

PM 04

59639-18

4/24/97

Page 1 of 6

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 05-31-98



United States Environmental Protection Agency Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

251112

Application for Pesticide - Section I

1. Company/Product Number 59639-18	2. EPA Product Manager William Jacobs	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fly Killer D	PM# 14	
5. Name and Address of Applicant (Include ZIP Code) Valent U.S.A. Corporation 1333 N. California Blvd., Ste. 600 Walnut Creek, CA 94596 <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
Modification to warranty statement.

NOTIFICATION
APR 24 1997

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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	Metal Plastic Glass Paper 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		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

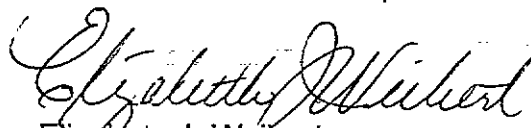
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Elizabeth J. Weibert	Title Labels & Regis. Specialist	Telephone No. (Include Area Code) 510-256-2791
2. Signature 		6. Date Application Received (Stamped)
3. Title Labels & Regis. Specialist		
4. Typed Name Elizabeth J. Weibert		5. Date April 16, 1997
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.		

April 15, 1997

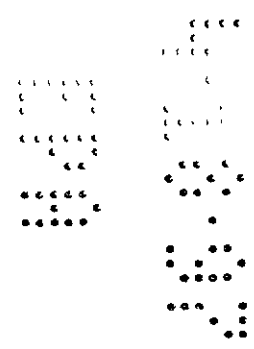
Attachment to OPP ID: 251112

Fly Killer D
EPA Reg. No.: 59639-18

I certify that this notification is consistent with PR 95-2 and EPA regulations at 40 CFR 152.46 and that no other changes have been made to the labeling of this product. I further understand that if this notification is not consistent with the terms of PR Notice 95-2 and 40 CFR 152.46, then 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.



Elizabeth J. Weibert
Valent U.S.A. Corporation
1333 N. California Blvd., Ste. 600
Walnut Creek, CA 94596





376

REDLINE COPY

Fly Killer D

Contains DIBROM® Naled Insecticide
Controls Flies, Mosquitoes, Gnats, and Drosophila

Active Ingredient	By Wt.
*Naled	36%
Inert Ingredients	64%
Aromatic Petroleum Derivative Solvent 49%	
* 1,2-dibromo-2,2-dichloroethyl dimethyl phosphate	

Contains 4 pounds technical naled per gallon, equivalent to 3.6 pounds naled.

KEEP OUT OF REACH OF CHILDREN

DANGER

SEE BELOW FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

NOTIFICATION
APR 24 1997

NET CONTENTS 1 GALLON

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

DANGER: CORROSIVE. Causes irreversible eye damage. May be fatal if swallowed, inhaled or absorbed through the skin. Causes skin irritation. May cause allergic skin reaction. Do not get in eyes, on skin, or on clothing. When handling this material wear impervious protective clothing including gloves, apron, overshoes, chemical goggles and face shield. Do not breathe vapor or spray mist. Wear a MSHA/NIOSH approved pesticide respirator. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash before reuse. Do not use this product on livestock or domestic animals other than indicated on the label. For indoor uses, do not enter treated area until spray has dried.

STATEMENT OF PRACTICAL TREATMENT:

- If in eyes:** Hold eyelids open and flush with a steady, gentle stream of water for 15 minutes. Get medical attention immediately.
- If swallowed:** Give water or milk to drink and telephone for medical advice. **DO NOT** make person vomit unless directed to do so by medical personnel. If medical advice cannot be obtained, then take person and product container to the nearest medical emergency treatment center or hospital.
- If inhaled:** Remove victim to fresh air. If not-breathing, give artificial respiration and get medical attention immediately.
- If on skin:** Wash with plenty of soap and water. Get medical attention immediately.
- Note to Physicians:** Emergency information - call 1-800-892-0099. Naled is a cholinesterase inhibitor. Measurement of blood cholinesterase activity may be useful in monitoring exposure. If signs of cholinesterase inhibition appear, atropine sulfate is antidotal. 2-PAM (Protopam) is also antidotal and may be used in conjunction with atropine but should not be used alone.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to birds, fish and aquatic invertebrates, and wildlife. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water by cleaning of equipment or disposal of wastes.

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

PHYSICAL OR CHEMICAL HAZARDS: COMBUSTIBLE. KEEP OUT OF REACH OF CHILDREN. DO NOT USE OR STORE near heat, open flame, sparks or hot surfaces. **USE ONLY IN WELL VENTILATED AREA.** Keep container closed. Clean up spills immediately. Liquid evaporates and forms vapor (fumes) which can catch fire and burn with explosive violence. Invisible vapor spreads easily and can be set on fire by many sources such as pilot lights, welding equipment and electrical motors and switches. Fire hazard is greater as liquid temperature rises above 85°F. **DO NOT** heat this container. Replace cap or bung. Emptied container still contains hazardous or explosive vapor or liquid. May corrode metal spray equipment. Wash equipment thoroughly after use.

DIRECTIONS FOR USE

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

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

**DISCLAIMER, CONDITIONS OF SALE,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT: Read the entire Label including this Disclaimer, Limited Warranty and Limitation of Liability before using this product. If the terms are not acceptable, return the unopened product within 15 days of purchase.

RISKS OF USING THIS PRODUCT

It is impossible to eliminate all risks associated with the use of this product. Such risks include, but are not limited to injury to plants and crops to which this product is applied, lack of control of the target pests or weeds, resistance, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, moisture conditions, irrigation practices, presence of other materials, cultural practices or the manner of use or application, all of which are factors beyond the control of Valent. All such risks shall be assumed by the Buyer. Valent shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on the label. User assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTY

Valent warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used strictly in accordance with the label and subject to the Risks of Using This Product described above.

DISCLAIMER OF ALL OTHER WARRANTIES

VALENT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. No agent or representative of Valent or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

In no event shall Valent or Seller be liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF VALENT OR SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT OR, AT THE ELECTION OF VALENT OR SELLER, THE REPLACEMENT OF THIS PRODUCT.**

NO AMENDMENTS

Valent and Seller offer this product, and Buyer and User accept it, subject to the foregoing Disclaimer, Conditions of Sale, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

PROMPT NOTICE OF CLAIM

Valent must have prompt notice as soon as Buyer or User has reason to believe they may have a claim (not to exceed twenty-one days from date of application) so that an immediate inspection of the affected property and growing crops can be made. Unless Buyer and Users shall promptly notify Valent of any claims, they shall be barred from obtaining any remedy.

TANK MIXES

NOTICE: Tank mixing or use of this product with any other product which is not specifically and expressly authorized by the label shall be the exclusive risk of user, applicator and/or application advisor.

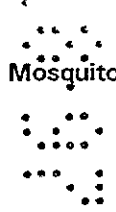
Read and follow the entire label of each product to be used in the tank mix with this product.

General Use Restrictions

Do not use in edible product areas of food processing plants, restaurants, or other areas where food is prepared or processed commercially. Do not use in serving areas while food is exposed.

DIRECTIONS

AS A SPACE SPRAY for Control of Resistant and Nonresistant House Flies, Little House Flies, Mosquitos,



Gnats and Fruit Flies (Drosophila species) in and around Dairy Barns, Livestock Barns, Pig Pens, Poultry Houses, Feed Lots, Cattle Pens, Garbage Dumps, Outside Meat Packing Establishments (including Federally Inspected) pens, docks, ramps, disposal areas and Cider Mills: Use 5 teaspoonfuls of VALENT Fly Killer D in 1 gal. water (2 oz. in 2 1/2 gals. or 2 pts. to 40 gals.) and direct the spray throughout the fly infested area such as dairy and stock barns, spraying around and above animals but not directly at animals. Repeat as necessary. Do not use inside dwellings or in milk processing rooms. For increased residual control, concentrate spray application to walls, beams, rafters and around windows, doorways and other fly resting areas. Add 1/2 lb. sugar or 1/2 pt. Karo® syrup when 40 gals. water is used for best results. **Fruit Flies (Drosophila sp.) in and around Food Processing Plants, Loading Docks, Cull Piles and Refuse Areas and Cider Mills -** Use 4 oz. in 2 1/2 gals. water (10 pts. to 100 gals.) Apply as a coarse spray to walls, floors, doorways, windows, refuse and cull piles. Apply every 5 to 7 days as long as necessary to maintain control. Do not apply to cull fruit or refuse piles to be fed to livestock. Avoid contamination of feeds, foodstuffs and food processing machinery. Do not apply when plants are in operation or when foods are present or exposed. Do not spray surfaces which will come into contact with foods. Cover food containers during spraying periods.

ADULT MOSQUITO, GNAT, AND HOUSE FLY CONTROL - RESIDENTIAL AREAS, FEED LOTS AND PASTURES INCLUDING DAIRY CATTLE, WOODLANDS, SWAMPS: It is not necessary to avoid farm buildings and dairy barns. Not for use on trees being grown for sale or other commercial use, or for commercial seed production, or for the production of timber or wood products, or for research purposes. Time application for peak infestation and repeat as necessary. Do not apply to crop areas within 4 days of harvest. **AIRCRAFT APPLICATIONS:** 1.6 to 8 fl. oz. per acre (.05 to .25 lb. technical naled per acre). Apply in water to give 1/2 to 2 gals. diluted spray per acre. **MIST BLOWER APPLICATION:** 1 1/2 to 2 1/2 gals. in 100 gals. water. Calibrate equipment (rate of travel and output) to apply .1 to .25 lb. technical naled per acre. Treat shrubbery and vegetation where mosquitos may rest. Shrubby and vegetation around stagnant pools, marshy areas, ponds and shore lines may be treated. Direct application to water is prohibited.

AS A BAIT for Control of Resistant or Nonresistant House Flies in and around Dairy Barns, Livestock Barns, Stables, Pig Pens, Poultry Houses, Outside Meat Packing Establishments (including Federally Inspected) pens, docks, ramps, disposal areas; Animal Hospitals, Dog Kennels, Open Air Theatres, Food Processing Plants, Restaurants, Drive-Ins, and Where Flies Breed and Congregate: As a Dry Bait - Put 1 lb. granulated sugar into a 1 qt. jar, add 1 teaspoonful VALENT Fly Killer D. Tighten lid and shake vigorously with rotating motion for two minutes. Scatter resulting bait on floors, window sills and loading docks in barns, kennels, around garbage cans, refuse areas, patios and where flies congregate. In food processing areas, use only when the facility is not in operation and food is not exposed. Use only in bait boxes where bait in each box can be accounted for. Remove and account for all bait boxes prior to resuming food processing. Repeat as necessary. Unused bait will remain effective for two or three weeks. Keep in closed container. As a Wet Bait - Dissolve 1 lb. of sugar or 1/2 pt. Karo syrup or molasses in 2 1/2 gals. water in a sprinkling can. Add 2 tablespoons VALENT Fly Killer D, stir and sprinkle on entry ways, window sills, loading docks and walkways in stock barns, food processing plants, kennels, poultry houses, and refuse areas where flies congregate and feed. Repeat as necessary. Prepare new bait each time.

ROACHES (All species of Resistant and Nonresistant Cockroaches, including German, Brownbanded, Oriental and American Roaches). Inside and Outside of Houses, Apartments, Hotels, Motels, Restaurants, Institutions and Other Buildings: FOR USE BY PEST CONTROL OPERATORS ONLY. Use 3 fl. oz. in 1 gal. water. Apply as a fine stream or coarse spray into cracks, crevices and where insects can be contacted.

Do not apply under conditions involving possible drift to food, forage or other plantings that might be damaged or the crops thereof rendered unfit for sale, use or consumption.

STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited.

STORAGE: Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Do not store diluted spray. Make new dilution for each use. Store in cool, dry place. For help with any spill, leak, fire or exposure involving this material, call day or night 1-800-892-0099 or Chemtrec 1-800-424-9300.

PESTICIDE DISPOSAL: This product is acutely hazardous. 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 at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Do not reuse container. Dispose of in a sanitary landfill or by other procedures allowed by State and local authorities.

IMPORTANT INFORMATION - READ BEFORE USING PRODUCT:

LIMITED WARRANTY: Valent U.S.A. Corporation warrants that this product conforms to the chemical description on the label and is reasonably fit for use under average conditions when used strictly in accordance with the directions on the labeling. Valent does not make nor authorizes any agent or representative to make, any other warranty, guarantee or representation, express or



676

implied, concerning this product. Specifically, ~~NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE IS MADE.~~

~~2. Critical and unforeseeable factors beyond Valent's control prevent it from eliminating all risks in connection with the use of this product. Such risks include, but are not limited to, damage to plants and crops to which product is applied, lack of complete control over the handling and application of this product, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit under average conditions for the uses stated on the labeling and even though label directions are followed. Buyer and user acknowledge and assume all risks and liability (except those assumed by Valent under 1 above) resulting from handling, storage, and use of the product.~~

~~3. Precautions stated on the labeling should be followed to avoid hazardous exposure to the product.~~

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KARO® - Reg. TM of Best Foods, CPC International Inc.

Manufactured for
Valent U.S.A. Corporation
Walnut Creek, CA 94596-8025
Form 10350A0.0 970414 Made in U.S.A.
EPA Reg. No. 59639-18 EPA Est. 5481-CA-01

