



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

59639-31

Date of Issuance:

AUG 16 2007

NOTICE OF PESTICIDE:

Registration
[X] Reregistration
(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:

Orthene PCO Formula II

Name and Address of Registrant (include ZIP Code):

Valent U.S.A. Corporation
1600 Riviera Avenue, Suite 200
PO Box 8025
Walnut Creek, CA94596

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.

Based on your response to the Reregistration Eligibility Decision (RED) for Acephate, EPA has reregistered the product listed above. This action is taken under the authority of section 4(g)(2)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

Generic data requirements that have been identified in the RED as confirmatory data for the active ingredient contained in the subject product will continue to be tracked and assessed in the Agency's continual reassessment of pesticides.

The labeling for the subject product submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided you submit one (1) copy of the final printed label incorporating the following corrections before you release the product for shipment. Products shipped after 12 months from the date of this Notice must bear the new revised label. A stamped copy of the label is enclosed for your records.

- 1. Remove the efficacy claim "quickly" from the second sentence in the General Information section on page 5 ("___ to quickly reduce heavy infestations.").

Signature of Approving Official:

[Handwritten signature]

Date:

AUG 16 2007

2. Correct the PPE statement "In addition, all mixers, loaders and applicators ___" (page 2) to read as follows: "In addition, all mixers and loaders and all applicators ___".

3. Correct the spray drift labeling paragraph (page 5) as cited below.

a. Correct the first sentence to read as follows: Do not apply this product in a manner that allows spray to drift and contact humans, animals or other nontarget sites.

b. Remove the last sentence of the paragraph and revise the second to the last sentence by removing the text "and grower".

c. Remove the listed examples of application methods ("e.g., ground, aerial, airblast, chemigation") as they are not the methods specified in the use directions for this product.

4. Correct the claims "cockroaches, ants, crickets, fleas, and firebrats" to "cockroaches, ants (excluding fire, harvester, carpenter and pharaoh), crickets, fleas and firebrats". Based on the efficacy data submitted in support of the subject product, the only public health and structural ant species supported are fire and harvester ants as a mound treatment.

5. Qualify the statement located in the directions for use section ("Apply as outdoor treatments for control of ants including imported ants and other listed insects.") so that it is clear that the outdoor use is intended for only certain insects listed on the label; i.e. "Apply as outdoor treatments for control of the listed ants and other insects listed in the outdoor use directions.

6. Change the heading "wasps" (page 5) to "wasps (outdoor)" so that it is clear that the wasp treatment is an outdoor use.

7. Correct the perimeter treatment as cited below.

a. Revise the claim "To control ants, fire and harvester (excluding carpenter and pharaoh ants) ___" to read as follows: To control ants (excluding fire, harvester, carpenter and pharaoh ants) ___".

b. Add the following use restriction: Not for use on residential turf as a perimeter treatment.

8. Remove the claim for cockroaches that was added to the ant mound treatment use directions (top of page 6). Such directions are not appropriate for cockroaches.

9. Correct the Storage and Disposal statements as cited below.

a. Remove the subheading "Prohibitions"

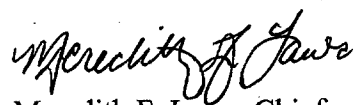
3 8 10

b. Relocate the statement "Open dumping is prohibited" to the more appropriate location under the subheading Pesticide Disposal.

10. Correct the warranty statements under "Prompt Notice of Claim" as specified below.

a. Add the phrase "to the extent consistent with applicable law allows such requirements" to the beginning of the sentence "Valent must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty-one days from date of planting, or ____."

b. Add the phrase "to the extent consistent with applicable law" to the beginning of the sentence "If Buyer does not notify Valent of any claims, in such period, it shall be barred from obtaining any remedy."



Meredith F. Laws, Chief
Insecticide-Rodenticide Branch
Registration Division (7504P)

4 8 10



ORTHENE[®] PCO Formula II (INSECTICIDE)

For Use Only By Professional Applicators

Active Ingredient	By Wt.
*Acephate.....	97.4%
Other Ingredients.....	2.6%
Total	100.0%

*O,S-Dimethyl acetylphosphoramidothioate

U.S. Patent. No. 6,013,272

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE NEXT PAGE FOR PRECAUTIONARY STATEMENTS

**NET WEIGHT 14 OUNCES
(10/1.4 Ounce Packets)**

ACCEPTED
with COMMENTS
in EPA Letter Dated:
AUG 16 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
As amended, for the pesticide
Registered under EPA Reg. No.
59639-31

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION

Harmful if swallowed. Do not enter or allow others to enter treated areas until sprays have dried.

FIRST AID

- If swallowed:**
- Call a poison control center or doctor immediately for treatment advice.
 - Have person sip a glass of water if able to swallow.
 - Do not induce vomiting unless told to do so by a poison control center or doctor.
 - Do not give anything by mouth to an unconscious person.
- 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.
- 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 inhaled:**
- 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.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact **800-892-0099** for emergency medical treatment information.

NOTE TO PHYSICIAN

Acephate is a cholinesterase inhibitor. If signs and symptoms of cholinesterase inhibition appear, atropine is antidotal. 2-PAM is also antidotal and may be administered in conjunction with atropine but should not be used alone.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

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

Mixers, Loaders, Applicators and Other Handlers must wear: Long sleeved shirt and long pants, chemical-resistant gloves such as Butyl rubber \geq 14 mils, Nitrile rubber \geq 14 mils and Neoprene \geq 14 mils and shoes plus socks.

In addition, all Mixers, Loaders and Applicators using low pressure hand wand application equipment must wear: A NIOSH-approved dust mist filtering respirator with MSHA/NIOSH approved number prefix TC-21C or a NIOSH-approved respirator with any N, R, P or HE filter.

Follow the manufacturer's instructions for cleaning/maintaining PPE. If no instructions for washables exist, 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/PPE 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 toxic to birds. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Cover or soil-incorporate spills. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

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 to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

This product and its degradate are 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 treatment area.

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.

Not for use in feed processing areas in feed handling establishments.

This product is not for indoor residential use.

**DISCLAIMER, RISKS OF USING THIS PRODUCT,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT: Read the entire Label including this Disclaimer, Risks of Using this Product, Limited Warranty, and Limitation of Liability before using this product. If the terms are not acceptable THEN DO NOT USE THE PRODUCT; rather, return the unopened product within 15 days of purchase for a refund of the purchase price.

RISKS OF USING THIS PRODUCT

The Buyer and User (referred to collectively herein as "Buyer") of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These 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 of the target pest or weeds to this product, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application, (or a combination of such factors) all of which are factors beyond the control of Valent. The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage, or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks, THEN THIS PRODUCT SHOULD NOT BE APPLIED. By applying this product Buyer acknowledges and accepts these inherent unintended risks AND TO THE FULLEST EXTENT ALLOWED BY LAW, AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

Valent shall not be responsible for losses or damages (including, but not limited to, loss of yield, increased expenses of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. Buyer 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 only 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 as described above. EXCEPT AS SET FORTH ABOVE, VALENT MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED. No agent or representative of Valent or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

To the fullest extent allowed by law, Valent or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes, but is not limited to, loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages. TO THE FULLEST EXTENT ALLOWED BY LAW, THE EXCLUSIVE REMEDY OF THE 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 THE PRODUCT.

PROMPT NOTICE OF CLAIM

Valent must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty-one days from date of planting, or twenty-one days from the date of application, whichever is latter, so that an immediate inspection of the affected property and growing crops can be made.

If Buyer does not notify Valent of any claims, in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS

Valent and Seller offer this product, and Buyer accepts it, subject to the foregoing Disclaimer, Risks of Using This Product, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

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 INFORMATION

Use *Orthene* PCO Formula II for residual pest control in the areas listed by application as a 0.75% or 1.0% spray. Use the 0.75% rate for control of light infestations on non-porous surfaces and the 1.0% spray to quickly reduce heavy infestations. Activity on porous surfaces may be limited. Repeat treatment as needed except where indicated otherwise.

SPRAY DRIFT MANAGEMENT

Do not apply this product in a manner that allows spray to drift and cause adverse effects to humans, animals or other non-target sites. A variety of factors including weather conditions, (e.g., wind direction, wind speed, temperature, relative humidity) and method of application (e.g., ground, aerial, airblast, chemigation) can influence pesticide drift. The applicator and grower must evaluate all factors and make appropriate adjustments when applying this product. Avoiding spray drift at the application site is the responsibility of the applicator.

DIRECTIONS

Apply within Industrial, Institutional, and Commercial Buildings including Restaurants, Warehouses, Stores, Hospitals, Hotels, Manufacturing Plants and Ships. Apply as an outdoor treatment for control of ants, including imported fire ants and other listed pests. Note: Outdoor applications made to turfgrass are restricted to treatment of fire ant and harvester ant mounds. Agitate or shake spray container to ensure thorough dissolution.

Desired Concentration Wt/Wt	Grams Product in 1 Gal Water	Ounces Product in 1 Gal Water	No. of Packets in 1 Gal Water
1/2%	19.5	0.7	1/2
3/4%	29.3	1.0	3/4
1%	39.0	1.4	1

Cockroaches, Ants, Crickets, Fleas and Firebrats: Apply as a coarse, low pressure spot spray, crack and crevice spray or with a paint brush to localized areas where these pests are found or normally occur including corners of rooms and closets; around television sets and radios; along and behind baseboards; around and under sinks, dishwashers, washing machines, refrigerators, stoves and cabinets; areas where plumbing enters or leaves the room; or other areas inhabited by these pests.

NOTE: A period of 3 to 7 days may be necessary for *Orthene* PCO Formula II to reach its maximum effect on cockroaches.

Earwigs, Pillbugs and Sowbugs: Apply as a coarse, low pressure spot spray to areas around doors and windows, storage areas, baseboards and other areas where these pests may enter or be found.

Pantry Pests - Exposed Stages (Confused Flour Beetle, Indian Meal Moth, and Trogoderma): Apply *Orthene* PCO Formula II at 1.0% as a spot application to pantry and cupboard shelves where food containers suspected of being infested are stored. Prior to spraying, remove all foodstuffs, shelving paper and utensils. Do not replace the food packages until the surface has dried. Replace shelving paper. Infested food packages should be destroyed.

Wasps: Apply *Orthene* PCO Formula II as a spot application at 0.5% to 1.0% to the nest, nest entrance and surrounding areas where the wasps alight. Wasps are generally less active early and late in the day, so it is advisable that nests should be treated during these times. Do not apply with low pressure hand-wand equipment.

Perimeter Treatment: To control Ants, Fire and Harvester (excluding carpenter and pharaoh ants), Cockroaches, Pillbugs and Earwigs, apply *Orthene* PCO Formula II at 0.5% to 1.0% to a band of soil 6 to 10 ft adjacent to the structure, also to a height of 2 to 3 ft. on the foundation where pests may be active or may find entrance. Also, apply as a residual spray or with a paint brush to surfaces of buildings, window frames, shutters, entry ways, screens, eaves, patios, garages, carports, around garbage areas and other areas where

these pests congregate. Do not apply with low pressure hand-wand equipment. **NOTE:** When making Perimeter Treatments, only foraging ants will be controlled.

Ants, Fire and Harvester (excluding carpenter and pharaoh ants) and Cockroaches in mounds within a treated perimeter - In order to control a mound or nest, a drench treatment is necessary. For mound drench treatment, dissolve 1 packet (1.4-oz) of *Orthene* PCO Formula II in 9 gals of water. Apply 1 gal of mix to each mound by sprinkling the mound until it is wet and treat a 4 ft diameter circle around the mound.

For best results, apply *Orthene* PCO Formula II in the early morning or late afternoon when ants are most active. Mound drench applications made under prolonged hot and dry conditions may be ineffective due to the location of ants deep within the nest.

NOTE: Grass in treated areas may be injured. **DO NOT** treat a mound more than once per season.

For Application as Spot Treatment in the Listed Structures - Spot treatments may be applied at moderate pressures (up to 35 psi) using a coarse fan tip. For spot treatments, no individual spot will exceed 2 sq ft Mix *Orthene* PCO Formula II according to dilution chart. Apply as a SPOT TREATMENT using coarse fan spray to areas inhabited by cockroaches. Treat areas such as baseboards, under and behind refrigerators, stoves, dishwashing and other equipment, as well as in storage areas, closets, sinks, cabinets, around windows, doors and water pipes. Spot treatment should also include underside of drawers, shelves and other sites where cockroaches frequent or travel.

Food Handling Establishments: For use in Federally Inspected Meat and Poultry Plants and places other than private residences in which exposed food is held, processed, prepared or served.

Food Areas - Application Limited to Spot and/or Crack and Crevice Treatment Only: Includes areas for receiving, storage, packing (canning, bottling, wrapping, boxing) preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Spray concentration shall be limited to a maximum of 1.0% active ingredient. Apply in small amounts directly into cracks and crevices using equipment capable of delivering a pin-stream of insecticide in points between different elements of construction, between equipment and floors, openings leading to voids and hollow spaces in walls, equipment legs and bases, where labeled insects hide. Care should be taken to avoid depositing this product onto exposed surfaces or introducing the material into the air. Avoid contamination of food or food processing surfaces. **Applications of This Product in the Food Areas of Food Handling Establishments, Other than as a Spot and/or Crack and Crevice Treatment are not Permitted.**

Non-Food Areas - Includes garbage rooms, lavatories, floor drains (to sewer entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage). Spray concentration shall be limited to a maximum of 1.0% active ingredient. Apply to baseboard areas, around water pipes, surfaces behind and beneath sinks, lockers, tables, pallets and similar areas where insects hide or through which they may enter.

Serving Areas - Facilities where prepared foods are served, such as dining rooms, but excluding areas where foods may be prepared or held: Apply as a spot treatment to selective surfaces such as baseboards, under elements of construction into cracks and crevices. Avoid treating surfaces likely to be contacted by food. (Do not apply when facility is in operation or foods are exposed). Do not allow spray or mist to contact food, foodstuffs or water supplies. Dishes and food handling utensils should be thoroughly washed in soap and water if exposed to contamination by the application of this product. Do not allow children or pets to come into contact with treated surfaces until sprays have dried.

Avoid contamination of food or food processing surfaces.

Caution. Do not apply directly to carpet as staining may occur. Do not treat unpainted masonry floors in poorly ventilated areas such as garages or basements, especially where moisture or high humidity exists since activity on porous surfaces may be limited.

10 7 10

STORAGE AND DISPOSAL

PROHIBITIONS

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

PESTICIDE STORAGE

Keep pesticide in original container.

Do not put concentrate or dilute into food or drink containers.

Store in cool, dry place.

Protect from excessive heat.

Do not store or transport near feed or food.

For help with any spill, leak, fire or exposure involving this material, call day or night **800-892-0099**.

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

After insuring that both used packets and outer containers are empty, crush and dispose of in trash container.

Copyright© 2007 by Valent U.S.A. Corporation

Orthene is a registered trademark of OMS Investments, Inc.

Manufactured for:

Valent U.S.A. Corporation

P.O. Box 8025

Walnut Creek CA 94596-8025

www.valent.com

Made in U.S.A.

EPA Reg. No. 59639-31

EPA Est. No. 39578-TX-01