

53883-27

5/22/2013

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

S-22-13

Ms. Juanita Mercure
Control Solutions Inc
5903 Genoa Red Bluff
Pasadena, TX 77507

Subject: Amended Reregistration Label
Product Name: Viper
EPA Registration Number: 53883-27
EPA Decision Numbers: 39777

Dear Ms. Mercure:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all of the information submitted with your application to support the reregistration of the referenced product in connection with the **CYPERMETHRIN RED**, and has concluded that your submission is acceptable.

NOTE: This product is not being reregistered under sections 3(c)5 and 4(g) of FIFRA at this time.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label or durably marked on the container itself, and can be added by non-notification per PRN 98-10.

Please note that the record for this product currently contains the Confidential Statements of Formulation (CSFs) listed below. Any previously dated CSFs are superseded.

- Basic CSF, dated February 2, 2003

A copy of your label stamped "Accepted" is enclosed along with copies of the acute toxicity and product chemistry reviews completed for the subject product. Products shipped after 12 months from the date of this amendment or the next printing of the label whichever occurs first, must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e).

If you have any questions about this letter, please contact Samantha Hulkower at 703-

603-0683 or hulkower.samantha@epa.gov.

Sincerely Yours,



Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)

Enclosures: *Label stamped "Accepted"*
Acute Toxicity Review, dated January 11, 2010
Product Chemistry Review, dated March 19, 2010

Martin's

VIPER INSECTICIDE CONCENTRATE

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

ACTIVE INGREDIENT:

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

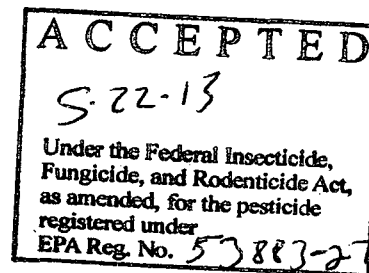
OTHER INGREDIENTS:** 74.6%

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 CAUTION

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.

You may also contact SafetyCall® International (866) 897-8050 for emergency medical treatment information.

NET CONTENTS: _____

EPA Registration No. 53883-27

EPA Establishment No. 53883-TX-002

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed, Harmful if inhaled. Do not breathe vapor or spray mist. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. 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.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Mixers, loaders, applicators and other handlers must wear the following:

- Long-sleeved shirt and long pants,
- Socks and shoes,
- Chemical-resistant gloves made of barrier laminate or Viton.

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.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Wash thoroughly with soap and water after handling.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish and aquatic invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters and surface waters. Applying this product in calm weather when rain is not predicted within 24 hours will help ensure that wind or rain does not blow or wash pesticide off treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

This product is highly toxic to bees exposed to direct treatment of blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

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. Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application. Exit area immediately and remain outside the treated area until sprays have dried.

Do not apply to pets. Remove birds and other pets before application. Cover any water inhabited by fish (such as

aquariums and ornamental fish ponds) during treatment, and turn aquarium systems off.

Do not use this product with oil.

Do not use as a space spray.

Do not exceed the maximum application rate on lawns and other turfgrass is 0.44 lbs ai/acre (28 fl oz VIPER INSECTICIDE CONCENTRATE per acre).

Do not apply directly to swimming pools or swimming pool systems. This product may be applied as a broadcast treatment to lawns and other vegetated areas around swimming pools, or as a spot treatment or crack-and-crevice treatment to impermeable surfaces (such as tiled walkways) around pools.

Do not apply this product to edible crops.

Do not use in greenhouses where crops for food or feed are grown.

Do not use concentrate or emulsion in fogging equipment.

During any indoor surface application, **do not allow dripping or runoff to occur.** During any application to ceilings of a structure, cover surface below with plastic shielding or similar material.

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.

Do not use water-based sprays in conduits, motor housings, junction boxes, switch boxes, or other electrical equipment because of possible shock hazard.

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 reagitae sprayer before use if spraying is interrupted. Make up only as required; repeat treatments when needed.

Pests	Concentration of Active Ingredient	Dilution Rate
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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.

Restrictions for Outdoor Uses (other than termiticide use):

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

1. Treatment to soil or vegetation around structures;
2. Applications to lawns, turf, and other vegetation;
3. Application to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches, and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications only.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches, and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications only.

Do not apply directly to sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur, except as directed by this label.

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.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to

reoccupy the contaminated area until the cleanup is completed.

Use anti-backflow equipment or procedures to prevent siphonage of pesticide back into water supplies.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

NOT FOR SUBTERRENAN TERMITE CONTROL.

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 I 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)

*Not approved for use in California.

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.

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.

Termite control: The treated site must be covered prior to a rain event in order to prevent run-off of the pesticide into non-target areas.

The applicator must either cover the soil him/herself or provide written notification of the above requirement

to the contractor on site and to the person commissioning the application (if different than the contractor). If notice is provided to the contractor or the person commissioning the application, then they are responsible under FIFRA to ensure that: 1) if the concrete slab cannot be poured over the treated soil within 24 hours of application the treated soil is covered with a waterproof covering (such as polyethylene sheeting), and 2) the treated soil is covered if precipitation is predicted to occur before the concrete slab is scheduled to be poured.

Do not treat soil that is water-saturated or frozen.

Do not treat when raining.

Do not allow treatment to runoff from the target area.

Do not apply within 10 feet of storm drains. Do not apply within 25 feet of aquatic habitats (such as, but not limited to, lakes, reservoirs, rivers, permanent streams, marshes or ponds, estuaries and commercial fish farm ponds).

Do not make on-grade applications when sustained wind speeds are above 10 mph (at application site) at nozzle end height.

STORAGE AND DISPOSAL

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

Storage and Spill Procedures: Store upright at room temperature. Avoid exposure to extreme temperatures. In case of spillage or leakages, soak up with an absorbent material such as sand, sawdust, earth, Fuller's earth, etc. Dispose of with chemical waste.

Pesticide Disposal: Pesticide, spray mixture or rinse water that cannot be used according to label instructions must be disposed of at or by an approved waste disposal facility.

Container Disposal:

For Containers equal to or less than 5 Gallons: Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix 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. Offer for recycling if available. If recycling is not available: then dispose of container in a sanitary landfill or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

For Containers greater than 5 Gallons: Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling if available. If recycling is not available: then dispose of container in a sanitary landfill or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

For Bulk containers: (Refillable Container) Refill this container with pesticides only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the re-filler. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or re-circulate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

LIMITATION OF WARRANTY AND LIABILITY

Read the entire direction for use, conditions of warranties and limitations of liability before using this

product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following **CONDITIONS, DISCLAIMER OF WARRANTIES, and LIMITATIONS OF LIABILITY.**

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risk associated with the 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 Control Solutions, Inc. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Control Solutions, Inc. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Control Solutions, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Control Solutions, Inc. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Control Solutions, Inc. election, the replacement of product.

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

Revised 4-30-2013