

61483-44

8/3/2011

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

August 3, 2011

Dr. Hubert R. O'Neal, Ph.D  
KMG-Bernuth, Inc.  
9555 W. Sam Houston Pkwy. S., Suite 600  
Houston, Texas 77099-2168

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

Dear Dr. O'Neal:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 98-10 dated August 19, 2010 for the following product(s):

**75% Rabon Insecticide Wettable Powder**

**EPA Reg. No. 61483-44**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 98-10 and finds that the label change(s) requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

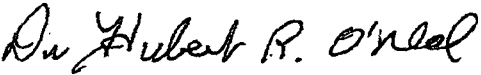
If you have any questions, please contact Regina Foushee'-Smith at 703-605-0780.

Sincerely,

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

Richard J. Gebken  
Product Manager  
Insecticide Branch  
Registration Division (7505P)

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United States <b>EPA Environmental Protection Agency</b> Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
<b>Application for Pesticide - Section 1</b>			
1. Company/Product Number 61483-44	2. EPA Product Manager Richard Gebken	3. Proposed Classification	
4. Company/Product (Name) 75 % Rabon® Insecticide Wettable Powder	PM# 10	<input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
5. Name and Address of Applicant (Include Zip Code) KMG-Bernuth, Inc. 9555 W Sam Houston Pkwy S. Ste 600 Houston, Texas 7709-2168 <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 _____	
<b>Section - II</b>			
<input type="checkbox"/> Amendment - Explain Below.  <input type="checkbox"/> Resubmission in response to Agency letter dated  <input checked="" type="checkbox"/> Notification - Explain below.		<input type="checkbox"/> Final printed labels in response to Agency letter dated March 10, 2006 <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.	
<b>Explanation:</b> Use additional page(s) if necessary. (For section I and section II.) Submission of label to comply with PR2007-4 and to correct registrant address and telephone numbers. <b>"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 U.S.C. 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."</b>			
<b>Section - III</b>			
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 If "Yes" Unit Packaging Wt.      No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package Wt      No. per container	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 _____)
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container      5. Location of Label Directions	
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 _____	
<b>Section - IV</b>			
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Dr. Hubert R. O'Neal		Title Regulatory Consultant	Telephone No. (Include Area Code) (713) 819-3932
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 Consultant	
4. Typed Name Dr. Hubert R. O'Neal		5. Date August 19, 2010	

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August 19, 2010

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Document Processing Desk (NOTIF)  
Office of Pesticides Programs (7504P)  
U. S. Environmental Protection Agency  
**ATTN: RICHARD GEBKEN PM 10**  
Ariel Rios Building  
1200 Pennsylvania Avenue, N. W.  
Washington, D.C. 20460-0001

Re: PR 2007-4 Compliance  
75% Rabon® Insecticide Wettable Powder  
EPA Registration No. 61483-44

Dear Mr Gebken:

Enclosed are the following documents in accordance with notification of change of label language to bring the product label into compliance with PR2007-4 and to correct the registrants address and telephone number:

- . EPA Form 8570-1 (Rev 3-94),
- . Copy of the label marked to show the changes

**"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 U.S.C. 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."**

If you have any questions, please contact me 713-819-3932 or hroneal@suddenlink.net.

Sincerely

  
Hubert R. O'Neal, PhD

**FILE**  
**COPY**

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**NOTIFICATION**

AUG 3 - 2011

Page 1 of 4  
75% Rabon Insecticide WP  
8/19/10

**75% RABON® INSECTICIDE  
WETTABLE POWDER**

**An Insecticide for Formulating Use Only**

**ACTIVE INGREDIENT:**

Tetrachlorvinphos (CAS# 22248-79-9) .....75.0%\*

**OTHER INGREDIENTS:** .....25.0%

**TOTAL:** .....100.0%

\*RABON Insecticide

EPA Reg.No. 61483-44

EPA Est. No. 44616-MO-01

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**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 give anything by mouth to an unconscious person. Do not induce vomiting unless told to by a poison control center or doctor.

**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. 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 mouth to mouth, if possible. Call a poison control center or doctor for further treatment advice.

**HOTLINE NUMBER**

Contains an organophosphate that inhibits cholinesterase.

**Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-322-8177 for emergency medical treatment.**

**NOTE TO PHYSICIAN**

This product is a cholinesterase inhibitor. If symptoms of cholinesterase inhibition are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal and may be administered, but only in conjunction with atropine. Product may cause aspiration pneumonia.

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

Mfd. For: KMG-Bernuth, Inc  
9555 W. Sam Houston Pkwy. S., Ste 600  
Houston, Texas 77099-2145  
(800) 322-8177

**Net Weight: 40 Lbs**

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**CONDITIONS OF SALE AND  
LIMITATION OF WARRANTY AND LIABILITY**

**NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, presence of other materials or other influencing factors in the use of the product, which are beyond the control of **KMG-BERNUTH, INC** or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold **KMG-BERNUTH, INC** and Seller harmless for any claims relating to such factors.

**KMG-BERNUTH, INC** warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or **KMG-BERNUTH, INC**, and Buyer and User assume the risk of any such use. **KMG-BERNUTH, INC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.**

It is **KMG-BERNUTH, INC** intention that to the extent allowable under state law, **KMG-BERNUTH, INC.**, or the Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF KMG-BERNUTH, INC AND 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 THE PRODUCT OR, AT THE ELECTION OF KMG-BERNUTH, INC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

**KMG-BERNUTH, INC** and Seller offer this product, and Buyer and User accept it, subject to the foregoing conditions of sale and limitations of warranty and of liability, which may not be modified except by written agreement signed by a duly authorized representative of **KMG-BERNUTH, INC.**

## **PRECAUTIONARY STATEMENTS**

### **HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

#### **CAUTION**

Harmful if inhaled, swallowed or absorbed through skin or inhaled. Do Not inhale dust. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction to some individuals. Wash thoroughly with soap and water after handling.

### **PERSONAL PROTECTIVE EQUIPMENT**

Mixers and handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear
- Chemical-resistant apron when cleaning equipment, mixing or loading

### **USER SAFETY REQUIREMENTS**

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.

### **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. 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 product is highly toxic to fish. Drift and runoff may be hazardous to aquatic organisms in adjacent areas. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. 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 Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to the 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 the Regional Office of the EPA. Do not contaminate water when cleaning equipment or when disposing of equipment wash waters.

### **DIRECTIONS FOR USE**

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

Read the entire label prior to use.

Use only for formulation into an insecticide for the following:

1. Uses for domestic animals and pets, livestock and their man-made premises, terrestrial nonfood uses and for domestic indoor uses.
2. Uses for which EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registrations.
3. Uses for experimental purposes that are in compliance with US EPA requirements.

Formulators using this product are responsible for obtaining EPA registration of their formulated product.

### **USE RESTRICTIONS**

**For All Products Formulated as Feed Through Horse Uses:** This product contains Tetrachlorvinphos, which is a cholinesterase inhibitor. The most frequently reported clinical signs of cholinesterase in the horse are abdominal pain, lethargy, sweating, tearing and excessive salivation. If these signs are seen in horses, consult your veterinarian immediately. Do not use this product simultaneously or within a week before or after treatment with cholinesterase inhibiting drugs, pesticides or chemicals. Consult a veterinarian before using this product on debilitated, aged, pregnant or nursing animals. This product has not been tested in breeding horses. Do not use this product on horses intended for slaughter

### **STORAGE AND DISPOSAL**

DO NOT contaminate water, food or feed by storage or disposal.

**PESTICIDE STORAGE:** Store in cool dry location in original container.

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site in accordance with the label directions or at an approved waste disposal facility. Open dumping is prohibited.

**CONTAINER DISPOSAL:** Nonrefillable container. DO NOT reuse empty container. Completely empty bag liner by shaking and tapping sides and bottom to loosen clinging particles. Empty any remaining residue into mixing equipment. Then dispose of liner in a sanitary landfill, or incinerate, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**RABON® is a trademark of KMG-BERNUTH, INC.**