

70506-22

8/30/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

August 30, 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 2008-1
per Agency's letter dated June 4, 2009

Dear Ms. Clemmer:

The Agency is in receipt of your Application(s) for Pesticide Notification under
Pesticide Registration Notice PRN 2008-1 for the following product(s):

UP-Star SC Lawn and Greenhouse Insecticide	EPA Reg. No. 70506-22 ✓
UP-Star Gold Granular Insecticide	EPA Reg. No. 70506-73
Bifenthrin 0.069 Insecticide with X-X-X Fertilizer	EPA Reg. No. 70506-123

The Registration Division (RD) has conducted a review of this request for applicability under
PRN 2008-1 and finds that the label change(s) requested falls within the scope of PRN-98-10. 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 that reads "Richard J. Gebken".

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7505P)

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Please read instructions on reverse before completing form

Form Approved, OMB No. 2070-0060, Approval expires 5-31-98



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 70506-22	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) United Phosphorus, Inc/UP-Star SC Lawn and Greenhouse Insecticide	PM # 13	
5. Name and Address of Applicant (Include ZIP Code) United Phosphorus, Inc. 630 Freedom Business Center, Suite 402 King of Prussia, PA 19406 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: NOTIFICATION EPA Reg No. _____ Product Name <u>AUG 30 2010</u>	

Section - II

<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

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

Notification of label change per June 4, 2009, letter from EPA.

This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR Part 156. 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 requirements of 40 CFR Part 156, 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:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of label directions <input type="checkbox"/> On Label <input type="checkbox"/> On Label accompanying product	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph	<input type="checkbox"/> Paper glued	<input type="checkbox"/> Other _____	
		<input type="checkbox"/> Stenciled			

Section IV

1. Contact Person (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			6. Date Application Received		
Name Rebecca A. Clemmer	Title Regulatory Manager	Telephone No. (Include Area Code) 610-491-2828			
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 statement may be punishable by fine or imprisonment or both under applicable law			(Stamped)		
2. Signature 		3. Title Regulatory Manager			
4. Typed Name Rebecca A. Clemmer		5. Date 6/22/10			

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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

June 22, 2010

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

Re: Response to June 4, 2009 Letter re Pyrethroids

To Whom It May Concern:

Enclosed please find the documents for our response to the above letter. For each of the following products, you will find EPA form 8570-1, and a marked label.

- 70506-22 UP-Star SC Lawn and Greenhouse Insecticide
- 70506-23 UP-Star Lawn and Nursery Insecticide/Miticide
- 70506-24 UP-Star Gold Insecticide

Please contact me if you have any questions.

Very truly yours,

Rebecca A. Clemmer
rebecca.clemmer@uniphos.com

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GROUP	3A	INSECTICIDE
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UP-STAR SC LAWN AND GREENHOUSE INSECTICIDE

For Agricultural and Commercial Use Only

NOTIFICATION

AUG 30 2010

Active Ingredient:	By Wt.
Bifenthrin*	7.9%
Other Ingredients:	92.1%
TOTAL	100.0%

UP-Star SC Insecticide contains 2/3 pound active ingredient per gallon.

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

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call 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 the 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 by 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.
NOTE TO PHYSICIAN	
This product is a pyrethroid. If large amounts have been ingested, the stomach and intestine should be evacuated. Treatment is symptomatic and supportive. Digestible fats, oils, or alcohol may increase absorption and so should be avoided.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For emergency medical treatment, contact the Rocky Mountain Poison Control Center at 1-866-673-6671,	

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

Manufactured for:
 United Phosphorus, Inc.
 630 Freedom Business Center
 King of Prussia, PA 19406
 1-800-438-6071 • www.upi-usa.com

EPA Reg. No. 70506-22

EPA Est. No.

PRECAUTIONARY STATEMENTS**Hazards to Humans and Domestic Animals****CAUTION**

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

Personal Protective Equipment (PPE):

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection chart.

Applicators and other handlers (other than mixers and loaders) must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as barrier laminate, butyl rubber, Nitrile rubber, neoprene rubber, polyvinyl chloride or Viton.
- Shoes plus socks

Mixers and Loaders must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as barrier laminate, butyl rubber, Nitrile rubber, neoprene rubber, polyvinyl chloride or Viton.
- Shoes plus socks
- Protective eyewear

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:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and aquatic invertebrates. ~~Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark.~~ Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. ~~Do not contaminate water when disposing of equipment washwaters.~~ Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds. 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 avoid runoff to water bodies or drainage systems.

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 to drift to blooming crops if bees are visiting the treatment area.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only

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protected handlers may be in the area during applications. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Do not apply this product through any kind of irrigation system.

Do not water the treated area to the point of run-off. Do not make applications during rain.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during restricted-entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls.
- Chemical-resistant gloves, such as Barrier Laminate or Butyl Rubber or Nitrile Rubber or Neoprene Rubber or polyvinyl chloride or Viton.
- Shoes plus socks.

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries and greenhouses.

Do not allow people or pets on treated surfaces until the spray has dried.

STORAGE AND DISPOSAL

Prohibitions: Do not contaminate water, food, or feed by storage or 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. Open containers carefully, and replace lids and close tightly after partial use. Do not put concentrate or dilute material into food or drink container.

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 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 or waste 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: Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain

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for 10 seconds after the flow begins to drip. Fill the container $\frac{1}{4}$ 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. Then 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.

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APPLICATION INFORMATION

For Use on Landscape Ornamentals, Greenhouses and Home Lawns, including Interiorscapes, Plantscapes and Ornamental Plantings Grown for Aesthetic Purposes

Use UP-Star SC to control a broad spectrum of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees, and flowers in greenhouses and interiorscapes including hotels, shopping malls, office buildings, etc., and outdoor plantscapes such as around residential dwellings, parks, institutional, public, commercial and industrial buildings; recreational areas, athletic fields and home lawns. UP-Star SC may be tank-mixed with other products, including insect growth regulators. It mixes easily with water or other water-based carriers, and may be applied using all types of spray equipment.

When tank mixing UP-Star SC with other products, always read and follow all precautions and limitations on each separate product label. It is not necessary to add spreader stickers.

RECOMMENDED APPLICATION RATES**LANDSCAPE ORNAMENTALS AND GREENHOUSES**

INSECTS	LB. AI/10 GALLONS	OZ. PRODUCT/10 GALLONS	INSTRUCTIONS
Ants Aphids Bagworms Blackvine Weevil Brown Soft Scales Broad Mites Budworms California Red Scale (Crawlers) Centipedes Clover Mites Crickets Cutworms Earwigs Elm Leaf Beetles Fall Webworms Flea Beetles Fungus Gnats Grasshoppers Lace Bugs Leafhoppers Leaf Feeding Caterpillars Mealybugs Millipedes Orchid Weevil Pillbugs Pine Needle Scales (Crawlers) Plant Bugs (including Lygus spp.) San Jose Scales (Crawlers) Sowbugs Spiders Tent Caterpillars Tip Moths Weevils Whiteflies	0.004 to 0.02	0.80 to 4.0	<p>Apply the indicated rate as a full coverage foliar spray. Repeat as necessary to achieve control, but not more frequently than every 7 days. Use higher rates as pest pressure and foliage area increase.</p> <p>Some cultivars may be sensitive to the final spray solution. To avoid injury, treat a small number of plants and observed them for a week before applying to the entire planting.</p> <p>Use of an alternate class of chemistry in a treatment program is recommended to prevent or delay pest resistance.</p> <p>Bagworms: Apply when larvae begin to hatch, spraying them directly. For best results, apply when larvae are young.</p> <p>Scale crawlers and twig borers: in addition to plant foliage, treat trunks, stems and twigs for best control.</p>

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INSECTS	LB. AI/10 GALLONS	OZ. PRODUCT/10 GALLONS	INSTRUCTIONS
Beet Armyworm Citrus Thrips European Red Mite Leafrollers Spider Mites Thrips Twig Borers	0.006 to 0.02	1.2 to 4.0	
Japanese Beetle (Adults) Leafminers Pecan Leaf Scorch Mite	0.01 to 0.02	2.0 to 4.0	

Rate UP-Star SC in oz. (lb a.i.)/ 10 gals.	Fluid Ounces of UP-Star SC Diluted to these Volumes (in Gallons) of Finished Spray				
	1 gal.	3 gal	5 gal.	25 gal.	100 gal
0.8 (0.004)	--	1/4	1/2	2	8
1.2 (0.006)	1/8	1/3	2/3	3	12
2.0 (0.010)	1/4	2/3	1	5	20
4.0 (0.020)	1/2	1 1/3	2	10	40

APPLICATION TO HOME LAWNS

Broadcast UP-Star SC Lawn and Greenhouse Insecticide/Miticide in 2 to 10 gallons of carrier per 1000 sq. ft. Where grass foliage is dense, the higher volume may be necessary to ensure uniform coverage.

RECOMMENDED LAWN APPLICATION RATES

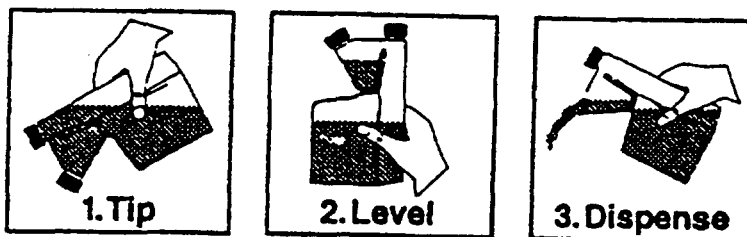
INSECTS	RATE	SPECIAL INSTRUCTIONS
Ants Armyworms Bluegrass billbugs Chinch Bugs Crane flies Crickets (Mole)* Cutworms Earwigs Fall Webworms Fleas Grasshoppers Mites Sod Webworm Ticks	0.23 to 0.46 oz per 1000 sq. ft. -or- 10 to 20 oz. per Acre -or- 0.05 to 0.1 lbs. ai/A	*To control overwintered Mole Crickets, use the lower rate in early Spring. To control adult Mole Crickets, use the higher rate in late summer or early fall. To improve control of late summer or fall Adult Mole Crickets, tank mix with a non-ionic surfactant or a silicon based surfactant (0.25% w/v). For best control, follow application immediately with irrigation with at least .25 inches of water.

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INSECTS	RATE	SPECIAL INSTRUCTIONS
Imported Fire Ants Japanese Beetle (Adult)	0.46 to 0.92 oz. per 1000 sq. ft. -or- 20 to 40 oz. per Acre	

DEALERS SHOULD SELL IN ORIGINAL PACKAGES ONLY.

[For the 1 qt Tip N Pour package]
CONTAINER USE DIRECTIONS:



1. Remove the measuring chamber cap and induction seal. Replace cap and securely tighten. Tip container until liquid fills measuring chamber.
2. Return container to level position. No adjustment is needed.
3. Remove measuring chamber cap and dispense into proper application equipment.

For multiple dose measuring: remove fill chamber cap and dispense according to markings on side of bottle.

**IMPORTANT INFORMATION
 READ BEFORE USING PRODUCT**

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 reflect the opinion of experts based on field use and tests, and must be followed carefully. It is impossible to eliminate all risks 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, 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**

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