

61483-45

10/23/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

October 23, 2008

Mr. Scott Hathorn, III,
Regulatory & EHS Manager
KMG-Bernuth, Inc.
10611 Harwin Drive, Suite 402
Houston, TX 77036-1534

**Subject: Re-submitted Revised Final Labeling in Response to EPA Letter Dated March 10, 2006
RABON® 3 INSECTICIDE DUST, EPA Reg. No. 61483-45
Your Submission Dated July 31, 2008**

Dear Mr. Hathorn:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable with the following provision(s):

First Aid Statement comment(s):

1. In the "**HOTLINE NUMBER**" subsection, it is important to note that the "1-800-322-8177" phone number should be available twenty-four (24) hours per day, seven (7) days per week for answering and responding to any medical emergencies or health concerns.
2. In the "**NOTE TO PHYSICIAN**" subsection, replace the 1st sentence with: "This product contains tetrachlorvinphos (an organophosphate), which is a cholinesterase inhibitor."

Warranty & Disclaimer section comment(s):

3. Within forty-five (45) days from the date of this letter, KMG-Bernuth, Inc. should submit a label amendment revising the "**CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY**" section (label statement at top of page 2 of 5, in accordance with the guidance document entitled, "Guidance on Warranty Statements," dated October 17, 2006. This update can be found at the following hyperlink: <http://www.epa.gov/pesticides/regulating/labels/warranty.pdf>.

Precautionary Statements, Hazards to Humans and Domestic Animals subsection comment(s):

4. You should replace the 5th sentence with: "Wash hands thoroughly with plenty of soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet."

Precautionary Statements, User Safety Recommendations subsection comment(s):

5. You should replace the 6th sentence with: "Wash hands thoroughly with plenty of soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet."

Directions for Use, Beef Cattle & Dairy Cattle subsection comment(s):

6. Insert the following sentence immediately following the last sentence of the 1st row in the "Remarks" column: "Do not apply to livestock more frequently than 1 time per day."

Directions for Use, Swine subsection comment(s):

7. Replace the 2nd sentence of the 1st row in the "Remarks" column with: "Apply no more than every 14 days, if necessary."

Directions for Use, Poultry subsection comment(s):

8. Revise the "Type of Housing" column of this subsection by revising "Wire Cages" and "Floor Management Litter" to read: "Wire Cages (Indoors)" and "Floor Management Litter (Indoors)."
9. In the "Remarks" column of the 1st row of this subsection, replace the 4th sentence with "Apply no more than once every 14 days, if necessary."

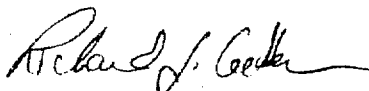
Storage and Disposal Statement section comment(s):

10. To facilitate inclusion of language from PR Notice 2007-4, you should replace the "**CONTAINER DISPOSAL:**" subsection with: "**CONTAINER DISPOSAL:** Non-refillable container. Do not reuse or refill this container. Completely empty bag into application into application equipment, then dispose of empty bag in a sanitary landfill or by other procedures approved by state and local authorities."

A copy of your label stamped "Accepted with Comments" is enclosed for your records. Please submit two (2) copies of the final printed labeling, incorporating the above changes, 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 accepting of these conditions.

If you have any questions about this label review, please contact Mr. Carmen Rodia, at (703) 306-0327 or via e-mail at Rodia.Carmen@epa.gov.

Sincerely Yours,



Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7505P)

Enclosure: Copy of label stamped "Accepted with Comments"

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RABON® 3 INSECTICIDE DUST

Controls Horn Flies, Cattle Grubs and Lice and Aids in Control of
Face Flies on Cattle and Controls Lice on Swine

Controls Northern Fowl Mites, Chicken Mites and Lice on Poultry
And Litter Beetles on Their Premises

ACTIVE INGREDIENT:

Tetrachlorvinphos (CAS# 22248-79-9) 3.0%*

OTHER INGREDIENTS: 97.0%

TOTAL: 100.0%

*RABON Insecticide

EPA Reg.No. 61483-45

EPA Est. No. 67517-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.

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. Probable mucosal damage may contraindicate the use of gastric lavage.

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

Mfd. By: KMG-Bernuth, Inc
Houston, Texas 77036 (800) 322-8177

Net Weight: 10 Pounds

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 swallowed or absorbed through skin. 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

Some materials that are chemical-resistant to this product are butyl rubber, neoprene and polyvinyl chloride (PVC). 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 supporting dusting applications must wear:

- Coveralls over long-sleeved shirt and long pants
- Chemical resistant footwear plus socks
- Chemical resistant gloves
- A NIOSH-approved dust mist filtering respirator with MSHA/NIOSH approval number prefix TC-21C or a NIOSH-approved respirator with any N, R, P, or HE filter.

Loaders and others handling dust bags must wear:

- Long-sleeved shirt and long pants
- socks and shoes
- Chemical-resistant gloves

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. ~~Discard clothing and other absorbent materials that have been contaminated with this product's concentrate. Do not reuse them.~~

USER SAFETY RECOMMENDATIONS

Users should:

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. ~~Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.~~

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ENVIRONMENTAL HAZARDS

This product is toxic to fish, birds, and other wildlife. 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 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.

This product is a ready to use insecticide dust. There is no withholding period from last application to slaughter. Apply as directed. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during the application. Cover or remove all food/feed and water prior to use of this product. Do not apply this product during dairy milking operations.

Non-Agricultural Use Restriction

Do not enter or allow others to enter until dusts have settled.

Animal	Insect	Remarks
Beef Cattle & Dairy Cattle	Horn Flies, Face Flies, & Lice	HAND-DUSTING-Applied approximately 2 oz. of dust by shaker can, rotary duster or by spoon to the upper portions of the back, neck and poll, and to the face as an aid in the control of face flies. Rub in lightly to carry the dust beneath the hair. Repeat as necessary.
		SELF-TREATING DUST BAG FORCED USE-Put Rabon Insecticide Dust in cotton cloth or double burlap bags or use prepacked weather-proof cattle dust bags and hang in door exits or alleyways leading from animal buildings, salt or mineral blocks or watering holes. Protect cloth or burlap from weather
		FREE CHOICE USE-Use the same dust bags as above, but place in loafing shed, holding pens, feedlots, near watering holes or other areas where cattle gather. The free choice aids in the control of lice.
	Cattle Grubs	After the grubs have encysted (formed warbles) apply 3-4 oz. down the backline and rub in thoroughly taking care to get the dust into the warble if possible.
Swine	Lice	HAND DUSTING-Applied 3-4 oz. of dust by conventional hand or power duster to each animal with special attention given to the neck and around the ear. Repeat as necessary but not more often than once every 14 days. In severe infestations, both individual animals and bedding may be treated. One lb. of 3% dust should be applied per 150 sq. ft. of bedding.

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POULTRY		
Type of Housing	Application	Remarks
Wire Cages (Indoors)	1 lb/300 birds Plunger or rotary type duster or shaker can duster	For individual treatment, direct dust to vent and fluff area. Group treatment may be preferred. Dust should reach skin. Do not repeat more often than every 14 days. Wire rungs and corners should also be treated.
Note: For northern fowl mites on roosters, thorough individual application of the dust will assure long-lasting control and reduce reinfestation of breeding flocks.		
Floor Management Litter (Indoors)	1 lb/100 sq ft Plunger or Rotary type duster	Treat evenly and thoroughly.
Darkling beetles (litter beetles)	Use 3 to 8 oz/100 sq ft. Plunger or rotary type duster	Also treat roosts, cracks and crevices where pests may hide.
Dust Box	2 lb/100 birds	Use box about 2 ft. by 2 ft. by 1 ft. deep
Roost Paint	1 lb/100 sq ft Make thick slurry by mixing 1 lb. of dust with 1 pint of water, continually stir.	Treat roost thoroughly particularly the cracks and crevices.

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 label directions, or at an approved waste disposal facility. Open dumping is prohibited.

CONTAINER DISPOSAL: DO NOT reuse empty container. Completely empty bag into application equipment. Then dispose of empty bag 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.

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