



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Joe Blake
Control Solutions Inc.
5903 Genoa red Bluff
Pasadena, Texas 77507-1041

AUG 16 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Mr. Rogosheske:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated July 16, 2010 for the following product(s):

Martin's 31-67 ULV

EPA Reg. No. 53883-151

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN 2007-4. The label has been date-stamped "Notification" and will be placed in our records.


If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Gebken".

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

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	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 53883 -151	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Martin's 31-67 ULV	PM# B	
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 _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.


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

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 Gal, 2.5 gal, 30 gal		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Joe Blake	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 800-242-5562
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Director, Regulatory Affairs	
4. Typed Name Joe Blake	5. Date 07-16-10	

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July 16, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

**Re: Notification per (PR) Notice 2007-4, Labeling Revisions required by the Final Rule "Pesticide Management and Disposal"
(EPA Reg. No. 53883-151)**

Dear Sir or Madam:

Enclosed is a Notification for (PR) 2007-4; See highlighted text on attached labeling.

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Blake', written in a cursive style.

Joe Blake
Director, Regulatory Affairs

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NOTIFICATION

AUG 16 2010

MARTIN'S

31 - 67 ULV

For Mosquitoes, Flies and Gnats

A Quick Knockdown, Low Odor, Non-Corrosive Synergized Synthetic Pyrethroid for the Control of Adult Mosquitoes in Residential, Recreational, and Other Areas.
Also for Use Against Biting and Non-Biting Midge and Black Flies

For use only by federal, state, tribal, or local government officials responsible for public health or vector control, or by persons certified in the appropriate category or otherwise authorized by the state or tribal lead pesticide regulatory agency to perform adult mosquito control applications, or by persons under their direct supervision.

ACTIVE INGREDIENTS:

Permethrin: (3-phenoxyphenyl) methyl (+/-) cis/trans 3-(2,2-dichloroethyl)
2,2-dimethyl- cyclopropanecarboxylate, (+/-) cis (min) 35%, (+/-) trans (max) 65%.....31.15%

Piperonyl Butoxide Technical:
Equivalent to 80% (butylcarbityl)(6-propylpiperonyl) ether and 20% related compounds.....66.85%

INERT INGREDIENTS:.....2.00%

TOTAL..... 100.00%

Contains 2.86 pounds of Permethrin and 6.13 pounds of Piperonyl Butoxide per gallon.

KEEP OUT OF REACH OF CHILDREN
CAUTION
See [Side Panel] [Inside Attached Booklet] For Additional Precautionary Statements.

“PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta haya sido explicado ampliamente”

NET CONTENTS:

1.0 GAL _____

2.5 GAL _____

30 GAL _____

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PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Remove contaminated clothing and wash before reuse. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact Poison Control Center at 800-222-1222 for emergency medical treatment information.	
NOTE TO PHYSICIAN AND VETERINARIANS: Contains petroleum distillate. Vomiting may cause aspiration pneumonia. Do not administer or instill milk, cream or other substances containing vegetable or animal fats which will enhance absorption of lipophilic substances.	

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to aquatic organisms, including fish and aquatic invertebrates. Runoff from treated areas or deposition of spray droplets into a body of water may be hazardous to fish and aquatic invertebrates. Do not apply over bodies of water (lakes, rivers, permanent streams, natural ponds, commercial fish ponds, swamps, marshes or estuaries), except when necessary to target areas where adult mosquitoes are present, and weather conditions will facilitate movement of applied material away from the water in order to minimize incidental deposition into the water body. Do not contaminate bodies of water when disposing of equipment rinsate or washwaters.

This product is highly toxic to bees exposed to direct treatment on 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 area, except when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

PHYSICAL AND CHEMICAL HAZARDS

Do not use, pour, spill or store near heat or open flame. Flashpoint greater than 230°F.

DIRECTIONS FOR USE

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

Wear long sleeved shirt and long pants, socks, shoes and chemical resistant (such as nitril or butyl) gloves.

Note: Before making the first application in a season, it is advisable to consult with the state or tribal agency with primary responsibility for pesticide regulation to determine if other regulatory requirements exist.

STORAGE AND DISPOSAL

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

Pesticide Storage and Spill Procedure: Store upright at room temperatures. Do not expose to extreme temperatures. In case of spill or leakage, ventilate the area, wear chemical resistant gloves and footwear. Soak up the liquid with absorbent material such as sawdust, soil, or fullers earth, etc.

Dispose of the resulting chemical waste, as follows:

Pesticide Disposal: Wastes resulting from a spill or the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal:

For Containers equal to or less than 5 Gallons: Non-refillable 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 1/4 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: Non-refillable 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 pesticide 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 recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

CONDITIONS AND RATES TO USE FOR MOSQUITO CONTROL

MARTIN'S 31-67 ULV is recommended for application as an ultra low volume (ULV) non-thermal aerosol (cold fog) to control adult mosquitoes, flies and gnats in residential and recreational areas where these insects are a problem, such as, but not limited to parks, campsites, woodlands, athletic fields, golf courses, residential areas, municipalities, gardens, playgrounds, recreational areas and overgrown waste areas. For best results, treat when insects are most active and conditions are conducive to keeping the fog close to the ground e.g. cool temperatures and wind speed not greater than 10 mph. Application during the cool hours of the night or early morning is usually preferable. Apply this product at temperatures greater than 50° F and when wind speed equals or exceeds 1 mph.

Do not re-treat a site more than once in 12 hours. Do not apply more than 0.18 lbs. of permethrin per acre per year to any site. More frequent treatments may be made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito-borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural disaster recovery effort.

Martin's 31-67 ULV can be applied over specific growing crops and range grasses prior to harvest for the control of adult mosquitoes and biting flies within or adjacent to these areas. Application can only be made where the following crops are present:

Almonds	Range Grasses
Apples	Leafy Vegetables, (except Brassica)
Broccoli	Lettuce, head
Brussels sprouts	Mushrooms
Cabbage	Onions, dry bulb
Celery	Peaches
Cauliflower	Pears
Cherries	Peppers, bell
Corn, fodder	Soybeans
Corn, forage	Tomatoes
Corn grain	Vegetables, cucurbit
Eggplant	Walnuts

Do not spray this product on or allow it to drift onto pastureland, cropland (other than crops listed), or potable water supplies. In the treatment of corrals, feedlots, animal confinements/houses, swine lots, poultry ranges and zoos, cover any exposed drinking water, drinking fountains and animal feed before application.

GROUND APPLICATION INSTRUCTIONS

DROPLET SIZE CALIBRATION FOR GROUND APPLICATION EQUIPMENT: Spray equipment must be adjusted so that the volume median diameter is less than 25 microns (Dv 0.5 < 25 um) and that 99% of the spray is contained in droplets smaller than 40 microns (Dv 0.9 < 40 um). Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

For proper ground application, mount the fog applicator so that the nozzle is at least 4 ½ feet above ground level and directed out the back of the vehicle. Failure to follow the above directions may result in reduced effectiveness.

MARTIN'S 31-67 ULV Non-Thermal Aerosol (cold fog) Application: To control mosquitoes, midges, black flies and other biting flies, apply MARTIN'S 31-67 ULV using any standard ULV ground applicator capable of producing a non-thermal aerosol spray. Apply the product undiluted at a flow rate of 2.0 ounces per minute at an average vehicle speed of 10 mph. If a different vehicle speed is used, adjust the rate accordingly. These rates are equivalent to 0.0035 to 0.007 pounds of permethrin and 0.0075 to 0.016 pounds of piperonyl butoxide per acre. Vary flow rates accordingly to vegetation density and mosquito population. Use of the maximum flow rates and application rates listed on this label is recommended to treat heavy vegetation or when target insect populations are high. An accurate flow meter must be used to ensure the proper flow rate. MARTIN'S 31-67 ULV may also be applied by diluting with a suitable solvent such as mineral oil and applying so as not to exceed the maximum pounds of active ingredient per acre as shown in the first column of the tables below. The following charts represent some suggested dilution and application rates for ground ULV applications. If an alternative dilution rate is used, adjust the flow rate accordingly.

Undiluted Use Rates for MARTIN'S 31-67 ULV

Permethrin Lbs./Acre	Application Rates/Fluid Ounces To Use Per Minute			Fl. Oz. MARTIN'S 31-67 ULV per Acre
	5 mph	10 mph	15 mph	
0.007	1.0	2.0	3.0	0.33
0.0035	0.5	1.0	1.5	0.16

For a 1:2 MARTIN'S 31-67 ULV/Solvent Dilution Ratio

Mix one (1) part MARTIN'S 31-67 ULV with two (2) parts solvent and apply at the following rates.

Permethrin Lbs./Acre	Application Rates/Fluid Ounces To Use Per Minute			Fl. Oz. Finished Spray per Acre
	5 mph	10 mph	15 mph	
0.007	3.0	6.0	9.0	1.0

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0.0035	1.5	3.0	4.5	0.5
0.00175	0.75	1.5	2.25	0.25

For a 1:4 MARTIN'S 31-67 ULV/Solvent Dilution Ratio

Mix one (1) part MARTIN'S 31-67 ULV with four (4) parts solvent and apply at the following rates.

Permethrin Lbs./Acre	Application Rates/Fluid Ounces To Use Per Minute			Fl. Oz. Finished Spray per Acre
	5 mph	10 mph	15 mph	
0.007	5.0	10.0	15.0	1.6
0.0035	2.5	5.0	7.5	0.8
0.00175	1.25	2.5	3.5	0.4

For a 1:8 MARTIN'S 31-67 ULV/Solvent Dilution Ratio

Mix one (1) part MARTIN'S 31-67 ULV with eight (8) parts solvent and apply at the following rates.

Permethrin Lbs./Acre	Application Rates/Fluid Ounces To Use Per Minute			Fl. Oz. Finished Spray per Acre
	5 mph	10 mph	15 mph	
0.007	9.0	18.0	27.0	3.0
0.0035	4.5	9.0	13.5	1.5
0.00175	2.25	4.5	6.75	0.75

AERIAL APPLICATION INSTRUCTIONS

The use of aircraft specially equipped and capable of applying ULTRA LOW VOLUMES of MARTIN'S 31-67 ULV may be necessary. Such applications should be at the discretion of the Public Health Officials, Mosquito Abatement Districts or others trained in outdoor mosquito and biting fly programs to protect public health

DROPLET SIZE CALIBRATION FOR AERIAL APPLICATION EQUIPMENT: Spray equipment must be adjusted so that the volume median diameter produced is less than 50 microns ($D_v 0.5 < 50 \mu m$) and that 90% of the spray is contained in droplets smaller than 90 microns ($D_v 0.9 < 90 \mu m$). The effects of flight speed and, for non-rotary nozzles, nozzle angle on the droplet size spectrum must be considered. Directions from the equipment manufacturer or vendor, pesticide registrant or a test facility using a wind tunnel and laser-based measurement instrument must be used to adjust equipment to produce acceptable droplet size spectra. Application equipment must be tested at least annually to confirm that pressure at the nozzle and nozzle flow rate(s) are properly calibrated.

Applications should be made by suitable aerial ULV equipment with a minimum spray boom height of 100 feet from the ground for fixed wing or rotary aircraft. Flow rate should be set so as to achieve 0.16 to 0.33 fluid ounces MARTIN'S 31-67 ULV per acre of undiluted product. MARTIN'S 31-67 ULV may also be diluted with a suitable solvent such as mineral oil according to the table "For a 1:2 MARTIN'S 31-67 ULV/Solvent Dilution Ratio" and applied by aerial ULV equipment so long as 1.0 fluid ounce per acre of the 1:2 dilution is not exceeded. For fixed wing and rotary aircraft with flat fan or rotary nozzles, apply at a sufficient airspeed to deliver the appropriate amount of a.i./acre (0.00175 to 0.007 lb. permethrin a.i./acre and 0.0075 to 0.016 lbs. piperonyl butoxide a.i./acre) and to achieve the appropriate droplet range as prescribed by this label.

IN FLORIDA: Do not apply by aircraft except in emergency situations and with the approval of the Bureau of Entomology and Pest Control, Florida Department of Agriculture and Consumer Services.

NOTICE: To the extent provided by law, buyer and user assume all risks and liability of use, storage and/or handling of this product not in accordance with the terms of this label.

DISCLAIMER OF WARRANTIES: CONTROL SOLUTIONS, INC. WARRANTS THAT THIS PRODUCT CONFORMS TO THE CHEMICAL DESCRIPTION ON THE LABEL AND IS REASONABLY FIT FOR THE PURPOSES STATED ON THE LABEL WHEN USED IN ACCORDANCE WITH THE DIRECTIONS FOR USE. IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS

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PRODUCT. INEFFECTIVENESS OR OTHER UNINTENDED CONSEQUENCES MAY RESULT BECAUSE OF SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OF OTHER MATERIALS, OR THE MANNER OF APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF CONTROL SOLUTIONS, INC. TO THE FULLEST EXTENT PERMITTED BY LAW, CONTROL SOLUTIONS, INC. SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER.

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

Control Solutions, Inc.
5903 Genoa-Red Bluff
Pasadena, TX 77507-1041

EPA Reg. No. 53883-151
EPA Est. No. 53883-TX-002