

53883-137

3-28-2005

1/13

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. 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 - 137	2. EPA Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cyber AG II	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 MAR 28 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 to include Poison Control Center hotline number and use an alternate Warranty Statement per PR Notice 98-10. 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.

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <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	If "Yes" Package 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	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		5. Location of Label Directions <input type="checkbox"/> on label	
		<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 Kristen Van Etten	Title Regulatory Assistant	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 Regulatory Assistant	
4. Typed Name Kristen Van Etten	5. Date 03-15-05	

MAR 28 2005

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 Applicator's certification.

Cyper AG II

Active Ingredient

*Cypermethrin** 30.6%

Inert Ingredients*** 69.4%

Total 100.0%

*(±) α-Cyano (3-phenoxyphenyl)methyl(±) *cis/trans* 3-(2,2-dichloroethenyl)-2,2 dimethylcyclopropanecarboxylate

**Cis/trans ratio: Max. 55% (±) *cis* and min. 45% (±) *trans*

***Contains xylene range aromatic solvents.

Contains 2.5 pounds cypermethrin per gallon.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.
You may also contact the Poison Control Center 800-222-1222.

IF SWALLOWED	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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: Like the natural pyrethrins, the synthetic derivative is expected to have relatively minor toxicity in humans; in fact, any significant acute toxic effects are more likely from a carrier hydrocarbon solvent. Consequently, induction of vomiting may increase the likelihood of the most important toxic potential, chemical pneumonia, and so should either be avoided or done only under medical supervision. Ingestion of a large amount calls for gastric lavage, with care (Trendelenburg position, suction available, cuffed endotracheal tube if patient is unconscious) to avoid intrapulmonary aspiration. A saline cathartic (sodium or magnesium sulfate), 15-30 gm. Activated charcoal as a slurry in water. Digestible fats, oils or alcohol may increase absorption and so should be avoided. Skin contact (vapor or powder) may be followed by transient tingling or numbness, usually of the face, but this subsides without treatment.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident, call CHEMTREC 1-800-424-9300

PRECAUTIONARY STATEMENTS

Hazards to Humans (and Domestic Animals)

Caution: Harmful if absorbed through the skin, inhaled or swallowed. Causes eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, may cause sensitization reaction in some individuals. Avoid contact with eyes or clothing.

Product should be opened and poured in a well-ventilated area.

Personal Protective Equipment:

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

Handlers who may be exposed to the dilute or concentrate through mixing, loading, application or other tasks must wear:

Coveralls over short-sleeved shirt and short pants, Chemical-resistant gloves, such as Barrier Laminate or Nitrile Rubber or Neoprene Rubber or Viton, Shoes plus socks, Protective eyewear, and Chemical-resistant apron when mixing or loading.

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.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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.

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water, 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 runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters.

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

Physical/ 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.

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.

Resistance. Some insects are known to develop resistance to products used repeatedly for control. Because the development of resistance cannot be predicted, the use of this product should conform to resistance management strategies established for the use area. Consult your local or state agricultural authorities for details.

If resistance to this product develops in your area, this product, or other products with a similar mode of action, may not provide adequate control. If poor performance cannot be attributed to improper application or extreme weather conditions, a resistant strain of insect may be present. If you experience difficulty with control and resistance is a reasonable cause, immediately consult your local company representative or agricultural advisor for the best alternative method of control for our area.

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 interval. The requirements in this box only apply to use of this product that are covered by the Worker Protection Standard.

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

PPE required of 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 over short-sleeved shirt and short pants, Chemical-resistant gloves, such as Barrier Laminate or Nitrile rubber or Neoprene Rubber or Viton, shoes plus socks, and Protective eyewear.

Chemigation Use Directions

Apply this product only through sprinkler, including center pivot, lateral move, end tow, side (wheel) roll, traveler, big gun, solid set, or hand move irrigation systems. Do not apply this product through any other type of irrigation system. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system.

Crop injury, lack of effectiveness, or illegal residues in the crop can result from nonuniform distribution of treated water. If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers, or other experts. A person knowledgeable of the chemigation system and responsible for its operation, or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.

The system must contain a functional check valve, vacuum relief valve, and low-pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow.

The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.

The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.

The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.

The irrigation line or water pump motor must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.

Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

Do not apply when wind speed favors drift beyond the area intended for treatment.

Cyper AG II II should be applied continuously for the duration of the water application. Cyper AG II II should be diluted in sufficient volume to insure accurate application over the area to be treated. When using chemigation, a minimum of 0.5 inch per acre of irrigation water is recommended. Agitation is not required when a suitable diluent is used.

GENERAL INSTRUCTIONS

Use low rate under light to moderate infestation. Higher rates should be used under heavy insect pressure. The rate of application is variable according to insect pressure, timing of spray and field scouting.

Rotational Crops

With the exception of the crops listed below, rotational crops may not be planted within 30 days after last application.

Tank-Mixture

Cyper AG II II may be applied in tank mixtures with other products approved for use on cotton, brassicas, bulb vegetables, head lettuce, and pecans. Observe all restrictions and precautions which appear on the labels of these products.

For improved control of aphids and mites on cotton, Cyper AG II II may be tank-mixed with Curacron® 8E. The tank-mixture is most effective when pest populations are first observed. Subsequent applications may be needed to maintain control.

Spray Drift Precautions

Do not make more than 10 synthetic pyrethroid applications (of one product or combination of products) to a cotton crop in one growing season. Synthetic pyrethroid products include Ambush®, Ammo®, Asana® XL, Baythroid®, Capture®, Danitol®, Fury®, Karate®, Mustang, Scout® X-Tra, and Warrior®.

All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

OBSERVE THE FOLLOWING PREAUTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES; RESERVOIRS; RIVERS; PERMANENT STREAMS, MARSHES OR NATURAL PONDS; ESTUARIES AND COMMERCIAL FISH FARM PONDS.

Do not apply by ground equipment within 25 feet, or by air within 150 feet of lakes; reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds. Increase the buffer zone to 450 feet when ultra low volume (ULV) application is made.

For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wingtip or rotor vortices. The minimum practical boom length should be used and must not exceed 75% of wing span or rotor diameter.

Use the largest droplet size consistent with good pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible, and by avoiding excessive spray boom pressure.

Spray should be released at the lowest height consistent with pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

Make aerial or ground applications when the wind velocity favors on target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15mph. Avoid applications when wind gusts approach 15 mph.

Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.

Do not cultivate within 10' of the aquatic area so as to allow growth of a vegetative filter strip.

Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of increased spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.

Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

Maximum Usage When Applying Both Zeta-Cypermethrin and Cypermethrin Products to the Same Crop Within the Same Season.

Do not apply more than the maximum seasonal total for either product when used alone, and do not apply more than the combined maximum seasonal total for both products as outlined in the table below.

Crop	Maximum Seasonal Total for Either Product Used Alone (pounds active ingredient/acre)		Maximum Seasonal Total When Applying Both Products to the Same Crop (pounds active ingredient/acre)
	Zeta-cypermethrin (Fury or Mustang)	Cypermethrin (Cyber AG II II)	Zeta-cypermethrin (Fury or Mustang) plus Cypermethrin (Cyber AG II II or Ammo)
Cotton	0.3	0.6	0.6
Head and Stem Brassica	0.3	0.6	0.6
Leafy Brassica Greens	0.3	0.4	0.4
Head Lettuce	0.3	0.6	0.6
Bulb Vegetables	0.25	0.5	0.5
Pecans	0.3	0.6	0.6

Cotton (14 day phi)

PEST	DOSAGE		REMARKS
	LB/AI/A	FL.OZ./A	
Preemergent Use: Cutworms	0.025 to 0.1	1.3 to 5	Use Cyper AG II II in the time period from 14 days prior to planting up to emergence of the crop. Apply as a broadcast spray by ground or air, banded (including T-brand) or infurrow spray using sufficient spray volume to achieve adequate coverage. Reduced volumes of water may be used with specialized equipment. Use a minimum of 1 gallon of water per acre by air. Use the higher rates of Cyper AG II when incorporating into the soil.
Foliar Use: Cutworms Tobacco Thrips Soybean (banded) Thrips	0.025 to 0.1	1.3 to 5	
Foliar use: Boll Weevil Cabbage Looper Cotton Bollworm Cotton Fleahopper Cotton Leaf Perforator European Corn Borer Fall Armyworm Lygus Bugs Other Plant Bugs Pink Bollworm Saltmarsh Caterpillar Tarnished Plant Bug Tobacco Budworm White Flies* Yellow Striped Armyworm	0.04 to 0.1	2 to 5	<p>Cyper AG II may be applied in water or refined vegetable oil. When water is used, apply a minimum of one gallon of finished spray per acre by air or five gallons of finished spray with ground equipment. When applying in water by air, one quart of emulsified oil may be substituted for one quart of water in the finished spray. When using oil, use a minimum of one quart per acre in the finished spray.</p> <p>Cyper AG II may be injected into overhead sprinkler irrigation water provided 1) an anti-backflow check valve is present between the injection port and the water source, 2) a check valve is present in the line to prevent irrigation water from entering the chemical supply tank and 3) the irrigation injection system has interlocking on-off switches.</p> <p>For boll weevil control, apply Cyper AG II at a 3 to 4 day interval until pest numbers are reduced to acceptable levels.</p>
Foliar Use: Beet Armyworm**	0.06 to 0.1	3 to 5	<p>A maximum of 0.6 lb. Active ingredient may be applied per acre per season.</p> <p>Do not graze or feed cotton for forage.</p>

*Aids in control.

**For control of beet armyworms only in the high plains of Texas, Arizona, and California.

Head and Stem Brassica Vegetables including: Broccoli; Chinese Broccoli (gai lon, white flowering broccoli); Brussels Sprouts; Cauliflower; Cavolo broccolo, Kohlrabi; Cabbage; Chinese Cabbage (napa) (tight-heading varieties only) (1 day phi)

PEST	DOSAGE		REMARKS
	LB/AI/A	FL.OZ./A	
Cutworms Corn Earworm Tobacco Budworm Lygus Bugs Saltmarsh Caterpillar Leafhoppers Flea Beetles Imported Cabbageworm Cucumber Beetles Aphids* Whiteflies*	0.05 to 0.1	2.5 to 5	Apply in water as necessary for insect control using a minimum of 15 gallons of finished spray per acre with ground equipment and 5 gallons per acre by air. Lower rates of Cyper AG II should be used under light to moderate insect pressure. Higher rates should be used to control heavy to extremely heavy insect populations. Do not make applications less than 7 days apart. A maximum of 0.6 lb. Active ingredient may be applied per acre per season. In areas where arid climatic conditions persist, such as California and Arizona, higher than minimum recommended rates may be required.
Armyworms Loopers Stinkbugs Crickets Ground Beetles Onion Thrips Wireworm (adults)	0.075 to 0.1	3.75 to 5	Follow appropriate spray drift precautions listed for cotton, brassicas, lettuce, and onions. *aids in control

**Leafy Brassica Greens including: Broccoli Raab (rapini), Chinese cabbage (bok choy); Chinese Mustard Cabbage (gai choy); Collards; Kale; Mizuna; Mustard Greens; Mustard Spinach; Rape Greens.
(1 day phi)**

Pest	DOSAGE		Remarks
	LB/AI/A	FL.OZ./A	
Cutworms Corn Earworm Tobacco Budworm Lygus Bugs Saltmarsh Caterpillar Leafhoppers Flea Beetles Imported Cabbageworm Cucumber Beetles Aphids* Whiteflies*	0.05 to 0.1	2.5 to 5	Apply in water as necessary for insect control using a minimum of 15 gallons of finished spray per acre with ground equipment and 5 gallons per acre by air. Lower rates of Cyper AG II should be used under light to moderate insect pressure. Higher rates should be used to control heavy to extremely heavy insect populations. Do not make applications less than 7 days apart. A maximum of 0.4 lb. Active ingredient may be applied per acre per season. In areas where arid climatic conditions persist, such as California and Arizona, higher than minimum recommended rates may be required.
Armyworms Loopers Stinkbugs Crickets Ground Beetles Onion Thrips Wireworm (adults)	0.075 to 0.1	3.75 to 5	Follow appropriate spray drift precautions listed for cotton, brassicas, lettuce and onions. *aids in control

Lettuce, Head. (5 day phi)

PEST	DOSAGE		REMARKS
	LB/AI/A	FL.OZ./A	
Corn Earworm Cucumber Beetles Cutworms Diamondback Moth Flea Beetles Imported Cabbageworm Leafhoppers Lygus Bugs Saltmarsh Caterpillar Tobacco Budworm	0.05 to 0.1	2.5 to 5	Apply in water as necessary for insect control using a minimum of 15 gallons of finished spray per acre with ground equipment and 5 gallons per acre by air. Lower rates of Cyper AG II should be used under light to moderate insect pressure. Higher rates should be used to control heavy to extremely heavy insect populations. A maximum of 0.6 lb. Active ingredient may be applied per acre per season. In areas where arid climatic conditions persist, such as California and Arizona, higher than minimum recommended rates may be required.
Armyworms Crickets Loopers Onion Thrips Stinkbugs	0.075 to 0.1	3.75 to 5	Follow appropriate spray drift precautions listed for cotton, brassicas, lettuce, and onions.

Bulb Vegetables (Allium spp.) including: Garlic; Garlic, great-headed (elephant); Green Eschalots; Japanese Bunching Onions; Leeks; Onion, Dry Bulb and Green; Onion, Welch; Shallots, Dry Bulb and Green; Spring Onion or Scallions. (7 day phi)

PEST	DOSAGE		REMARKS
	LB/AI/A	FL.OZ./A	
Onion Thrips	0.08 to 0.1	4 to 5	Apply Cyper AG II in a minimum of 20 gallons per acre with ground equipment or in a minimum of 3 gallons per acre by aircraft. Begin applications when pests appear. Do not make applications less than 7 days apart. To control Onion Thrips: Use higher rates as population increases and avoid rescue situations. Use of a crop oil concentrate at 16 fl. Oz/A is recommended. A maximum of 0.5 lb. Active ingredient may be applied per acre per season. Do not graze livestock in treated areas or cut treated crops for feed. Follow appropriate spray drift precautions listed for cotton, brassicas, lettuce and onions.
Aphids Armyworms Cutworms Leafminers Onion Maggot Adults Stink Bugs	0.04 to 0.1	2 to 5	

Pecans (21 day phi)

PEST	DOSAGE		REMARKS
	LB/AI/A	FL.OZ./A	
Black Pecan Aphid Hickory Shuckworm Pecan Nut Casebearer Pecan Weevil Yellow Pecan Aphid	0.06 to 0.10	3 to 5	<p>Applications at the lower rate should be made when pest populations are low. Rates should be increased as the pest pressure increases.</p> <p>Apply by ground equipment to the point of drip. Use 100 gallons of dilute spray per acre for smaller trees. For larger trees which require higher gallonage to achieve adequate coverage, apply in 200 to 300 gallons of water. In order to calculate the correct number of gallons of water needed to spray one acre of your trees to the point of drip, you may need to conduct a test. If you do not know how to conduct such a test with your equipment, you should request assistance from your equipment dealer.</p> <p>Up to 0.6 lb. active ingredient per acre season may be applied prior to shuck split.</p> <p>Do not graze livestock in treated orchards or cut treated cover crops for feed.</p>

STORAGE AND DISPOSAL

Pesticide Storage

Do not store below 10°F, (-12°).

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, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

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

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

Pesticide Disposal

Pesticide wastes are toxic. 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

Metal Containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. Do not cut or weld metal containers.

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

Returnable/Refillable Sealed Containers: Do not rinse container. Do not empty remaining formulated product. Do not break seals. Return intact to point of purchase.

Dealers Should Sell in Original Packages Only.

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-RGT
EPA Est. No.

Ambush, Curacron, Cymbush, Karate and Warrior-Trademarks of Syngenta Crop Protection.
Asana-Trademark of E.I. Dupont de Nemours and Co., Inc.
Baythroid-Trademark of Bayer AG
Scout-Trademark of Hoechst Roussel Agri-Vet Company
Ammo, Capture, Pounce- Trademarks of FMC Corporation



13/13

CONTROL
SOLUTIONS
incorporated

March 15, 2005

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 South Bell Street
Arlington, VA 22202-4501

Re: Notification per (PR) Notice 98-10
Cyber AG II (EPA Reg. No. 53883-137)

Dear Sir or Madam:

Enclosed is a Notification per PR Notice 98-10. We wish to include a Poison Control Center hotline number and use an alternate warranty statement. 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.

Enclosed please find:

1. Application for Pesticide (EPA Form 8570-1)
2. Two copies of label with highlighted text.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Kristen Van Etten
Regulatory Assistant

