

53883-119

02/14/2006

1/8

Mr. Joe Blake
Control Solutions, Inc.
5903 Senoa Red Bluff
Pasadena, Texas 77507-1041

FEB 14 2006

Dear Mr. Blake:

Subject: Label Amendment- copy infringement litigation action
Bifenthrin GC G
EPA Registration Number 53883-119
Your submission dated December 16, 2005

The application referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following comments:

1. Delete "but are not limited to" on pages 1 and 5 of the proposed labeling.
2. On page 1 correct "is" to "if" under precautionary statements.
3. On page 2 move the second paragraph under Directions for Use so that it appears directly above the Agricultural Use Requirements box.
4. Correct the application rate for imported fire ants to read 0.25 lbs. ai/acre.

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

Sincerely yours,

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

Enclosure

RESTRICTED USE PESTICIDE

Toxic to Fish and Aquatic Organisms

For retail sale to and use only by certified applicators, or persons under their direct supervision and only for those uses covered by the certified applicators certification

Bifenthrin GC G

(Alt. name: Bifen GC Granules)

Use areas include, but are not limited to: lawns in landscaped areas and perimeters around residential, institutional, public, commercial and industrial buildings, parks, recreational areas, golf courses, sod farms and athletic fields.

Bifenthrin GC G controls Ants (including Imported Fire Ants), Mole Crickets and other listed insect pests.

Active Ingredient:

Bifenthrin*

Inert Ingredients

Total

By Wt.

0.2%

99.8%

100.0%

*Cis isomers 97% minimum, trans isomers 3% maximum.

Net Contents _____

ACCEPTED
with COMMENTS
in EPA Letter Dated

FEB 14 2006

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See other panels for additional precautionary information.

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide 5383-119

DO NOT USE THIS PRODUCT ON GOLF COURSES AND SOD FARMS IN NASSAU COUNTY OR SUFFOLK COUNTY, NEW YORK.

FIRST AID

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.

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® (866) 897-8050 for emergency medical treatment information.

Note to Physician - This product is a pyrethroid. If large amounts have been ingested, milk cream and other digestible fats and oils may increase absorption and should be avoided.

**PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals**

Caution - Harmful is absorbed through skin. Avoid contact with skin, eyes or clothing.

The following Personal Protective Equipment requirements apply to sod farm use only

Personal Protective Equipment:

Applicators and other handlers must wear:

- Long sleeved shirt and long pants

- Waterproof gloves
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, 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.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. 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 apply when weather conditions favor drift from treated areas. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Do not apply by air.

Do not apply more than 0.2 lbs. active ingredient per acre per application on residential use sites (i.e. around private homes, apartment buildings, condominiums, non-agricultural outbuildings, non-commercial greenhouses, pre-schools or day care facilities). May be applied at up to 0.4 lb. a.i. per acre per application on non-residential use sites (i.e., around institutional, public, commercial or industrial buildings; golf courses; sod farms; parks; recreational areas or athletic fields).

Do not broadcast apply more than 0.4 lbs. A.I. (200 lbs. Bifenthrin GC G) per acre per year.

Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

Not for use on nurseries, commercial greenhouses or grass grown for seed.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry to treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water. IS:

- Coveralls
 - Waterproof gloves
 - Shoes plus socks
- Non-Agricultural Use Requirements**
 The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries and greenhouses.
If watering-in of the granules is necessary, do not allow people or pets on treated areas until the grass or soil is dry.
Do not touch treated surface until dry.

Resistance:

When products are used repeatedly for control, some insects are known to build up resistance to products used, but resistance can not be predicted. This product should conform to resistance management strategies established for the use area. Check with your local or state pest management authorities for more information.

This product, or other products with a comparable modes of action, may not provide sufficient control if resistance should develop in your area. A resistant species may be present if poor efficacy can not be linked to extreme weather conditions or improper treatment. Consult pest management advisors for the other methods of control for your area if you believe resistance is factor.

GRASS AND PERIMETER APPLICATIONS (Including Golf Courses and Sod Farms)

Use appropriate application equipment to broadcast Bifenthrin PL Granular to achieve thorough coverage of the area being treated.

In New York State, this product may NOT be applied to any grass or turf area within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, do make a single repeat application of Bifenthrin Nursery Concentrate if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

APPLICATION RATES

The application rates listed in the following table will provide excellent control of the respective pests under typical conditions. However, for residential lawn use, do not apply more than 0.2 lbs. A.I. per Acre per application.

Pest	Active Ingredient lbs. per acre	Application Rate Bifenthrin GC G	
Armyworms ¹ , Cutworms ¹ , Sod Webworm ¹	0.1 lbs. A/A	50 lbs. per acre	1.15 lbs. per 1000 sq. ft.
Annual Bluegrass Weevil (<i>Hyperodes</i>) (Adult) ² , Billbugs (Adult) ³ , Black Turfgrass Ataenius (Adult) ⁴ , Leafhoppers, Mealybugs	0.1-0.2 lbs. A/A	50-100 lbs. per acre	1.15-2.3 lbs. per 1000 sq. ft.
Ants, Centipedes, Chinch Bugs ⁷ , Fleas (Adults), Fleas (Larvae) ⁸ , Imported Fire Ants (Adult) ⁹ , Imported Fire Ants (Mounds) ⁹ , Millipedes, Mole Cricket (Adult) ⁵ , Mole Cricket	0.2-0.4 lbs. A/A	100-200 lbs. per acre	2.3-4.6 lbs. per 1000 sq. ft.

Nymph ⁹ , Ticks ¹⁰			
Pillbugs, Sowbugs	0.4 lbs. A/A	200 lbs. per acre	4.6 lbs. per 1000 sq. ft.

¹**Armyworms, Cutworms, and Sod Webworms:** For best results water the treated area with up to 0.1 inches of water to activate (release from the granule) the insecticide.

²**Annual Bluegrass Weevil (*Hyperodes*) adults:** Treatment of this species should be performed as they travel into grass areas and away from their overwintering sites. Travel usually starts when *Forsythia* is in full bloom and ends when *Cornus florida* (flowering dogwood) is in full bloom. For additional detailed information concerning treatment timing, check with your State Cooperative Extension Service.

³**Billbug adults:** Treatment of adult billbugs should be made when they are first noticed in April and May. To optimize treatment timing, degree day models have been developed. For detailed information particular to your region, check with your State Cooperative Extension Service. Check with you State Cooperative Extension Service for information specific to your region. Spring treatments for billbug adults will also offer control of over-wintered chinch bugs in temperate climates.

⁴**Black Turfgrass Ataenius adults:** To control the 1st and 2nd generation of Black Turfgrass Ataenius adults, respectively, treatments should take place in May and July. Time the May treatment to match with the full bloom stage of Vanhoutte spiraea (*Spiraea vanhoutte*) and horse chestnut (*Aesculus hippocastanum*). Time the July treatment to match with the blooming Rose of Sharon (*Hibiscus syriacus*).

⁵**Chinch Bugs:** Commonly found in the thatch layer, Chinch bugs attack the base of grass plants. Directly following treatment, water the treated area with up to 0.25 inches of water to activate (release from the granule) the insecticide. Chinch bugs can be hard pests to control in grasses and to control populations that contain both nymphs and adults during the summer, higher applications rates may be necessary.

⁶**Flea larvae:** Immature fleas mature in shaded areas accessible to pets and other animals. To activate (release from the granule) the insecticide, water the treated areas with up to 0.5 inches of water directly following application.

⁷**Imported Fire ants:** The best control will be achieved by using broadcast treatments in combination with mound drenches. It is critical to water before treatment if the soil is dry. Apply up to 0.4 lb A/A when making broadcast treatments. Treat mounds with a product that is registered with the EPA and properly labeled for control of fire ant mounds or by applying ½ cup of Bifenthrin PL Granular per mound and then drenching the mound with 1 to 2 gallons of water. To break their apex and permit the insecticide solution to flow inside the ant tunnels, the mounds should be treated with adequate force. A four-foot diameter circle around the mound should also be treated. For best results, apply in cool weather (65-80°F) or in early morning or late evening hours. The queen will be killed within 24 hours of application. Six months residual activity for control of foraging Imported Fire Ants and newly mated Fly-In Queens will be provided by applying 125 lbs./acre of Bifenthrin PL Granular.

⁸**Mole Cricket adults:** Since the preferred grass areas are susceptible to constant invasion in early spring by the active adult stage, it can be hard sustain control of adult mole crickets. It is ideal to treat the areas as late in the day as possible and water directly following application with up to 0.5 inches of water. To ensure maximum contact when soil is dry, it is necessary to irrigate prior to treatment to bring the adult mole crickets closer to the soil surface. To obtain the best possible control of potential nymphal populations, the grass areas preferred by adult mole crickets should be treated at peak hatch stage. (See below).

⁹**Mole Cricket nymphs:** Treat grass areas that are preferred by adult mole crickets in the spring just before peak egg hatch. Young nymphs are more vulnerable to insecticidal treatment at this stage because they are close to the soil surface where the insecticide is most concentrated and thereby providing the most efficient control. For larger more damaging nymphal stages later in the year, it may be necessary to use higher application rates more frequent. It is ideal to treat the areas as late in the day as possible and water immediately after application with up to 0.5 inches of water. To ensure maximum contact when soil is dry, it is necessary to irrigate prior to treatment to bring the adult mole crickets closer to the soil surface.

¹⁰**Ticks** (Including ticks that may transmit Lyme Disease and Rocky Mountain Spotted fever): Make application to the entire area where contact with ticks may occur. Do not make spot treatments. Treat the whole area where contact to ticks may occur. When treating areas with dense ground cover or heavy leaf litter use higher application rates. Ticks may be reintroduced from surrounding areas on host animals. Do not allow public use of treated areas during application. **Deer ticks (*Ixodes sp.*)** have a four-stage life cycle spanning 2 years. To control larvae and nymphs that live in the soil and leaf litter, treatments should be made in mid to late-spring. **American dog ticks** invade suburban settings in areas where residences and dwellings are constructed on former fields or wooded areas. These pests normally gather by paths or roadways where they are likely to find a host. To control tick larvae, nymphs and adults, treatments should take place, as needed, from mid spring to early fall.

Perimeter Application: Apply to ground area 5 to 10 feet wide around and adjacent to the structure.

		Pounds of Bifenthrin PL Granular for Perimeter Applications Linear Distance (Feet) Around Structure							
Appl. Rate: Lbs. per 1000 sq. ft.	Band Width	100	150	200	250	300	400	500	1000
2.3	5 feet	1.3	1.9	2.5	3.0	3.6	4.8	5.9	11.7
2.3	10 feet	3.0	4.2	5.3	6.5	7.6	9.9	12.2	23.7
3.0	5 feet	1.7	2.5	3.3	3.9	4.7	6.3	7.7	15.2
3.0	10 feet	3.9	5.4	6.9	8.5	9.9	12.9	15.9	30.9
3.5	5 feet	2.0	2.9	3.8	4.5	5.4	7.2	8.9	17.5
3.5	10 feet	4.5	6.3	8.0	9.8	11.4	14.9	18.3	35.5
4.6	5 feet	2.6	3.8	5.0	6.0	7.2	9.6	11.8	23.4
4.6	10 feet	6.0	8.4	10.6	13.0	15.2	19.8	24.4	47.4

Note: The amounts of Bifenthrin PL Granular listed in the above table are based on the total area being treated. This area is determined by multiplying the linear distance by the band width and then adding to that value the area of a circle whose radius is equal to the band width (to account for the area treated at the four corners of a rectangular structure).

INDUSTRIAL NON-AGRICULTURAL APPLICATIONS

(Including, but not limited to, Industrial Sites, Parks, Ball Fields and Cemeteries)

Broadcast Applications

Broadcast 2.3 to 4.6 lbs. Bifenthrin PL Granular per 1000 sq. ft. (0.2 to 0.4 lbs. ai/Acre) uniformly to control actively foraging ants (including Imported Fire Ants). For additional rate recommendations see comments section under **Lawn & Perimeter Applications**.

Pad Mounted Electrical Sites

Uniformly apply 1.0 to 1.5 Tablespoons (0.06 to 0.09 lbs.) of Bifenthrin PL Granular per 4 sq. ft. of mounting pad to decrease or prevent ant mound building activity on electrical pads. If partly or totally filled with soil excavated by resident ants, remove excess soil and level before treating existing transformers.

Food utensils such as tablespoons must not be used for food purposes after use in measuring pesticides.

Note: During the cooler months, electrical sites seem to be more attractive to ants. Apply in the Fall or early Spring for best results.

Spreader Settings for Broadcast Applications

Equipment	Ground Speed (MPH)	Spreader Settings			
		100 pounds per acre		200 pounds per acre	
<u>Hand Pushed</u>		Once Over	Twice Over	Once Over	Twice Over
LESCO Rotary	3	B + ¼	A + ½	C + ½	B + ¼
Scotts R-8A-1 Rotary	3	G	E	Not Rec.	G
Gandy Models (42, 36, 30, 24")	3	12	10.5	16	12
Spyker (all models)	3	2.6	2	3.1	2.6
<u>Equipment Drawn (PTO=540 RPM)</u>		Once Over	Twice Over	Once Over	Twice Over
Gandy Models (42, 36, 30, 24")	4.5	14	11.5	19	14
Gandy 6500	4.5	15	11	20	15

Series					
Gandy 10T Series	5.0	16.5	12	24	16.5
Herd GT-77	4.0	--	--	8-H	--
Herd GT-77	8.0	8-H	--	--	8-H
Lely 2.3202.000.1	4.5	2	1	3.5	2
Lely Model L-400	4.5	NR	NR	2	NR
Vicon PS402	4.5	10	7	16	10
Vicon PS1002T	4.5	13	9	21	13

NR=Not recommended

Note: Spreader should be calibrated from time to time to make certain that mechanical wear or other factors have not changed the flow rate of Bifenthrin PL Granular. Instructions for calibration are included in the Owner's Manual for the spreader. These spreader settings are presented as starting points to calibration of each spreader. The technician should observe the amount of product applied to a known area and adjust settings further if necessary to ensure the correct rate of application.

RECOMMENDED SPREADER SETTINGS (Optional Text)

Note: Following will be a list of application spreaders and appropriate settings. This list will vary depending on the alternate carrier used. (This note will not appear on final printed label).

[INSERT ADDITIONAL OR ALTERNATE SPREADER SETTINGS TABLE HERE]

Note: These spreader settings were established using standard equipment available from the spreader manufacturer at swath widths and speeds typically used within the industry. It is recommended that all spreader equipment be calibrated at the time of application to achieve the desired application rate. *(This note will appear on the final printed label if additional or alternate Spreader settings chart will be used)*

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use close tightly.

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

To confine spill: Cover to prevent dispersal. Place damaged package in a holding container and identify contents.

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: Paper and plastic bags- Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY STATEMENT

Control Solutions, Inc. warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. 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 the manner of use or application, all of which are beyond the control of Control Solutions, Inc. To the extent allowed by law, Control Solutions, Inc. shall in no event 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. In addition to the foregoing, no purchaser of this product (other than an end user) shall be entitled to any reimbursement for any loss suffered as a result of any suspension or cancellation of the registration for this product by the U.S. Environmental Protection Agency. 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. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damage resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort, negligence, strict liability, or otherwise, shall be damages not exceeding the purchase price paid for this product or, at Control Solutions, Inc. election, the replacement of this product.

Control Solutions, Inc.
5903 Genoa-Red Bluff
Pasadena, TX 77507-1041
EPA Reg. No. 53883 - 119
EPA Est. No.

(EPA rewrite 11-08-05)