

53883-202

04/23/2007

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (H7505C)  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

EPA Reg. Number:  
53883-202

Date of Issuance:  
APR 23 2007

Term of Issuance:  
Conditional

Name of Pesticide Product:  
Bifenthrin 13% MUP

NOTICE OF PESTICIDE:

Registration  
 Reregistration

(Under FIFRA as amended)

Name and Address of Registrant (include ZIP Code):

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

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:

1. You will 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 your product under FIFRA section 4.

2. You will make the following label changes before you release the product for shipment:

a) Revise the EPA Registration Number to read "EPA Reg. No. 53883-202."

b) The acute toxicity profile for this product is as follows:

- Acute oral toxicity II
- Acute dermal toxicity IV
- Acute inhalation toxicity IV
- Primary eye irritation II
- Primary skin irritation III
- Dermal sensitization Negative

Based on the above acute toxicity profile revise the Precautionary Statements as follows:

"May be fatal if swallowed. Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Avoid contact with skin. Wash thoroughly with soap and water after

Signature of Approving Official:  
*George T. LaRocca* for  
George T. LaRocca, Product Manager (13)  
Insecticide Branch/Registration Division (7505C)

Date:  
*April 23, 2007*

handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse."

- c) Replace "Hazards to Humans" with "Hazards to Humans and Domestic Animals" following the heading Precautionary Statements.
  - d) Based on the acute dermal & inhalation toxicity (classified category IV) you are not required to have an "If inhaled" nor "If on skin or clothing" first statement.
  - e) Replace "Do not give any liquid to the person" with "Have person sip a glass of water if able to swallow" in the "If swallowed" first aid statement.
  - f) Replace "In no case shall Seller be liable for the consequential...etc" with "To the extent consistent with applicable law shall Seller be liable for the consequential .... etc." in the Warranty and Disclaimer statement. Also add the following statement, "To the extent consistent with applicable law" to the beginning of the statements, "Seller expressly disclaims ... etc." and "Any damages arising from breach of warranty ... etc."
  - g) Add "This product is toxic to fish and aquatic invertebrates" to the beginning of the Environmental Hazards statement.
  - h) Revise the statement beginning, "For Formulation into end use products ... etc." to read, "For Formulation into an insecticide/miticide for the following uses".
  - i) Add a fourth qualifier to the uses i.e. "Non Food/Feed Areas of Food/Feed Handling Establishments".
  - j) Add the following statement under Directions for Use: "Formulators using this product are responsible for obtaining USEPA registration for their formulated product".
1. Within one year from the date of this notice submit the results of studies for the 830.6317 (one year storage stability) and 830.6320 (corrosion characteristics) studies. For the storage stability study it is recommended that the observations be made at 0, 3, 6, 9, and 12 months intervals.
  2. Submit a copy of the enforcement analytical method to the EPA Analytical Laboratory, 701 Mapes Road, Ft. Meade, Maryland 20755-5350.
  3. Please submit three (3) copies of your final printed labeling before releasing the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing amended labeling constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact BeWanda Alexander of my team at (703) 305-7460.

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ACCEPTED  
with COMMENTS  
In EPA Letter Dated  
APR 23 2007  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
53883-202

# BIFENTHRIN 13% MUP

Insecticide/Miticide

## For Manufacturing Use Only

### ACTIVE INGREDIENT:

Bifenthrin: (2-methyl)[1,1<sup>1</sup>-Biphenyl]-3-yl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-cyclopropanecarboxylate\*.....13.0%

OTHER INGREDIENTS:..... 87.0%

TOTAL..... 100.0%

\*Cis isomers 97% minimum, trans isomers 3% maximum  
Bifenthrin 13% MUP contains 1.11 pounds bifenthrin per gallon.

### KEEP OUT OF REACH OF CHILDREN

## WARNING

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> <li>• Call poison control center or doctor immediately for treatment advice.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give any liquid to the person.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
If in eyes:	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If on skin or clothing:	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If inhaled:	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

**PRECAUTIONARY STATEMENTS**

**Hazards to Humans**

**Warning.** Harmful if swallowed, absorbed through skin or inhaled. Avoid breathing vapor. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash before reuse.

**Environmental Hazards**

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or regional office of the EPA.

**DIRECTIONS FOR USE**

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

**STORAGE AND DISPOSAL**

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

**Pesticide Storage:** Store in original containers only. Store in a dry place and avoid excess heat. Carefully open containers and after partial use, replace lid 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.

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

**Pesticide Disposal:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**Container Disposal:** 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.

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

**FOR USE IN MANUFACTURING ONLY.**

This material requires further mixing before use.

For Formulation into End Use Products for the Following Uses:

- 1. Non-crop indoors and outdoors
- 2. Herbs
- 3. Lawns

**NOTICE OF WARRANTY AND DISCLAIMER**

Seller warrants that at the time of delivery the product in this container conforms to its chemical description contained hereon and is reasonably fit for its intended purpose only when used in accordance with proper manufacturing practices and procedures and under normal conditions of use. This is the only warranty made on this product. Seller expressly disclaims any implied warranties of merchantability or fitness for any particular purpose and, except as set forth above, any other express or implied warranties. Any damages arising from breach of warranty or negligence shall be limited to direct damages not exceeding the purchase price paid for this product by Buyer, and shall not include incidental or consequential damages such as, but not limited to, loss of profits or values. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Seller. In no case shall Seller be liable for the consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. Buyer acknowledges the use of its own independent skill and expertise in the selection and use of the product and does not rely on any oral or written statements or representations.

EPA Reg. No. 53883-XXX

EPA Est. No. XXXXX-XX-XXXX

Net Weight: \_\_\_\_\_

Manufactured by:  
 Control Solutions, Inc.  
 5903 Genoa-Red Bluff  
 Pasadena, TX 77507