

70506-7

03/10/2010

1/17



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAR 10 2010

Ms. Rebecca A. Clemmer
United Phosphorus, Inc.
630 Freedom Business Center
Suite 402
King of Prussia, PA 19406

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

Dear Ms. Clemmer:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated February 16, 2010 for the following product(s):

Permethrin Technical, EPA Reg. No. 70506-4
Tenegard HG Termiticide/Insecticide, EPA Reg. No. 70506-7

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 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)



United Phosphorus, Inc.

630 Freedom Business Center
Suite 402
King of Prussia, PA 19406
(610) 491-2828 (phone)
(610) 491-2810 (fax)

Rebecca A. Clemmer
Regulatory Manager

Feb. 16, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Re: Permethrin Products - Notifications

To Whom It May Concern:

United Phosphorus, Inc. is submitting revised labels to accomplish the following changes, all of which qualify as Notifications: update container disposal wording per PRN 2007-4, update company and emergency contact information per PRN 98-10.

Products:

Permethrin Technical, EPA Reg. No. 70506-4
Tengard HG Termiticide/Insecticide, EPA Reg. No. 70506-7

In support, for each label enclosed please find:

- EPA form 8570-1
- Label copy marked to show changes

Please contact me if you have any questions.

Very truly yours,

Rebecca A. Clemmer
rebecca.clemmer@uniphos.com

4/17

Master Label Container Front Panel

[market statement]

Tengard HG

Termiticide / Insecticide [use statement]

NOTIFICATION

MAR 10 2010



FOR OUTDOOR AND INDOOR
HOMEOWNER
USE ONLY

[control statement]

[picture of insects]

Active Ingredient

Permethrin*	36.8%
Other Ingredients**	63.2%
TOTAL	100.0%

*cis/trans ratio: Max. 42% (±) cis and min. 58% (±) trans

** Contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel booklet for
Additional precautionary statements

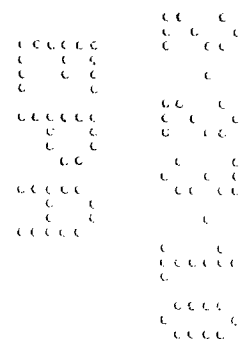
[UPC symbology]

Net 16 FL OZ (1QT) 946 ml

EPA Reg. No. 70506-7
EPA Est. No. 53883-TX-002
11715-TN-1

Made in USA

United Phosphorus Inc.
423 Riverview Plaza 630 Freedom Business Center
Trenton, NJ 80614 King of Prussia, PA 19405
www.upi-usa.com • 1-800-438-6071



5/17

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Failure to follow the directions for use and precautions on this label may result in poor pest control, plant injury or illegal residues.

GENERAL INFORMATION

This product is non-staining to most home siding depending on age and cleanliness. However, before using in areas where the spray may contact home siding (vinyl siding, in particular), test in an inconspicuous area and recheck in a few hours. Do not use if any staining is observed

This product may be used to control insect pests outdoors, on ornamentals, lawns, trees, shrubs, and vines in landscape areas, as a perimeter treatment around residential buildings. Tengard Insecticide may also be used to control home-invading insects as a residual spray on outside surfaces, such as, walks, garbage areas, window frames, doorways, porches, and patios. Not for use on plants being grown for commercial sale, or plants grown for seed production or sod farms and golf course turf, or in greenhouses or nurseries.

Application Instructions: Tengard Insecticide mixes readily with water and is specifically packaged for residential use as a diluted spray. Use a clean sprayer, such as, a tank type or hose-end sprayer to mix and apply the proper amount of concentrate with the desired volume of water. For perimeter and lawn applications measure the area to be treated to determine the application volume. For trees, shrubs and flowers apply as a thorough cover spray until foliage is wet. Refer to **Specific Application Instructions** in the recommended rate Tables for additional instructions.

HOME-INVADING PESTS (OUTDOOR USE ONLY)

MIXING INSTRUCTIONS

Mix 1.6 fluid oz. (3/4 Tablespoons) of Tengard Insecticide concentrate per 1 gallon of spray solution to make a 0.5% spray emulsion [1 fluid oz. = 2 Tablespoons (T) = 6 teaspoons (tsp)]. Do not use utensils such as spoons and measuring cups for food purposes after use with pesticides.

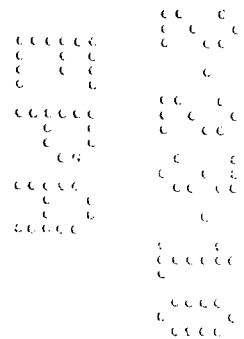
HOW TO APPLY

Spot Treatment

- Apply a 0.5 % emulsion as a pin stream low-pressure spray or as a paint-on application with a paintbrush.
- Treat where pests are found or entry points of the structure such as window frames, doorways, porches, patios, and foundation.
- Spot-treatment may also be made to garages, garbage cans, and garbage areas.
- DO NOT apply indoors (including crawl spaces).

Perimeter Application

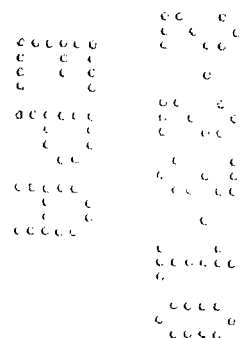
- Spray a 6 to 8 foot wide band of soil around the perimeter of the house. Treat the foundation wall to a height of 2 to 3 feet.
- Use a spray volume of 2 to 10 gallons of 0.5% emulsion per 1000 square feet. If mulch or debris is present, a higher volume application rate may be needed to ensure adequate coverage.
- Note: residual control will vary depending on exposure of the treated area to weathering conditions (temperature, sunlight, moisture). Retreat on a monthly schedule while insects are likely to be active.



6/17

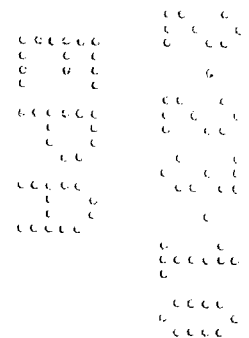
Wood Destroying Pests

- **Localized Areas Outdoors:** for the control of insects such as termites, bees, carpenter ants and wood infesting beetles in localized above-ground areas of infested wood around structures, apply a 0.5% emulsion to voids and galleries in damaged wood and in spaces between wooden members of a structure and between wood and foundations where wood is vulnerable. Apply either as a spray or paint-on application. For termites the purpose of application is to destroy workers or winged reproductive forms, which may be present at the time of treatment. This product is not designed for preventative use and should only be applied when pests appear. This application is not a substitute for soil or foundation treatment. For active infestations inside a structure, consult a licensed Pest Control Service.
- Use a hose-end sprayer or sprinkling can to deliver a coarse drenching spray to treat stored lumber or woodpiles. Stored wood can be used for lumber one month after treatment. Do not apply inside structures.
- Repeat treatment as necessary but not more frequently than once a month. For active termite infestation consult a professional Pest Control Applicator.



7/17

HOME-INVADING PESTS (OUTDOOR USE ONLY)	
PEST	SPECIFIC APPLICATION INSTRUCTIONS
Ants (Incl. mounds) Armyworm Bark Beetles Bees Beetles Borers Boxelder Bugs Carpenter Ants Carpenter Bees Centipedes Chinchbugs Cockroaches Cockroaches (Asian) Crickets Earwigs Elm Leaf Fire Ants (Incl. mounds) Fleas Flies Firebrats Ground Beetles Gypsy Moths (adults & caterpillars) Millipedes Mole Crickets Pill Bugs Scorpions Silverfish Sod Webworm Sowbugs Spiders Ticks (including Deer Tick, Western Black-legged Tick known to transport Lyme disease and Rocky Mountain Spotted Fever) Wasps	<p>Boxelder Bugs, Elm Leaf Beetles and Gypsy Moth Caterpillars: Spray tree trunks, building siding or wherever pests congregate. Avoid excess application. Dampen surface thoroughly, but do not let runoff occur.</p> <p>Borers and Bark Beetles: To prevent infestation of ornamental trees and woody shrubs, spray the bark to the point of saturation, but do not let runoff occur. Repeat treatment every 21 days during early spring until mid-summer.</p> <p>Carpenter Bees: Apply as a pin stream, as a fine/course low pressure spray (20 psi or less) as a spot treatment.</p> <p>Fire Ants (mound drench): Apply 1 to 2 gallons of emulsion to each mound area by sprinkling the mound until it is wet and treat a 4-foot diameter circle around the mound. Use higher volume for mounds larger than 12 inches. For best results, apply in cool weather, such as in early morning or late evening hours, but not in the heat of the day.</p> <p>Scorpions: remove accumulations of lumber, firewood, and other materials which serve as harborage sites and treat beneath and adjacent to infested sites.</p>



8/17

LAWN PESTS

Tengard Insecticide can be applied to lawns adjacent to or around private homes, duplexes, townhouses, condominiums, house trailers, apartment complexes, carports, garages, fence lines, storage sheds, barns, and other residential areas where pests congregate.

MIXING INSTRUCTIONS

Prepare an emulsion by mixing 0.4 to 0.8 fluid oz. (2½ to 5 teaspoons) of Tengard Insecticide Concentrate in sufficient volume of water to cover 1000 sq. ft (approximately 4 to 25 gallons of water). [1 fluid oz. = 2 Tablespoons (T) = 6 teaspoons (tsp)]. Do not use utensils such as spoons and measuring cups for food purposes after use with pesticides.

HOW TO APPLY

Mound Drench Treatment (Ant and Fire Ant Mounds in Lawns)

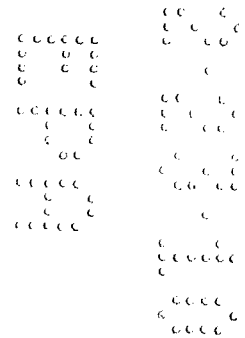
Use a sprinkling can. Mix 1.6 fluid oz. (3¼ Tablespoons) of Tengard Insecticide Concentrate per 1 gallon of spray solution to make a 0.5% spray emulsion [1 fluid oz. = 2 Tablespoons (T) = 6 teaspoons (tsp)]. For large ant mounds, such as Fire Ant mounds, apply 1-2 gallons of a 0.5% emulsion to each mound area including a 4 foot diameter circle around the mound. Apply to smaller mounds until the mound is completely saturated. Use higher water volume for mounds larger than 12".

Lawn Broadcast Application

- Apply using a hose-end or pressure type sprayer to deliver a coarse spray of between 4 to 25 gallons of emulsion per 1,000 sq. ft. of lawn.
 - Use the higher recommended label rate for heavy pest infestations.
 - Use sufficient volume to uniformly cover plant surface.
- Note: Higher volume of water should be used when situations of thick thatch or dense sod exist, or in arid or drought conditions.

WHEN TO APPLY

- For best results treat in early morning or late evening hours, but not in the heat of the day.
- Spray evenly over the lawn when insects first appear.
- Repeat applications as necessary but not more frequently than every 10-14 days. Do not apply more than 1.6 fl oz/1000 sq ft per year



10/17

ORNAMENTAL PESTS

MIXING INSTRUCTIONS

Mix 0.04 to 0.08 fluid oz. (= 1/8 to 1/4 teaspoons = 1-2 ml) of Tengard Insecticide Concentrate in 1 gallon of water for general pest control. Refer to the Ornamental Application Rate Table for additional mixing instructions and for specific directions for stem-infesting beetles. [1 fluid oz. = 2 Tablespoons (T) = 6 teaspoons (tsp) = 29.6 ml]. Do not use utensils such as spoons and measuring cups for food purposes after use with pesticides.

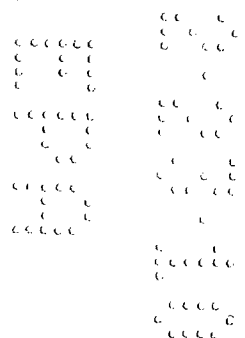
HOW TO APPLY

Ornamentals (Foliage and Flowering Plants)

- Apply using a hose-end or pressure type sprayer to deliver a coarse spray. Apply thoroughly to stem and foliage.
- Use the higher recommended label rate (1/4 tsp. per gal of water) for heavy pest infestations. Note: Higher volumes of water should be used when situations of dense foliage exists, or in arid or drought conditions.

WHEN TO APPLY

- For best results treat in early morning or late evening hours, but not in the heat of the day.
- Spray evenly over the lawn when insects first appear.
- To prevent insect reinfestation repeat treatment as necessary but not more frequently than once every 14 days.



12/17

TERMITE CONTROL (SUBTERRANEAN)

Tengard Insecticide may be used to establish an exterior soil barrier against termites around structures. The chemical concentrate is mixed as an emulsion and adequately dispersed in the soil to provide a continuous exterior barrier between wood in the structure and the termite colonies in the soil.

Note: A complete termite barrier may require treatment with other EPA registered products to the inside perimeter of the foundation and to other interior critical areas. For these areas, and if termites are found inside of the home, consult a Licensed Professional Pest Control Service for treatment.

For use only around existing structures. Do not use inside dwelling. Not for Preconstruction use.

PRECAUTION :

When treating adjacent to an existing structure, the applicator must check the area to be treated, and immediately adjacent areas of the structure, for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean up is completed.

MIXING INSTRUCTIONS

Using a sprinkler can add 3.2 fluid oz. (6.5 Tablespoons) to 2 gallons of water (to make a 0.5% emulsion) for each 5 linear feet of treatment to be provided [1 fluid oz. = 2 Tablespoons (T) = 6 teaspoons (tsp)]. Do not use utensils such as spoons and measuring cups for food purposes after use with pesticides.

HOW TO APPLY

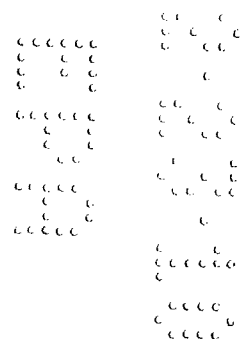
Trench Treatment

- Remove all wood debris and wood forms. Around piers, chimney bases and along foundations of poured concrete, dig a trench 6 inches wide and 4 inches deep. If footing is more than 12 inches deep make holes with a steel rod or pipe one foot apart that extend from the bottom of the trench to the top of the footing. Make holes closer in hard packed clay soils. **Never dig below the top of the footing.**
- Apply a 0.5% emulsion at a rate of 4 gallons per 10 linear feet per foot of depth. Apply half of the emulsion when backfilling the trench. (One quart of Tengard Insecticide Concentrate will make 20 gallons of 0.5% emulsion and treat 50 linear feet.)

Precaution: DO NOT treat structures that contain cisterns or wells. Soil in the vicinity of wells, cisterns or ponds or structures with sump pumps or French drains should not be treated. For those situations, contact your County Cooperative Extension Agent or consult a commercial pest control service.

Fence Posts

- Pre-installation: Using a sprinkler can, pour ½ gallon of 0.5% spray emulsion into the fence post hole and add another ½ gallon in mixture with the soil when filling the hole so that all the soil is treated.
- Post-installation: installed poles and posts may be treated by first digging a trench around the post and applying 1 gallon of 0.5% emulsion per one foot depth of trench for posts less than 6 inches in diameter. For larger diameter posts increase the application rate to 4 gallon for each 10 linear feet of trench and per ft. of depth.

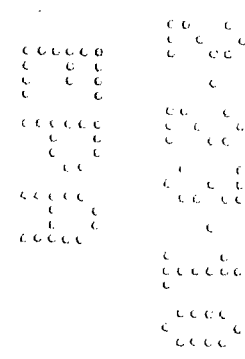


13/17

WHEN TO RE-APPLY

Retreatment for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation, or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors, which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.



4/17

TENGARD MASTER LABEL: container back panel

IMPORTANT

DO NOT use on vegetables or food crops. DO NOT treat pets with this product. DO NOT spray inside dwellings. DO NOT treat soil that is water saturated or frozen or in any conditions where run-off or movement from the treatment area (site) is likely to occur. DO NOT apply when wind velocity favors drift.

STORAGE AND DISPOSAL

STORAGE: Keep out of the reach of children or animals. Store in original containers only. Store in a cool, dry place, preferably in a locked storage area and avoid excess heat. Carefully open containers. After partial use replace lid and close tightly. Do not put concentrate or dilute material into food or drink containers.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container.
 If empty: ~~Do not reuse this container.~~ Offer for recycling if available. Do not rinse unless required for recycling. Place in trash.
 If partly filled: Call your local solid waste agency or [1-800-CLEANUP] for disposal instructions. Unless otherwise instructed, place in the trash. Never pour unused product down the drain or on the ground.

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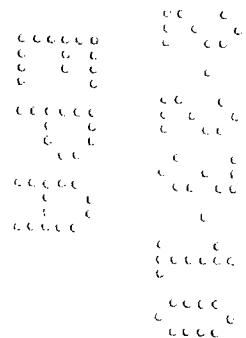
PRECAUTIONARY STATEMENTS

Hazards to Humans (and Domestic Animals)

CAUTION: Harmful if swallowed, inhaled or absorbed through the skin. Avoid contact with skin, eyes or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

[people/pet icon] People and pets may enter treated area after application has dried.

FIRST AID: Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
IF SWALLOWED	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • 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 INHALED	<ul style="list-style-type: none"> • 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.
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 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.



16/17

product, which are beyond the control of United Phosphorus, Inc. or Seller. Handling, storage, and use of the product by Buyer or User are beyond the control of United Phosphorus, Inc. and Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold United Phosphorus, Inc. and Seller harmless for any claims relating to such factors.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, UNITED PHOSPHORUS, INC. AND SELLER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ON THIS LABEL.

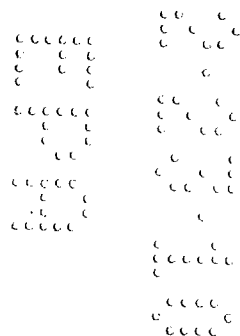
To the extent consistent with applicable law, United Phosphorus, Inc. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product and **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF UNITED PHOSPHORUS, 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 UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

United Phosphorus, 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 the duly authorized representative of United Phosphorus, Inc.

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EPA Approval Date: 08/31/2001

Rev. 2/16/10



17/17

List of User Friendly Statements to be added to Final Print Label:

Brand Extensions

HG
H&G
Lawn
Outdoor

Use Statements

Insecticide
Insecticide/Termicicide
Termicicide
Lawn & Ornamental
Soil Insect & Termite Killer
Fire Ant Killer
Ant & Roach Killer
Outdoor Perimeter
For Outdoor Residential Use Only

Control Statements

Kills Ticks that may cause Lyme disease
Kills Home Invading Pests (Outdoor)
Kills Named Insects
An easy to apply product to control Home Invading and Lawn Insects
An easy to apply product to control wood invading insects
New Termicicide Formulation for Homeowner Use (Outdoor Use Only)
New Termite Insecticide (Outdoor Use Only)
New for Homeowner Use (Outdoor Use Only)
Controls Wood-Destroying Insects

Icons/Pictures

[icon of People]
[icon of Sprinkling Can]
[icon of Hand Held Sprayer]
[Tree Icon]
[Plant Icon]
UPC symbology
Picture Fire Ant Mound
Picture of a residential home
Picture of a lawn
Pictures of one or more of the following insects:
termites, ants (including Fire Ant mounds and Carpenter Ants),
cockroach, spider, scorpion, fleas, tick, mosquito

Other

Concentrate
Treats up to [# will depend on application] Square Feet
Made in the USA
Formulated and Packaged in the USA
How To Apply
When to Apply
Amount to Use

