

66330-313

08/23/2007

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

August 23, 2007

William Washburn  
Arysta LifeScience North America Corporation  
15401 Weston Parkway, Suite 150  
Cary, NC 27513

Subject: Amendment – Removal of terrestrial food uses  
Bifenthrin 98% Technical  
EPA Reg. No. 66330-313  
Your submission dated July 20, 2007

Dear Mr. Washburn:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Add "To the extent permitted by applicable law" to the beginning of the sentence "Arysta disclaims all other warranties, expressed or implied, including any warranty .... etc" in the Conditions of Sale statement.

If you have any questions regarding this action, please contact BeWanda Alexander of my team at (703) 305-7460.

Sincerely,

A handwritten signature in black ink, which appears to read "BeWanda Alexander for", is written over the typed name "George T. LaRocca".

George T. LaRocca  
Product Manager 13  
Insecticide Branch  
Registration Division (7505C)

Enclosure

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## BIFENTHRIN 98% TECHNICAL

### ACTIVE INGREDIENT:

Bifenthrin:(2-methyl[1,1'-biphenyl]-3-yl)methyl 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-cyclopropane carboxylate\*..... 98.65%

OTHER INGREDIENTS: ..... 1.35%

TOTAL: ..... 100.00%

Cis isomers 97% minimum, trans isomers 3% maximum

### WARNING

FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
IF INHALED:	<ul style="list-style-type: none"> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
IF IN EYES:	<ul style="list-style-type: none"> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>NOTE TO PHYSICIAN:</b> Do not administer milk or milk products.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
<b>EMERGENCY NUMBERS:</b>	
<b>FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE CALL:</b> 1-866-303-6952	
<b>FOR CHEMICAL EMERGENCY:</b> Spill, leak, fire, exposure, or accident call CHEMTREC 1-800-424-9300	

EPA Reg. No. 66330-313  
EPA Est. No. XXX-XX-XXX  
AD XXXXXX

Manufactured For:  
Arysta LifeScience North America Corporation  
15401 Weston Parkway, Suite 150  
Cary, NC 27513

NET CONTENTS:

ACCEPTED  
with COMMENTS  
In EPA Letter Dated

AUG 23 2007

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.

66330-313

## **PRECAUTIONARY STATEMENTS**

### **Hazards to Humans (and Domestic Animals)**

**WARNING.** Fatal if swallowed. Harmful if inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes, and clothing. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling, and before eating, drinking or using tobacco.

Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

## **ENVIRONMENTAL HAZARDS**

This pesticide is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or public 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

## **PHYSICAL AND CHEMICAL HAZARDS**

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

## **DIRECTIONS FOR USE**

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

## **STORAGE AND DISPOSAL**

**PESTICIDE STORAGE:** Do not freeze. Do not store below 40 F. If solid crystals are observed, warm material to above 60 F by placing container in warm location. Shake or roll container periodically to redissolve solids.

Keep out of reach of children and animals. Store in original container only. Store in a cool dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

In case of spill, avoid contact, isolate area, and keep out animals and unprotected persons. Confine spills.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter, or commercial clay. If dry material cover up to prevent dispersal. Place damaged package in a holding container. Identify contents.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Do not contaminate water, food, or feed by storage or disposal. Improper disposal of excess pesticide, spray mixture, or rinsate, is a violation of Federal law. Dispose of excess waste or pesticide by use according to the label directions, or 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 by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

This material requires further mixing before use.

**ONLY FOR FORMULATION INTO AN INSECTICIDE/MITICIDE FOR:**

(1) The following uses:

**TERRESTRIAL NON-FOOD:**

Termiticide and Soil contact Non-fumigation Treatment

Wood Treatment and Protection

Outdoor Insect Control

Ornamental Plants, trees (including Non-bearing fruit and nut trees), shrubs, and vines (woody)

Residential Lawns

Indoor Insect Control

**FOOD HANDLING ESTABLISHMENT:**

Places other than private residences in which food is held, processed, prepared or served.

**NON-FOOD/FEED AREAS:**

May be used to manufacture as end-use products for use as a spot or crack and crevice treatment in non-food areas. Similar areas in which insects hide or through which insects may enter may be treated. Examples of non-food areas include: garbage rooms, lavatories, floor drains (to sewers), and entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning or bottling).

**FOOD/FEED AREAS:**

May not be used to manufacture products for use in food/feed areas. Do not use in food areas of food handling establishments, restaurants, or other areas where food is commercially prepared or processed. Do not use in serving areas while food is

exposed or facility is in operation. Serving areas are areas where prepared foods are served, such as dining rooms but excluding areas where food may be prepared or held. Example of food areas are areas for receiving, storage, packing, (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas (when food is exposed and facility is in operation) also would be considered food areas. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed.

(2) Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and

(3) Uses for experimental purposes that are in compliance with USEPA requirements.

Formulators using this product are responsible for obtaining US EPA registration for their formulated product, which may be labeled for the use of patterns found as listed on the label.

#### **CONDITIONS OF SALE**

1. Arysta LifeScience North America Corporation ("Arysta") warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label only when used in accordance with the directions under normal conditions of use.
2. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal use conditions, or under conditions not reasonably foreseeable to Arysta. **ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY. TO THE EXTENT PERMITTED BY APPLICABLE LAW, SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM OR IN CONNECTION WITH THE MANUFACTURE, SALE, DELIVERY, USE, HANDLING OR STORAGE OF THIS PRODUCT. TO THE EXTENT PERMITTED BY APPLICABLE LAW, SELLER'S LIABILITY SHALL BE LIMITED TO THE REFUND OF THE PURCHASE PRICE. ARYSTA DOES NOT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTY, GUARANTEE OR REPRESENTATION CONCERNING THIS PRODUCT.**
3. Critical and unforeseeable factors beyond the control of Arysta prevent Arysta 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, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit for the use stated on the label and even though label directions are followed. Except as stated in 1 above, to the extent permitted by applicable law, by purchasing, accepting and using this product, the buyer and user acknowledge and assume all risks and liabilities resulting from handling, storage, and use of this product.