

70506-18

8/25/2003

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave. N.W.
Washington, D.C. 20004

EPA Reg. Number:
70506-18

Date of Issuance:
AUG 25 2003

Term of Issuance: Conditional

NOTICE OF PESTICIDE:

Registration
 Reregistration

(under FIFRA, as amended)

Name of Pesticide Product:
Bifenthrin Technical
Insecticide/Miticide

Name and Address of Registrant (include ZIP Code):

United Phosphorus, Inc.
423 Riverview Plaza
Trenton, NJ 08611

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A), subject to the following provisions:

1. You must submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of you product under FIFRA section 4.
2. You have applied for the registration of a product containing the active ingredient bifenthrin. The Agency has recently conditioned the original registration of which you are a follow-on with a new data requirement. A copy of EPA's letter, dated May 7, 2003, notifying FMC Corporation of the new data requirement is enclosed. As stated in paragraph 1, this registration will also be conditioned with that data requirement. Accordingly, you must take steps to ensure that these required data are submitted. The steps could include generating and submitting the data yourself, or you may offer to share with other registrants the cost of conducting testing.

The data requirement being imposed on this registration is as follows:

Signature of Approving Official:

Susan L. Stanton, for George T. LaRocca

Date:

AUG 25 2003

Title of Study	Guideline Reference No.	Study Due Date
Developmental Neurotoxicity Study	870.6300	May 1, 2005

3. You must make the following label change:
 - a. Revise the EPA Registration Number to read "EPA Reg. No. 70506-18"
4. You must submit two (2) copies of your final printed label before you release the product for shipment. Refer to the A-79 enclosure for a further description of final printed labeling.
5. Failure to satisfy any of the conditions imposed on this registration (e.g., failure to submit the required information/data by the specified deadline or the data submitted were not generated in accordance with the applicable test guidelines), may result in the Agency canceling your registration under FIFRA section 6(e).

A stamped copy of the label is enclosed for your records. If you have any questions regarding this action, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,

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

Enclosures

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ACCEPTED
with COMMENTS
in EPA Letter Dated:
AUG 25 2003
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under FIFRA Reg. No.
70506-18

Bifenthrin Technical Insecticide/Miticide

FOR FORMULATION USE ONLY

ACTIVE INGREDIENT:

Bifenthrin: (2-methyl[1,1'-biphenyl]-3-yl) methyl 3-(2-chloro-3,3,3-trifluoro-1-propenyl)
-2,2-dimethylcyclopropanecarboxylate* 99.4%

OTHER INGREDIENTS 0.6%

TOTAL 100.0%

*Cis isomers 97% minimum, trans isomers 3% maximum.

KEEP OUT OF REACH OF CHILDREN WARNING

United Phosphorus Inc.
423 Riverview Plaza
Trenton, NJ 08611

EPA Reg. No. 70506-
EPA Est. No.

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"> Call a poison control center or doctor immediately 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 or doctor. 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.

**FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE, CALL
CHEMTREC 1-800-424-9300**

PRECAUTIONARY STATEMENTS

Hazards to Humans (and Domestic Animals)

Warning

May be fatal if swallowed. Harmful if inhaled or absorbed through the skin. Causes moderate eye irritation. Avoid breathing dust. Avoid contact with skin, eyes, or clothing. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco.

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 Eliminations 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/Chemical Hazards

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

This material requires further mixing before use

Only for formulation into an Insecticide/miticide for

Terrestrial Non-Food:

Termiticide and Soil Contact Nonfumigation Treatment
Wood Treatment and Protection
Outdoor Insect Control
Ornamental plants, trees, shrubs, and vines (woody)
Residential Lawns
Indoor Insect Control

Non-Food/Feed Areas: May be used to manufacture end-use products for use as a spot or crack and crevice treatment in non-food areas. Similar areas where insects hide or through which insects may enter can be treated. Examples of non-food areas include: garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage (after canning and 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 food are served such as dining rooms but excluding areas where foods may be prepared or held. In the home all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed foods should be covered or removed. Examples of food areas are areas for receiving, storage/packing (canning, bottling, wrapping, boxing), preparing, edible wastes, 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 a food area.

(2) Uses for which U.S. EPA has accepted the required data and/or citation of data that the formulator has submitted in support of registration; and

(3) Uses for experimental purposes that are in compliance with U.S. EPA requirements.

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

Storage and Disposal

Do not contaminate water, food, or feed by storage and disposal.

PESTICIDE STORAGE

Keep out of reach of children and animals. Store in original containers 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.

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 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

Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration, if allowed by State and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner.

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

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. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of United Phosphorus or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold United Phosphorus and Seller harmless for any claims relating to such factors.

United Phosphorus 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 United Phosphorus, and Buyer and User assume the risk of any such use. UNITED PHOSPHORUS MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall United Phosphorus or Seller 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 UNITED PHOSPHORUS 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, AT THE ELECTION OF UNITED PHOSPHORUS OR SELLER, THE REPLACEMENT OF THE PRODUCT, OR COMPENSATION LIMITED TO DAMAGES NOT EXCEEDING THE FARE MARKET PURCHASE PRICE, AND SHALL NOT INCLUDE INCIDENTAL OR CONSEQUENTIAL DAMAGES.

United Phosphorus 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.

Pending, not EPA Approved. 08/15/2003