

61483-46

10/15/2008

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

October 15, 2008

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

**Subject: Revised Labeling in Response to 2002 TRED for Tetrachlorvinphos
RABON® E.C. Livestock, Poultry & Premise Insecticide, EPA Reg. No. 61483-46
Your Submission Dated June 10, 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. On the line starting with "If Inhaled," insert a bullet in front of the statements that start with "If person is not ..." and "Call a poison control center ..."
2. 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.
3. In the "NOTE TO PHYSICIAN" subsection, replace the 1st sentence with: "This product contains tetrachlorvinphos (an organophosphate), which is a cholinesterase inhibitor."

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

4. You should replace the 8th 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, Personal Protective Equipment (PPR) subsection comment(s):

5. You should add the following statement as a 6th bullet: "A half-face, full-face or hood-style NIOSH-approved respirator with an organic vapor (OV) cartridge or canister with any P, R or HE filter."

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

6. 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, Livestock Use Directions subsection comment(s):

7. Insert the statement "Do not make direct application to livestock more frequently than 1 time per day." immediately following the last sentence of the 2nd and 3rd rows in the "Remarks" column of this subsection.

Directions for Use, Poultry Use Directions subsection comment(s):

- 8. Revise the "Use" column of this subsection by adding the word "(Indoors)" at the end of each use description.
- 9. In the "Remarks" column of the 1st row of this subsection, replace the 2nd sentence with "Apply no more than once every 14 days, if necessary."
- 10. In the "Remarks" column of the 2nd row of this subsection, in the 3rd sentence, replace the word "above" with the words "directed above for Caged Birds."
- 11. Relocate the line labeled as "Poultry Buildings (Indoors)" to appear as the 1st line in the "Poultry and Livestock Premise Sprays (Indoors)" subsection.

Directions for Use, Poultry and Livestock Premise Sprays subsection comment(s):

- 12. Revise the "Poultry and Livestock Premise Sprays" subsection title to read "Poultry and Livestock Premise Sprays (Indoors)."

Directions for Use, Kennel Premise Sprays subsection comment(s):

- 13. Revise the "Kennel Premise Sprays" subsection title to read "Kennel Premise Sprays (Indoors)."

Directions for Use, Outdoor Premise Sprays subsection comment(s):

- 14. In the "Remarks" column, insert the word "to" immediately preceding the word "spot" in the 2nd sentence.
- 15. In the "Remarks" column, replace the words "Avoid spray" with the words "Do not allow spray to" in the 3rd sentence.
- 16. In the "Remarks" column, insert the word "thoroughly" immediately preceding the word "dried" at the end of the 4th sentence.

Storage and Disposal Statement section comment(s):

- 17. 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. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drop. Repeat this procedure 2 more times, 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."

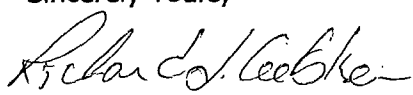
Warranty & Disclaimer section comment(s):

- 18. Within forty-five (45) days from the date of this letter, KMG-Bernuth, Inc. should submit a label amendment revising the "**WARRANTY AND LIMITATION OF DAMAGES**" section (label statement at bottom of page 5 of 5, starting with "Seller warrants that this material ...") 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>

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"*

061483-00046 D397402

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**RESTRICTED USE PESTICIDE
DUE TO HIGH ACUTE TOXICITY**

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

**RABON® E.C.
Livestock, Poultry & Premise Insecticide**

ACTIVE INGREDIENT:	By Weight
Tetrachlorvinphos (CAS# 22248-79-9).....	24.0%*
OTHER INGREDIENTS:	76.0%
TOTAL:	100.0%

*RABON Insecticide – 2 pounds per gallon

**Inert ingredients include Xylene.

This product contains the toxic inert ingredient phenol

EPA Reg.No. 61483-46

EPA Est. No. _____

KEEP OUT OF REACH OF CHILDREN

ACCEPTED
with COMMENTS
In EPA Letter Dated
October 15, 2008
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
61483-46



DANGER

PELIGRO

POISON

FIRST AID	
Organophosphate	
In inhaled:	<ul style="list-style-type: none"> Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
If in eyes:	<ul style="list-style-type: none"> 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:	<ul style="list-style-type: none"> 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 swallowed:	<ul style="list-style-type: none"> Call a poison control center or doctor 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. Do not give anything by mouth to an unconscious person.
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.	

NET CONTENTS: 1 U. S. GALLON

Store above 32° F

Do not store above 120°F for an extended period of time.

MANUFACTURED BY:

KMG-Bernuth, Inc.

Houston, Texas 77099 USA 800-322-8177

PRECAUTIONARY STATEMENTS**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

DANGER: Fatal if inhaled. Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes or on clothing. Avoid contact with skin. Do not breathe spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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 must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical resistant gloves for mixers and loaders supporting applications and all handlers supporting or using backpack or low pressure spray applications.
- Protective eyewear
- Double layer clothing and gloves are required when handling back-rubber devices.

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:

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. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

ENVIRONMENTAL HAZARDS

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 may be hazardous to aquatic organisms in adjacent areas. Do not contaminate water when cleaning equipment or when disposing of equipment wastewater or rinsate.

PHYSICAL AND CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame.

**DIRECTIONS FOR USE
RESTRICTED USE PESTICIDE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This product is suitable for use in conventional power or low pressure knapsack sprayers and in livestock back-rubbers. Follow the **Use Directions** for the proper dilution needed for specific insect control.

Non Agricultural Use Requirements

Do not enter or allow others to enter the treated areas until sprays have dried.
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 application.

Use Restrictions

This product must be diluted with water except for backrubber use.

Livestock Use Directions: ~~Do not make direct application to livestock more frequently than once per day.~~

Use	Pest	Dilution – RABON E.C. in water	Remarks
Livestock Spray (Beef Cattle)	Horn Flies, Lice, Including Tail Lice, And Face Flies (aids in control)	1 gal. in 75 gal. or 5 oz. in 3 gal.	Dilute in water and spray directly on the animal only to the point of runoff. Use between ½ to 1 gallon of diluted spray solution per animal depending on size and hair coat. Do not treat more often than every 10 days. There is no withholding period from last application to slaughter.
	Horn Flies, Lone Star Ticks	1 gal. in 200 gal. or 2 oz. in 3 gal.	Apply as above. For severe tick infestations, dilution may be increased to 1 gallon in 50 gallons water
Livestock Spray (Lactating Dairy Cattle)	Horn Flies, Lice, Lone Star Ticks, and aids in control of Face Flies	1 gal. in 200 gal. or 2 oz. in 3 gal.	Dilute in water as indicated. Direct spray to cover thoroughly with up to ½ gallon of the dilution per animal. Repeat as necessary.

Backrubber Use Directions

Use	Pest	Dilution – RABON E.C. in oil	Remarks
Backrubber or Facerubber (Beef and Dairy Cattle)	Horn Flies, and aids in control of Face Flies	1 gal. in 25 gal. or 5 oz. in 1 gal.	Mix with #2 diesel oil or any approved backrubber base oil. Pour diluted solution into oil reservoir of mechanical rubbing devices or pour one gallon per 20 linear feet on burlap or rope backrubbers. Keep backrubber or facerubber charged.

Poultry Use Directions

Use	Pest	Dilution – RABON E.C. in water	Remarks
Caged Chickens (Indoors)	Lice & Mites	1 gal. in 50 gal. or 5 oz. in 2 gal.	Apply 1 gal. of solution/100 birds under high pressure (no less than 100-125 psi) to the vent and fluff areas from below. Repeat when necessary; however, not more often than every 14 days. For individual bird treatment, apply 1 ounce of solution per bird.
Chickens On Litter (Indoors)	Lice & Mites	1 gal. in 50 gal. or 5 oz. in 2 gal.	Apply 1-2 gal. of solution/1000 sq. ft. uniformly with penetration of litter surface. Also apply thoroughly to walls, roosts, cracks and crevices. Spray birds as above. Treat roosters carefully to avoid reinfestation of breeding flocks.
Poultry Buildings (Indoors)	Fowl Tick (Blue Bug)	1 gal. in 25 gal. or 5 oz. in 1 gal.	Apply 1 gal. of solution/100-150 sq. ft. to thoroughly cover walls, ceilings, floors, cracks and crevices using high pressure spray.

Poultry and Livestock Premise Sprays (Indoors)

Use	Pest	Dilution – RABON E.C. in Water	Remarks
Residual Surface Spray	Flies, Gnats, Litter Beetles, Mosquitoes, Spiders	1 gal. in 25 gal. or 5 oz. in 1 gal.	Apply 1 gal. of solution/500-1000 sq. ft. to thoroughly cover walls, ceilings or other areas where pests rest or congregate in dairy barns, horse barns, poultry houses, swine buildings, livestock sheds and other farm buildings. Extreme infestations may necessitate increasing the diluted spray to one gallon per 12-1/2 gal. or 10 oz. per 1 gal. of water.
Larvicide	Maggots (fly larvae)	1 gal. in 25 gal. or 5 oz. in 1 gal.	Apply 1 gal. of solution/100 sq. ft. of droppings or manure as a coarse spray. Repeat at 7-10 day intervals for manure or until droppings begin to cone up, then treat only "hot spots" (small areas found to have large number of maggots). Do not spray manure or droppings where runoff to soil or water can occur. Do not spray animals directly with this concentration.

Kennel Premise Sprays (Indoors)

Use	Pest	Dilution – RABON E.C. in water	Remarks
Residual Surface Spray	Ticks, Fleas, Chiggers, Mites	1 gal. in 50 gal. or 5 oz. in 2 gal.	Apply 1 gal. of solution/500-1000 sq. ft. as a spot treatment only once per year. Thoroughly treat infested kennel, outside runways and along woody borders of kennels. Do not allow pets or people to return to treated areas until sprays have thoroughly dried. Thoroughly ventilate kennels to remove any vapors.

Outdoor Premise Sprays

Use	Pest	Dilution – RABON E.C. in water	Remarks
Yards, Camp-grounds, Recreational Parks, and footpaths and roadways leading to such areas	Fleas, Ticks, Chiggers, Mites	1 gal. in 50 gal. or 5 oz. in 2 gal.	Spot spray infested area thoroughly (approximately 20 gallons of solution per acre). For smaller areas, mix 5 ounces of this product in 2 gallons of water; spot spray 5000 sq. ft. (2500 sq. ft. for severe flea infestations). Avoid spray drift onto humans, pets, flowers, shrubs and food crops. Do not allow pets or people to return to treated areas until sprays have dried. This product should be applied only one time per year.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container only. Store at temperatures above 32°F. Do not store above 120°F for an extended period of time.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. 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). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incinerate, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY AND LIMITATION OF DAMAGES

Seller warrants that this material conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use and Buyer assumes the risk of any use contrary to such directions. **Seller makes no other express or implied warranty, including any other express or implied warranty of Fitness or of Merchantability, and no agent of Seller is authorized to do so except in writing and with specific reference to this warranty.** In no event shall Seller's liability for any breach of warranty exceed the purchase price of the material as to which a claim is made.