

P/M03

53883-29

8/8/99

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number:

Date of Issuance:

53883-29

AUG - 8 1999

Term of Issuance: Conditional

Name of Pesticide Product:

Martin's Viper W.P.

NOTICE OF PESTICIDE:

☒ Registration
☐ Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Control Solutions, Inc.
2739 Pasadena Blvd.
Pasadena, TX 77502

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A), provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of you product under FIFRA section 4.

2. Make the following label changes:

- a. The cited product is in acute toxicity category II for eye irritation. Therefore, the first aid section should be revised as follows: "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. Call a poison control center or doctor for treatment advice. . . ." Also, you may replace the heading "STATEMENT OF PRACTICAL TREATMENT" with "FIRST AID".

Signature of Approving Official:

Date:

7505C
LEAHY
8/8/99

- b. The PRECAUTIONARY STATEMENTS should be revised to read as follows: "Causes substantial but temporary eye injury. Harmful if swallowed or inhaled. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not get in eyes or on skin or clothing. Avoid breathing dust or spray mists. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothes before reuse."
- c. Revise the first sentence under ENVIRONMENTAL HAZARDS to read as follows: "This product is extremely toxic to fish and aquatic invertebrates."
- d. In lieu of "Repeat treatments as necessary" you should provide users with information to enable them to determine when retreatment is indicated, and specify a maximum frequency of application, such as " . . . but not more than once every 2 weeks."
- e. Footnote 3 on page 3 of the label indicates that treatments for mosquitoes are limited to outdoor use only. The 5th paragraph on page 5 which gives directions for mosquitoes, however, states: "May be used inside residential buildings. . ." Please resolve this contradiction.
- f. In the instructions for treating sod webworms on page 5, revise the first sentence to read as follows: "Apply as a spot treatment when pests first appear (do not apply as a broadcast spray)." Also, replace the statement: "use a minimum of 1 gallon of solution per 1,000 sq. ft." with more specific instructions that include a maximum rate of application for this pest (e.g., 1 - 2 gallons of solution per 1,000 sq. ft.).
- g. Move references to "in the home" from the directions for applications in food handling establishments to a separate heading so it does not conflict with directions in food handling establishments.
- h. Since this product is for use only in non-food areas of food handling establishments, revise the beginning of the section for food handling establishments to read as follows: "**Food-Handling Establishments (For Use in Non-Food Areas Only)**. Viper W.P. insecticide may be used as a general spot or crack and crevice treatment in the non-food areas of food handling establishments. Examples of non-food areas include" Also, delete the heading "**Food Areas:**" and revise the paragraph to read as follows: "Do not use Viper W.P. insecticide in food areas of food handling establishments. Food areas include . . ."
- i. Revise the last sentence of the first paragraph under "**OUTDOOR SURFACES USE**" to read as follows: "Also, may be used as a spot treatment to lawns in . . ."
- j. Revise the first sentence after "**Note:**" on page 6 to read as follows: "Do not apply this product in or on conduits, motor housings, . . ."
- k. Revise the bullet restricting use in greenhouses to read as follows: "Do not use in

greenhouses on plants grown for food or feed, for sale or other commercial use, or for research purposes."

- I. Under "Termites Above Ground" delete from the last sentence of the first paragraph the following: ". . . and to prevent infestation for a temporary period." There is no efficacy data to support this statement.

3. Submit two copies of the revised final printed label for the record. Refer to the A-79 enclosure for a further description of final printed labeling.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

The acute toxicity profile for the subject product is currently as follows:

ACUTE DATA	GRN	TOX CAT.	CLASSIFICATION
Acute Oral	§81-1	III	Acceptable
Acute Dermal	§81-2	III	Acceptable
Acute Inhalation	§81-3	III	Acceptable
Primary Eye Irritation	§81-4	II	Acceptable
Primary Skin Irritation	§81-5	IV	Acceptable
Dermal Sensitization	§81-6	Sensitizer	Acceptable

A stamped copy of the label is enclosed for your records.

Sincerely,

George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505C)

Enclosure

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[FRONT LABEL PANEL]

Martin's
VIPER W.P.

A Crack and Crevice and/or Spot Treatment for Residual and Contact Control of Ants, Carpenter Ants, Cockroaches, Crickets, Spiders, and Certain Other Insects. Only for Sale to, Use, and Storage by Professional Pest Control Operators.

Active Ingredient:

Cypermethrin

(±)α-cyano-(3-phenoxyphenyl)methyl

(±)-*cis, trans*-3-(2,2-dichloroethenyl)-2,2-

dimethylcyclopropanecarboxylate* 40.0%

Inert Ingredients: 60.0%

Total:..... 100.0%

**Cis/trans* ratio: 45/55 ± 10

KEEP OUT OF REACH OF CHILDREN

WARNING

See back (or side) panel for additional precautionary statements

ACCEPTED
FOR COMMENTS
IN EPA Letter Dated

NET WEIGHT 0.66 OZS.

AUG - 8 1999

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

53883-29

[BACK (OR SIDE) LABEL PANEL]

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: If victim is alert and not convulsing, rinse mouth out and give 200 to 300 ml (1 cup) of water to dilute material. **IMMEDIATELY** contact your local Poison Control Center. Vomiting should only be induced under the direction of a physician or a Poison Control Center. If spontaneous vomiting occurs, have victim lean forward with head down to avoid breathing in of vomitus, rinse mouth and administer more water. **IMMEDIATELY** transport victim to an emergency facility. **IF IN EYES:** Flush eyes with plenty of water. Call a physician if irritation persists. **IF ON SKIN:** Wash with soap and water. Get medical attention if irritation persists. **IF INHALED:** Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

HARMFUL IF SWALLOWED OR ABSORBED THROUGH SKIN, CAUSES EYE IRRITATION, PROLONGED OR FREQUENTLY REPEATED SKIN CONTACT MAY CAUSE ALLERGIC SKIN REACTIONS IN SOME INDIVIDUALS. Do not get in eyes, on skin, or on clothing. Avoid contact with eyes, skin, or clothing. Avoid breathing vapors or spray mist. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment wash waters. Apply this product only as specified on this label. Care should be used when making applications to avoid household pets, particularly fish and reptile pets.

DIRECTIONS FOR USE

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

For crack and crevice or spot treatment for residual and contact pest control in, on, or around 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, and the nonfood/feed areas of stores, warehouses, vessels, railcars, trucks, trailers, aircraft (cargo areas only), schools, nursing homes, hospitals (non-patient areas), restaurants, hotels, and food manufacturing, processing, and service establishments.

[BACK (OR SIDE) LABEL PANEL]

Authorized by the USDA for use in inedible product areas in federally inspected meat, poultry, and egg processing plants.

VIPER W.P. Insecticide is intended for dilution with water for spray application. Do not use strainers finer than 50 mesh size. Fill applicator tank with the desired volume of water and add VIPER W.P. Insecticide. Close and agitate before use in order to ensure proper suspension of the wettable powder. Shake and reagituate application equipment before use if application is interrupted. Make up only amount of treatment volume as required. Do not store dilution in application equipment overnight. Repeat treatments as necessary.

Pests		Concentration of Active Ingredient	Dilution Rate
Ants Boxelder Bugs Centipedes Chiggers ^{2,3} Cockroaches (Maintenance) Crickets Earwigs Elm Leaf Bettles ²	Firebrats Fleas ³ Flies ¹ Millipedes Mosquitoes ³ Pillbugs Silverfish Sowbugs Termites ⁴	0.1%	½ package per 1 gal. water
Ants ² Bees Carpenter Ants Carpenter Bees Cockroaches (Clean-out) Fire Ants (Mounds) ²	Scorpions Sod Webworms ² Spiders Ticks Wasps	0.2%	1 package per 1 gal. water

¹Not for indoor use in California for fly control.

²Not registered for use in California.

³Outdoor use only.

⁴Above ground only.

[BACK (OR SIDE) LABEL PANEL]

Cockroaches, Spiders, Crickets, Scorpions, Silverfish, Ticks, and Firebrats:

Apply as a coarse, low-pressure treatment to areas where these pests hide, such as baseboards, corners, storage areas, closets, around water pipes, doors and windows, attics and eaves, cabinets, sinks, furnaces, stoves, behind and under refrigerators, the underside of shelves, drawers, and similar areas. Pay particular attention to cracks and crevices; also see "OUTDOOR SURFACES USE".

Ants: Apply to any trails, around doors and windows, and similar areas where ants may be found. Apply perimeter barrier treatments to prevent infestation as described below; also see "OUTDOOR SURFACES USE".

Bees, Carpenter Bees, and Wasps: Application to nests should be made in late evening when insects are at rest. Thoroughly treat nest and entrance, surfaces, and surrounding areas where these insects alight; also see "OUTDOOR SURFACES USE".

Boxelder Bugs, Sowbugs, Pillbugs, Millipedes, Elm Leaf Beetles, and Centipedes:

Apply around doors and windows and similar areas where these or similar perimeter pests may be found or where they may enter premises. Apply to baseboards, storage areas, and other locations. Apply barrier treatments to prevent infestation as described below; also see "OUTDOOR SURFACES USE".

Bees, Flies, Mosquitoes, and Wasps: Apply directly to walls, ceilings, window screens, and other 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 "OUTDOOR SURFACES USE".

Fire Ants (Mounds): For individual fire ant mounds, apply VIPER W.P. as a drench. Gently sprinkle (watering can) a total of 1 gallon over the surface of mounds up to 12 inches in diameter and 2 gallons for larger mounds. Thoroughly wet mound and surrounding area. Treat new mounds as they appear. Pressurized sprays may disturb the ants and cause migration. If possible, applications should be made on warm days after recent rainfall. All colonies in the vicinity should be treated, including those that have not yet constructed a mound.

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

Carpenter Ants: Apply as a coarse wet spray treatment, but avoid runoff around doors, door frames, windows, and similar areas where these ants enter premises or hide; also see "OUTDOOR SURFACES USE".

[BACK (OR SIDE) LABEL PANEL]

Sod Webworms: Apply when pests first appear; retreat when needed. Delay watering or mowing the treated area for 12 to 24 hours after treatment. Use a minimum of 1 gallon of solution per 1,000 square feet when making application.

Termites Above Ground: For control of termites, subterranean aerial colonies, Formosan aerial colonies or drywood termites in localized areas of infested wood in structures, apply a 0.1% emulsion to voids and galleries in damaged wood and in spaces between wooden members of a structure and between wood and foundations where wood is vulnerable. Application may be made to inaccessible areas by drilling, and then injecting the emulsion with a crack and crevice injector into the damaged wood or void spaces. Application to attics, crawl spaces, unfinished basements, or man-made voids may be made with a coarse fan spray of 0.1% emulsion to control workers and winged reproductive forms of termites in mud shelter tubes. This type of application is not intended to be a substitute for soil treatment for extensive infestation of drywood termites or other wood-infesting insects. This treatment is intended to kill localized infestations of workers and winged reproductive forms of termites and to prevent infestation for a temporary period.

For termites active inside trees, utility poles and/or fence posts, drill to find the interior infested cavity and inject 0.1% emulsion using treatment tool with a splash back guard.

Termite carton nests in trees or building voids may be injected with 0.25% to 0.50% emulsion using a pointed injection tool. Multiple injection points to varying depths may be necessary. It is desirable to physically remove carton nest material from building voids when such nests are found.

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

Nonfood Areas: VIPER W.P. Insecticide may be used as a general spot or crack and crevice treatment in nonfood 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 W.P. 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 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.

[BACK (OR SIDE) LABEL PANEL]

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.

OUTDOOR SURFACES USE

For control of ants, bees, centipedes, cockroaches, crickets, earwigs, firebrats, fleas, millipedes, mosquitos, scorpions, silverfish, sowbugs, pillbugs, spiders, ticks, flies, wasps, and other similar perimeter insect pests. Apply with either hand or power application equipment as a residual spray to surfaces of buildings, porches, screens, window frames, eaves, patios, lawns, refuse dumps, garages, and other similar areas where these pests are found. Also, may be used in applications to lawns in landscaped areas in and around residential, commercial, institutional and industrial buildings, and similar areas where these insect pests are active.

Barrier Treatment (except cockroaches): To help prevent infestation of buildings, apply to a band of soil and vegetation 6 to 10 feet wide around and adjacent to the building. Also, treat the building foundation to a height of 2 to 3 feet where pests are active and may find entrance. Apply as a coarse spray treatment to thoroughly and uniformly wet the band area, using 1 to 5 gallons of treatment solution applied to 800 to 1,600 square feet.

Note: Do not use water-based sprays of VIPER W.P. in conduits, motor housings, junction boxes switch boxes, or other electrical equipment because of possible shock hazard. Let treated surfaces/areas dry before allowing humans and pets to contact treated surfaces/areas. For best results, thoroughly wash out sprayer and screen with water and detergent before using VIPER W.P. Insecticide. Do not use this product with oil. Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes.

VIPER W.P. will not stain or cause damage to any painted or varnished surface, plastic, fabric, or other surface when water applied alone causes no damage.

- Do not apply this product to edible crops.
- During any application to ceilings of a 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 in any rooms when patients, the elderly, or the infirm are actively using the room for sleeping, convalescing, eating, or other similar activities.
- Do not apply to classrooms when in use.
- Do not apply to areas of institutions (including libraries, sports facilities, etc.) when occupants are present in the immediate area.

[BACK (OR SIDE) LABEL PANEL]

- Do not use in warehouses where raw or cured tobacco is stored.
- Do not use in warehouses while raw agriculture commodities for food or feed are being stored.
- Do not use in greenhouses where crops for food or feed are grown.
- Do not allow applications to contact water inhabited by fish, such as in aquariums and ornamental fish ponds that are in/around structures being treated.
- Do not apply to aircraft cabins.

STORAGE AND DISPOSAL

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

STORAGE: Mix only as needed. Do not store diluted material. Keep container closed when not in use. Do not store near food or feed. In case of spill on floor or paved surfaces, sweep up and remove to chemical waste storage area until proper disposal can be made.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: After insuring that the packet is completely empty, crush and dispose of in trash container.

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.

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[BACK (OR SIDE) LABEL PANEL]

CONTROL SOLUTIONS, INC.
2739 PASADENA BLVD.
PASADENA, TEXAS 77502

EPA Registration No. 53883 - _____
EPA Establishment No. _____ - _____ - _____