

67760-104

2/19/2010

1 of 10



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D C 20460

OFFICE OF
PREVENTION PESTICIDES
AND TOXIC SUBSTANCES

Ms Jennifer L DeCarlo
Cheminova, Inc
Washington Office, Suite 700
1600 Wilson Boulevard
Arlington, Virginia 22209

FEB 19 2010

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

Dear Ms DeCarlo

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for January 20, 2010

EPA Registration Number 67760-104 Proaxis Premise Insecticide

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4 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 non-refillable 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 Melody Banks on 703 305-5413

Sincerely,

for Kimberly Nesci
Product Manager
Insecticide Branch
Registration Division (7505P)

Please read instructions on reverse before completing form Form Approved OMB No 2070 0060 Approval expires 05 31 98

EPA United States Environmental Protection Agency Washington DC 20460	<input type="checkbox"/> Registration	OPP Identifier Number
	<input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other Notification	

Application for Pesticide - Section 1

1 Company/Product Number 67760-104	2 EPA Product Manager Kimberly Nescl	3 Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company/Product (Name) Proaxis Premise Insecticide	PM# 11	
5 Name and Address of Applicant (Include ZIP Code) Chemnova Inc 1600 Wilson Blvd , Suite 700 Arlington, VA 22209	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	

Check if this is a new address

Section - II

NOTIFICATION

<input type="checkbox"/> Amendment Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> Me Too Application
<input checked="" type="checkbox"/> Notification Explain below	<input type="checkbox"/> Other Explain below

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Explanation Use additional page(s) if necessary (For Section I and Section II)

Notification of minor label changes as per PR Notice 98-10

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

Section - III

1 Material This Product Will Be Packaged In			
Child Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No *Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes Unit Packaging wgt	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes Package wgt	2 Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
3 Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container	4 Size(s) Retail Container 8oz - 5 gallons	5 Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6 Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled			

Section - IV

1 Contact Point (Complete items directly below for identification of individual to be contacted if necessary to process this application)		
Name Jennifer L DeCarlo	Title Registration Manager	Telephone No (Include Area Code) 201-483-6110
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 statements may be punishable by fine or imprisonment or both under applicable law		6 Date Application Received (Stamped)
2 Signature 	3 Title Registration Manager	
4 Typed Name Jennifer L DeCarlo	5 Date January 20, 2010	

Proaxis®

Premise Insecticide

[For Agricultural Use Only]

- A microencapsulated insecticide for use in and around livestock/poultry housing, pet kennels, railcars, trucks/trailers and equipment storage sheds for control of litter beetles, flies, fleas, mosquitoes, ants, bees, wasps, crickets, pillbugs, scorpions, sowbugs, spiders, and ticks *[optional marketing statement]*
- For control of litter beetles, fleas, flies and other listed pests of livestock/poultry housing, pet kennels, railcars, trucks and trailers *[optional marketing statement]*
- Effective against adults and immature Darkling, Hide and Carrion beetles *[optional marketing statement]*
- Can be reapplied at 21-day intervals *[optional marketing statement]*
- Highly concentrated *[optional marketing statement]*
- Micro-encapsulated formula ensures slow release *[optional marketing statement]*
- One quart treats up to 48,000 square feet when treating for litter beetles *[optional marketing statement]*
- Treats up to 24,000 square feet when treating for litter beetles *[optional marketing statement]*
- Dilution rate of 1-2 oz per 3 gallons of water *[optional marketing statement]*
- Can be used on entire footing, crack and crevice or banded applications *[optional marketing statement]*
- CapVantage™ Technology *[optional marketing Logo]*

NOTIFICATION

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Active Ingredient	
<i>Gamma</i> -cyhalothrin Cyclopropanecarboxylic acid 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl cyano(3-phenoxyphenyl) methyl ester	
	5.9%
Other Ingredients	94.1%
Total	100.0%

Contains 0.5 pounds of active ingredient per gallon
Contains petroleum distillate

Keep Out Of Reach Of Children

CAUTION

PRECAUÇION

Si usted no entiende la etiqueta busque a alguien para que se la explique a usted en detalle (If you do not understand the label find someone to explain it to you in detail)

Refer to label booklet for Directions for Use

Apply this product directly to lawn or garden area. Water treated area as directed on this label. Do not water to the point of run-off.

Do not make applications during rain

Application is prohibited directly into sewers or drains or to any area like a gutter where drainage to sewers storm drains water bodies or aquatic habitat can occur Do not allow the product to enter any drain during or after application

Notice Shake well before use Avoid freezing Read the entire label Use only according to label directions **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet If terms are unacceptable, return at once unopened**

In case of emergency endangering health or the environment involving this product call 1-866-303-6950

EPA Reg No 67760-104

EPA Est xxxx

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Cheminova Inc
P O Box 110566
One Park Drive Suite 150
Research Triangle Park NC 27709

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Proaxis®

Premise Insecticide

A microencapsulated insecticide for use in and around livestock/poultry housing, pet kennels, railcars, trucks/trailers and equipment storage sheds for control of litter beetles, flies, fleas, mosquitoes, ants, bees, wasps, crickets, pillbugs, scorpions, sowbugs, spiders, and ticks [optional statement]

Keep Out Of Reach Of Children

CAUTION PRECAUCION

Si usted no entiende la etiqueta busque a alguien para que se la explique a usted en detalle (If you do not understand the label find someone to explain it to you in detail)

Notice Read entire label Use only according to label directions

Cheminova Inc
P O Box 110566
One Park Drive Suite 150
Research Triangle Park NC 27709

Precautionary Statement

Hazards to Humans and Domestic Animals

CAUTION Causes moderate eye irritation Harmful if swallowed Avoid contact with eyes skin or clothing Wash thoroughly with soap and water after handling and before eating drinking chewing gum using tobacco or using the toilet Remove contaminated clothing and wash clothing before reuse Wear safety glasses or goggles long sleeve shirt long pants shoes and socks and chemical - resistant gloves Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals

Skin exposure may also result in a sensation described as tingling itching burning or prickly feeling Onset may occur immediately to 4 hours after exposure and may last 2 to 30 hours without damage Wash exposed areas thoroughly with soap and water Relief from skin sensation may be obtained by applying an oil-based cream

First Aid

If swallowed Call a poison control center or doctor immediately for treatment advice Do not induce vomiting unless told to do so by a poison control center or doctor Do not give **any** liquid to the person 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

Note to Physician Induced vomiting as first aid for this substance may result in increased risk of chemical pneumonia or pulmonary edema caused by aspiration of the hydrocarbon solvent Vomiting should be induced only under professional supervision

Have the product container or label with you when calling a poison control center or doctor or going for treatment You may also contact 1-866-303-6950 for emergency medical treatment information

Environmental Hazards

This pesticide is extremely toxic to fish and aquatic organisms and toxic to wildlife. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters, or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help to avoid run off to water bodies or drainage systems.

Do not allow applications to contact water inhabited by fish, such as aquariums and ornamental fish ponds that are located in and around structures being treated.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not use PROAXIS Premise insecticide in conduits, motor housings, junction boxes, switch boxes, or other electrical equipment because of possible shock hazard.

Directions for Use

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

Proaxis is intended for broadcast surface application in non-food / non-feed areas and crack and crevice or spot treatment in and around livestock/poultry housing, pet kennels, railcars, trucks, and trailers. If necessary to maintain control, PROAXIS Premise insecticide may be reapplied at intervals of at least 21 days.

Do not dilute this product with oil.

Apply this product directly to lawn or garden area. Water treated area as directed on this label. Do not water to the point of run-off.

Do not make applications during rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

Thoroughly wash out sprayer and screen with water and detergent before mixing PROAXIS Premise insecticide. Dilute Proaxis Insecticide with water for application using a hand held or power operated sprayer. Fill the sprayer reservoir with about $\frac{3}{4}$ the desired volume of water, add the required amount of PROAXIS Premise insecticide, then fill to the final volume desired. Shake well before use, occasionally during use, or after application is interrupted. Apply as a coarse spray for crack and crevice or spot and general surface treatments. Low volume equipment may also be used for crack and crevice application. Make up only as much dilution is required for each application.

Let treated surfaces dry before allowing humans and pets to contact these surfaces.

Pests	Active ingredient concentration	Dilution Rate
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Flies (including House flies stable flies little house flies) Ants Bees Wasps	0.0075% 0.015%	0.16 fl oz (5 mL) / gal water 0.5 fl oz (15 mL) / 3 gal water 0.33 fl oz (10 mL) / gal water 1.0 – 2.0 fl oz (30 mL) / 3 gal water
Fleas (outdoors only)	0.015%	0.33 fl oz (10 mL) / gal water 1.0 – 2.0 fl oz (30 mL) / 3 gal water
Litter beetles* (including adults/immature stages of Darkling Hide and Carrion beetles) Crickets Mosquitoes Pillbugs Sowbugs Scorpions Spiders Ticks	0.03%	0.65 fl oz (20 mL) / gal water 2.0 fl oz (60 mL) / 3 gal water
Note One gallon typically treats 500 – 1000 sq ft * Use the 0.015% (0.33 fl oz (10 mL) / gal water) rate for light beetle infestation		

FLIES FLEAS MOSQUITOES BEES AND WASPS

PROAXIS Premise Insecticide may be used in non-food / non-feed areas and crack and crevice or spot treatment in and around livestock/poultry housing pet kennels railcars trucks and trailers and in and around equipment storage sheds Apply as a residual surface treatment on walls ceilings window screens and other insect resting areas

ANTS Apply to ant trails around doors and windows and other places where ants are found Apply outdoor barrier treatments to prevent infestations as directed in BARRIER TREATMENTS

SPIDERS AND CRICKETS Apply a coarse low pressure spray into cracks and crevices under or behind baseboards and other areas where insects hide such as corners storage areas or cabinets around water pipes around door and window frames and in attics and eaves

SOWBUGS AND PILLBUGS Apply to openings such as plumbing or utility access points around doors and windows and other places where these pests may enter Also treat storage areas and other dimly lit or damp locations Apply barrier treatments to prevent infestation as described in BARRIER TREATMENTS

LIVESTOCK / POULTRY HOUSING STRUCTURES AND PET KENNELS

PROAXIS Premise Insecticide may be used as a general surface and/or crack and crevice treatment Treat interior and exterior perimeter applications in and around livestock poultry and pet housing structures for optimum control Suitable cleaning practices of the structure must also be followed along with applications of PROAXIS Premise insecticide to effectively control the listed insects

LITTER BEETLES To control adult litter (darkling hide and carrion beetles) beetles in animal housing including poultry housing apply PROAXIS Premise insecticide to walls and floors at each grow-out or sanitation procedure before reintroduction of poultry or other animals Re-apply after each grow-out or sanitation procedure to control beetles that escaped earlier treatment and delay the onset of further infestations Beetles frequently occur in areas such as on walls supports cages stalls and around feeders so pay careful attention to these places For poultry houses where birds are grown on litter treat the floor area For poultry houses where birds are grown in cages treat the walls posts cage framing and into cracks and crevices around insulation Also apply as a perimeter treatment around the outside of the building foundations to prevent beetles from entering from outside To prevent populations from reaching a problem level a year-round maintenance program is highly recommended

DO NOT make applications of PROAXIS Premise insecticide in areas where animals are present in the facility Allow treated surfaces to dry completely before restocking the facility **DO NOT** make

applications to any animal feedstuffs water or watering equipment DO NOT contaminate any animal food feed or water in and around livestock poultry or pet housing when making applications

OUTDOOR SURFACES AND PERIMETERS

To control flies fleas mosquitoes ants bees wasps crickets pillbugs scorpions sowbugs spiders ticks and other similar insect pests apply PROAXIS Premise Insecticide with either hand or power application equipment to external surfaces of buildings screens door and window frames under eaves eaves and other areas where insects rest or congregate PROAXIS Premise Insecticide may also be applied to lawns around non-residential buildings or to refuse dumps or other non-residential areas where these insect pests congregate

For perimeter treatments spray the ground in a band 6 to 10 feet wide around and adjacent to the structure and to the foundation to a height of 2 to 3 feet and to utility openings where pests may find an entry into the building Uniformly wet the ground and foundation surface with a coarse low-pressure spray Typically a volume of 1–5 gallons of treatment solution will cover 800–1600 square feet

INTEGRATED PEST AND RESISTANCE MANAGEMENT

Many insects have demonstrated the ability to develop resistance to insecticides Frequent exposure of flies and other insects to a single class of insecticide may lead to the development of resistance to that class of insecticide The following resistance management strategy will help ensure the prolonged usefulness of this and other conventional insecticides

- Use PROAXIS Premise insecticide and other insecticides only according to label directions
- Do not use less than the labeled rate of any insecticide
- Include multiple cultural and/or biological controls within an Integrated Pest Management Program
- Rotate PROAXIS Premise insecticide with other classes of insecticide (naturalytes phenyl pyrazoles chloronicotynyls and organophosphates etc) during an insect pest season

For advice concerning integrated pest management practices in relation to local conditions consult resources in resistance management programs your Cooperative Agricultural Extension Service or your Cheminova Animal Health representative (1-800-303-6950)

Storage and Disposal

Do not contaminate water food or feed by storage and disposal

Pesticide Storage Store in original containers only Keep container closed when not in use Do not store near food or feed Do not store near heat or open flame **Do not allow product to freeze**

In case of spill or leak on floor or paved surfaces soak up with sand earth or synthetic absorbent Remove to chemical waste area

Pesticide Disposal Pesticide wastes are acutely hazardous Improper disposal of excess pesticide spray mixture, or rinsate is a violation of Federal law If wastes cannot be disposed of according to label directions contact your State Pesticide or Environmental Control Agency or Hazardous Waste representative of the nearest EPA Regional Office for guidance Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility

Nonrefillable Containers 5 gallons or less

Container Disposal Nonrefillable container Do not reuse or refill this container Offer for recycling if available 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

Triple rinse or pressure rinse container (or equivalent) promptly after emptying **Triple rinse** as follows Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip Fill the container 1/4 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 drip Repeat this procedure two more times

Terms and Conditions of Use

If terms of the following Warranty Disclaimer Inherent Risks of Use and Limitation of Remedies are not acceptable return unopened package at once to the seller for a full refund of purchase price paid Otherwise use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer Inherent Risks of Use and Limitation of Remedies

Warranty Disclaimer

Cheminova warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions subject to the inherent risks set forth below To the extent consistent with applicable law Cheminova MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product Lack of performance or other unintended consequences may result because of such factors as use of the product contrary to label instructions abnormal conditions (such as excessive rainfall drought tornadoes hurricanes) presence of other materials the manner of application or other factors all of which are beyond the control of Cheminova or the seller All such risks shall be assumed by buyer

Limitation of Remedies

To the extent consistent with applicable law the exclusive remedy for losses or damages resulting from this product (including claims based on contract negligence strict liability or other legal theories) shall be limited to at Cheminova's election one of the following

- (1) Refund of purchase price paid by buyer or user for product bought or
- (2) Replacement of amount of product used

To the extent consistent with applicable law Cheminova shall not be liable for losses or damages resulting from handling or use of this product unless Cheminova is promptly notified of such loss or damage in writing To the extent allowed by law Cheminova shall not be liable for special indirect or consequential damages resulting from the use or handling of this product

The terms of the Warranty Disclaimer Inherent Risks of Use and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements No employee or sales agent of Cheminova or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner

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