0.25% to 0.5% solution of Viper Insecticide Concentrate. (See Table 1 above for dilution information). This solution can be applied by various methods, including spraying, brushing, dipping, and pressure treatment. Frequent monitoring of dip and pressure systems are necessary to ensure that the desired level of Viper Insecticide Concentrate is maintained. Wood can be handled after treatment when dry.

1. For dip treatments, the wood should be totally submersed in the solution until thoroughly wet and then allowed to dry in a suitable location. Dipping solutions to which Viper Insecticide Concentrate has been added should be agitated before use if left unused for long periods of time. Sediment, debris, and other deposits should be periodically cleaned from the tank.
2. For pressure treatments, the wood should be placed in the treatment chamber, the Viper Insecticide Concentrate solution added, and the system pressurized up to 250 psi for up to 1 hour, depending on the density and type of wood treated. After the pressure is released and the system drained, the wood should be placed in a suitable location for drying.
3. For spray treatments, the wood should be sprayed thoroughly, including back and ends.
4. For brush treatments, all parts of wood surfaces should be thoroughly treated.

*Not approved for use in California.

Note: Do not use water-based sprays of Viper Insecticide Concentrate in conduits, motor housings, junction boxes, switch boxes, or other electrical equipment because of possible shock hazard. Let surfaces dry before allowing children and pets to contact surfaces. Protect aquariums from spray mist. For best results, thoroughly wash out sprayer and screen with water and detergent before using Viper Insecticide Concentrate. Do not use this product with oil.

Do not apply this product to edible crops.

During any application to overhead interior areas of structure, cover surface below with plastic shielding or similar material.

Do not use as a space spray.

Use only in well-ventilated areas.

Do not apply this product in any room being used as living, eating, sleeping, or recovery area by patients, the elderly, or infirm when they are in the room.

Do not apply to classrooms when in use.

Do not apply to institutions (including libraries, sports facilities, etc.) in the immediate area when occupants are present.

Do not use in warehouses where raw or cured tobacco is stored.

Do not use in warehouses where raw agricultural commodities for food or feed are being stored.

Do not use in aircraft cabins.

STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

STORAGE: Keep container closed when not in use. Do not store near food or feed. Protect from freezing. In case of spill or leak on floor or paved surfaces, soak up with sand, earth, or synthetic absorbent. Remove to chemical waste area.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. 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:

Plastic Containers: 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.

NOTE: CONTROL SOLUTIONS, INC. WARRANTS THAT THIS PRODUCT CONFORMS TO THE CHEMICAL DESCRIPTION ON THE LABEL THEREOF AND IS REASONABLY FIT FOR THE PURPOSES STATED ON SUCH LABEL ONLY WHEN USED IN ACCORDANCE WITH THE DIRECTIONS UNDER NORMAL USE CONDITIONS. IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS PRODUCT. INEFFECTIVENESS, OR OTHER UNINTENDED CONSEQUENCES MAY RESULT BECAUSE OF SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OF OTHER MATERIALS, OR THE MANNER OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF CONTROL SOLUTIONS, INC. IN NO CASE SHALL CONTROL SOLUTIONS, INC. 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.

EXCEPT AS EXPRESSLY PROVIDED HEREIN, CONTROL SOLUTIONS, INC. MAKES NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND, EITHER EXPRESSED OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND CONTROL SOLUTIONS, INC. TOTAL LIABILITY, SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

**CONTROL SOLUTIONS, INC.
5903 Genoa-Red Bluff
Pasadena, TX 77507-1041**

**EPA Registration No. 53883-27
EPA Establishment No. 53883-TX-002**

*Revised 09-07-05
Notif: to add Table 1*



C O N T R O L
S O L U T I O N S
i n c o r p o r a t e d

September 7, 2005

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202-4501

NOTIFICATION

SEP 23 2005

Re: Notification per (PR) Notice 98-10, Insertion of dilution chart for ease of use
EPA Reg. No. 53883-27 Martin's Viper E.C.

Dear Sir or Madam:

Enclosed is a Notification for to include a mixing/dilution chart to make it easier to use the product. This chart does not change the mixing ratios or use directions in any way. See highlighted text on attached labeling.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Joe Blake
Director, Regulatory Affairs

