

70506-129

8/17/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

August 17, 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
Revising the Environmental Hazard Language
Per EPA 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 dated June 22, 2010 for the following product(s):

UP-Star GC Granular Insecticide
EPA Reg. No. 70506-74

Bifenthrin 0.069 RU Insecticide with X-X-X Fertilizer
EPA Reg. No. 70506-124

Bifenthrin 0.083 Insecticide with X-X-X Fertilizer
EPA Reg. No. 70506-125

Bifenthrin 0.073 Insecticide with X-X-X Fertilizer
EPA Reg. No. 70506-126

✓ **UP-Star One-G Granular Inseticide**
EPA Reg. No. 70506-129

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.

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If you have any questions, please contact Regina Foushee'-Smith at 703-605-0780.

Sincerely,




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	OPP Identifier Number
	<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 70506-129	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 One-G Granular 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 17 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	Unit Packaging	Water Soluble Packaging		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No		<input type="checkbox"/> Other (Specify) _____	
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information			4. Size(s) Retail Container		5. Location of label directions
<input type="checkbox"/> Label	<input type="checkbox"/> Container				<input type="checkbox"/> On Label <input type="checkbox"/> On Label accompanying product
6. Manner in Which Label is Affixed to Product			<input type="checkbox"/> Other _____		
			<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <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.)					
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.					6. Date Application Received (Stamped)
2. Signature 		3. Title Regulatory Manager			
4. Typed Name Rebecca A. Clemmer		5. Date 6/22/10			

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UP-STAR® ONE-G AUG 17 2010
GRANULAR INSECTICIDE

For Residential Lawns, Home Perimeter, Ornamental and Flower Gardens and Home Vegetable Garden Uses Only

[optional marketing statements in brackets]

[UP Star One-G controls unwanted pests found above and below the lawn surface including Ants, Fleas, Ticks, Mole crickets, Chinch bugs, other lawn-damaging insects]

[When used as directed, won't harm your lawn.]

[Ready to use.]

[Covers up to Y sq. ft. (for X lbs size)]

ACTIVE INGREDIENT

Bifenthrin*.....	0.1%
Other Ingredients	99.9%
Total	100.0%

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

KEEP OUT OF REACH OF CHILDREN

CAUTION

See other panels for additional precautionary information OR
See additional precautionary statements on back of bag OR
See (back panel booklet, back panel) for additional precautionary statements.

FIRST AID [Icon]	
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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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, the continue rinsing eye. • Call a poison control center or doctor for treatment advice.
HOTLINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor. In case of medical emergency, contact The Rocky Mountain Poison Control Center at 1-866-673-6671.	
NOTE TO PHYSICIAN: This product is a pyrethroid. If large amounts have been ingested, milk, cream and other digestible fats and oils may increase absorption and so should be avoided.	

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

[Insert photo/illustration]



United Phosphorus, Inc.
630 Freedom Business Center

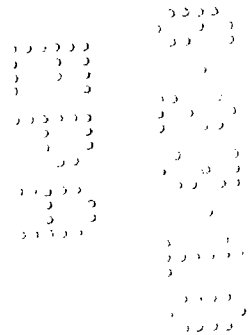
EPA Reg. No. 70506-129

EPA Est. No.

King of Prussia, PA 19406

1-800-438-6071 • www.upi-usa.com

Net Weight:



6012

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

Caution. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and aquatic invertebrates. ~~Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.~~ 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. Sweeping any product that lands on a driveway, sidewalk, or street back onto the treated area of the lawn or garden will help to prevent runoff to water bodies or drainage systems.

DIRECTIONS FOR USE

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

UP STAR One-G Granular is an insecticide with the following properties:

- Low Odor
- Quick Acting
- Easy to Use
- Broad Spectrum
- Kills Ants, Fleas, Spiders, Ticks & Other Insects
- When used as directed, will not Harm Grasses
- For Use on Lawns, Home Perimeter, Ornamental and Flower Gardens
- For Outdoor Use on a Variety of Insects
- Kills Lawn and Garden Insects/Bugs, and Controls Insects/Bugs in Lawns and Landscapes.

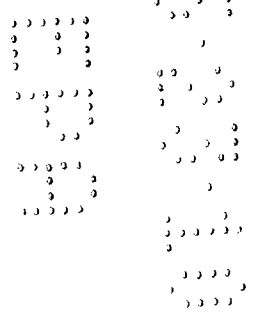
UP STAR One-G is a ready to use granular insecticide that controls various insects and spiders on lawns, home perimeter, ornamental and flower gardens. Please read the following "Directions For Use" carefully and fully before applying this product.

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

Do not make applications during rain.

In New York State, this product may NOT be applied to any grass or turf area (lawns) within 100 feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, do make a single repeat application of Bifenthrin 0.1 Lawn Granular Insecticide if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

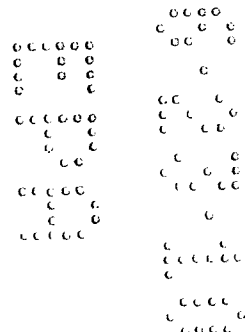


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HOME PERIMETER, ORNAMENTAL AND FLOWER GARDENS

Areas to Apply UP Star One-G Insecticide	Directions	Pests
<p>Perimeters Around Homes (Outdoor treatments around house foundations)</p> <p>Outdoor Ornamental and Flower Gardens</p>	<p>Evenly apply 1.2 to 2.4 pounds over a 1,000 sq. ft. area. Use any hand or power operated gravity or rotary type spreader designed for the application of granular products. A [X] pound bag will treat a [Y] to [Z] sq. ft. area.</p> <p>Apply when insects first appear and retreat as necessary every 7 days and only if there are signs of renewed insect activity. Thoroughly water the area immediately after application for optimum control of pests.</p>	<p>Surface Feeding Insects including ants, (Carpenter, Red Harvester, Odorous Pyramid, Pharoah (Sugar) and Fire Ants*, Foraging Fire Ants), Armyworms (including Fall Armyworms), Billbug (including Bluegrass Billbug), Chiggers, Chinch Bugs, Crickets, Cutworms, (including Black Cutworms), Earwigs, Grasshoppers, Mealybugs, Sod Webworms (Lawn Moth), and Weevils (including Hyperodes and Bluegrass). * <i>Aids in control.</i></p>
	<p>Evenly apply 2.4 pounds over a 1,000 sq. ft. area. Thoroughly water the area immediately after application for optimum control of pests.</p>	<p>Argentine Ants, Black Turf Ants, Black Turfgrass Ataenius, Fleas (including Cat Fleas), Leafhoppers, Spiders (including Brown Recluse Spiders), and Ticks (including Brown Dog Ticks)</p>
	<p>Evenly apply 2.4 to 4.8 pounds over a 1,000 sq. ft. area. Thoroughly water the area immediately after application for optimum control of pests. Best results are obtained from late spring applications.</p>	<p>Mole Crickets (including Tawny Mole Crickets)</p>
	<p>Evenly apply 4.8 pounds over a 1,000 sq. ft. area. Thoroughly water the area immediately after application for optimum control of pests.</p>	<p>Centipedes, Millipedes, Pavement Ants</p>
	<p>Apply 1 tablespoon** (1 tablespoon equals 3 teaspoons)** of UP STAR One-G uniformly to the surface of each mound. Best results are obtained if the following are observed: • apply early morning or late evening hours when temperatures are between 65 to 80°F, • do not disturb ants, • as new mounds appear, treat as soon as possible and • thoroughly water the treated area immediately after application.</p>	<p>Fire Ant Mounds</p>

** Do not re-use utensils such as measuring cups or tablespoons/teaspoons for food purposes if used to measure pesticides.



Box 12

HOME VEGETABLE GARDENS

How To Apply: One application may be made just before planting or after plant seedlings emerge. Mix the product into the top 4 to 6 inches of soil. For a 500 sq. ft. area, use 5 cups** (1.2 lbs) of UP Star One-G.

Vegetables	Number of Days To Wait After Application Before Harvesting	Pests
Broccoli Brussels Sprouts Cabbage Cauliflower Cavalo Broccoli Chinese Broccoli Chinese Cabbage Kohlrabi Eggplant Head Lettuce Peppers	7 Days	Ants, cutworms, crickets, earwigs, grasshoppers, grubs, seed maggots, weevils and wireworms
Cucurbit Vegetables which includes Chayote, Citron melon, Cucumber, Edible Gourd, Muskmelon (Cantaloupe, casaba, Crenshaw melon, Golden melon, Honeydew melon, Pineapple melon, Santa Claus melon, Snake melon), Pumpkin, Summer squash (Crookneck, Scallop, Straightneck, Zucchini), Winter squash (Butternut, Calabaza, Hubbard including Acorn and Spaghetti), Watermelon Green Peas Edible Pods (Sugar Snap Peas, Snow Peas) Green Beans (Wax Beans, Snap Beans) Dry Beans (Black-eyed Peas, Cowpea)	3 Days	
Sweet Corn	1 Day	Ants, armyworm, cutworms, crickets, earwigs, European corn borer, fall armyworm, grasshoppers, southwestern corn borer, and weevils

** Do not re-use utensils such as measuring cups or tablespoons/teaspoons for food purposes if used to measure pesticides.

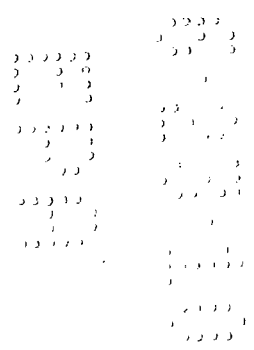
Home Vegetable Garden Spreader Tips		
Spreader*	Spreader Setting when using 5 Cups** (1.2 lbs.) of UP Star One-G for 500 Sq. Ft.	Directions
Scotts AccuGreen® Drop Spreader	To Be Completed (depends on carrier)	Spread the product along the longest length of the garden area. Overlap wheel marks to ensure a uniform spread of product. Shut off the spreader when you have reached the end of the row or stopped.
Scotts SpeedyGreen® Rotary Spreader	To Be Completed	Shut off the spreader anytime you stop. For complete coverage, make each pass about five feet from the previous one, so some overlapping occurs.

LAWNS

Apply when insect activity or damage is first observed in the lawn (lawn thins and turns brown or moths fly from the grass when you mow). To prevent further damage, treat entire lawn and not just the brown areas of lawn.

Areas to Apply UP Star One-G Insecticide	Directions	Pests
Lawns	<p>Evenly apply 2.4 pounds over a 1,000 sq. ft. area of lawn. Use any hand or power operated gravity or rotary type spreader designed for the application of granular products. A [X] pound bag will treat up to [Y] sq. ft. area of lawn. For mole crickets, treat in late spring. Thoroughly water the area immediately after application for optimum control of pests.</p>	<p>Ants (including Argentine, Black Turf, Carpenter, Red Harvester, Odorous Pyramid, Pharaoh), Armyworms (including Fall Armyworms), Billbug (including Bluegrass Billbugs), Black Turfgrass Ataenius, Chiggers, Chinchbugs, Crickets, Cutworms (including Black Cutworms), Earwigs, Fleas (including Cat Fleas), Grasshoppers, Leafhoppers, Mealybugs, Mole Crickets (including Tawny Mole Crickets), Sod Webworms (Lawn Moth), Spiders (including Brown Recluse Spiders), Ticks (including Brown Dog Ticks), and Weevils (including Hyperodes and Bluegrass).</p>
	<p>Evenly apply 4.8 pounds over a 1,000 sq. ft. area of lawn. Use any hand or power operated gravity or rotary type spreader designed for the application of granular products. A [X] pound bag will treat up to [Y] sq. ft. area of lawn. Thoroughly water the area immediately after application for optimum control of pests.</p>	<p>Centipedes, Millipedes, Pavement Ants</p>
	<p>Apply 1 tablespoon** (1 tablespoon equals 3 teaspoons)** of UP STAR One-G uniformly to the surface of each mound. Best results are obtained if the following are observed: • apply early morning or late evening hours when temperatures are between 65 to 80°F, • do not disturb ants, • as new mounds appear, treat as soon as possible and • thoroughly water the treated area immediately after application.</p>	<p>Fire Ant Mounds</p>

** Do not re-use utensils such as measuring cups or tablespoons/teaspoons for food purposes if used to measure pesticides.



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LAWN SPREADER TIPS		
Spreader*	Spreader Settings COVERS x,xxx Sq. Ft.	Directions
Scotts Drop Spreader s	To Be Completed	Before application, mow the lawn if the grass is tall enough to touch the bottom of the spreader. Make two heard strip applications. Spread the product along the longest length of the lawn. Overlap wheel marks to ensure a uniform spread of product. Shut off the spreader when you have reached the end of the row or stopped.
Scotts Easy Green® Rotary Spreader	To Be Completed	Spread the product along the longest length of the garden area. Overlap wheel marks to ensure a uniform spread of product. Shut off the spreader when you have reached the end of the row or stopped.
Scotts SpeedyGreen® Rotary Spreader	To Be Completed	Shut off the spreader anytime you stop. For complete coverage, make each pass about five feet from the previous one, so some overlapping occurs.

*Other spreaders can be used but the settings must be properly calibrated based on the manufacturer's recommendations.

[for specific bag sizes]

LAWN SPREADER TIPS				
Spreader	Spreader Settings			Directions
	0.6/1.2 Pounds UP Star One- G per 500/1,000 Sq. Ft.	1.2/2.4 Pounds UP Star One- G per 500/1,000 Sq. Ft.	2.4/4.8 Pounds UP Star One- G per 500/1,000 Sq. Ft.	
Scotts AccuGreen® Drop Spreader	To Be Completed	To Be Completed	To Be Completed	Before application, mow the lawn if the grass is tall enough to touch the bottom of the spreader. First apply two header strips. Operate spreader the longest way of the lawn. Overlap wheel marks to ensure uniform spread of product. Shut off spreader when you have reached the header strips or stopped.
Scotts SpeedyGreen® Rotary Spreader	To Be Completed	To Be Completed	To Be Completed	Shut off spreader anytime you stop. For complete coverage make each pass about five feet from the previous one, so some overlapping occurs.

*Other spreaders can be used but the settings must be properly calibrated based on the manufacturer's recommendations.

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NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

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 bags/containers only. Store in a cool, dry place and avoid excess heat. Carefully open bags/containers. After partial use replace lids and close tightly. For bags after partial use, reseal open bag by folding top down and securing.

In case of spill, avoid contact. Isolate area and keep out animals and unprotected persons. Confine spills. Call CHEMTREC at 1-800-424-9300.

Pesticide Container Disposal: Nonrefillable container. Do not reuse or refill this container.

If empty: Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

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. 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, Inc., and Buyer and User assume the risk of any such use. To the extent consistent with applicable law, UNITED PHOSPHORUS, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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. **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.