

73049-83

5/14/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Nasser A. Assaf, Ph.D.
Regulatory Manager, ESD
Valent BioSciences Corporation
870 Technology Way
Libertyville, IL 60048

MAY 14 2009

RE: Notification of Updating Warranty Statement per PRN 98-10
Registration Number: 73049-83
Submission Dated: February 20, 2009

Dear Dr. Assaf:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated, February 20, 2009, for the product, SBP – 1382 Insecticide Aqueous Pressurized Spray 0.35%. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely yours,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

2096

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



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 73049-83	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) SBP-1382 Insecticide Aqueous Pressurized Spray 0.35%	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Valent BioSciences Corporation 870 Technology Way Libertyville, IL 60048 <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: EPA Reg. No. <u>MAY 14 2009</u> Product Name _____	

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.) 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.

NOTIFICATION OF UPDATING WARRANTY STATEMENT PER PR NOTICE 98-10 II J.
No other changes have been made to the label other than those clearly marked.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <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 <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 to 16 ounces		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Nasser A. Assaf, Ph.D		Title Regulatory Manager, ESD		Telephone No. (Include Area Code) (847) 968-4844	
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 <i>NAASSAF</i>		3. Title Regulatory Manager, ESD			
4. Typed Name Nasser A. Assaf, Ph.D		5. Date February 20, 2009			

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SBP-1382® INSECTICIDE AQUEOUS PRESSURIZED SPRAY 0.35% FOR HOUSE AND GARDEN

• *Can Be Used In Edible Product Areas Of Official Establishments Operating Under The Meat, Poultry, Shell Egg Grading, And Egg Products Inspection Program.*

ACTIVE INGREDIENT:	
Resmethrin*	0.35 %
OTHER INGREDIENTS:	99.65 %
	100.00 %

NOTIFICATION
MAY 14 2009

* Valent BioSciences Corporation's SBP-1382® brand of resmethrin insecticide.

PRECAUCION AL CONSUMIDOR: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.
(**TO THE USER:** If you cannot read English, do not use this product until the label has been fully explained to you.)

EPA REG. NO. 73049-83

EPA EST. NO.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of Medical emergencies or health and safety inquiries or in case of fire, leaking or damaged containers, information may be obtained by calling 1-877-315-9819.	

See Side Panel For Additional Precautionary Statements

NET WEIGHT:

SHAKE WELL BEFORE USING

1 1 1 1 1
 2 2 2 2 2
 3 3 3 3 3
 4 4 4 4 4
 5 5 5 5 5
 6 6 6 6 6
 7 7 7 7 7
 8 8 8 8 8
 9 9 9 9 9
 0 0 0 0 0

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PRECAUTIONARY STATEMENTS Hazards To Humans & Domestic Animals

CAUTION

Harmful if absorbed through skin. Avoid contact with skin, eyes and clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse. Do not apply directly to food. In commercial food handling facilities, cover or remove any food and food processing equipment during application. Do not apply while food processing is underway. After space spraying in meat packing plants, bakeries and other food processing plants, wash all equipment, benches, shelving, etc., where exposed food will be handled, thoroughly with an effective cleaning compound and rinse with potable water. In the home, cover all food processing surfaces and utensils during treatment, or thoroughly wash before use. Remove pets, birds and cover fish aquariums before spraying. Prevent re-entry of dogs and cats into treated area until spray deposits are dry.

Environmental Hazards

This pesticide is highly toxic to fish. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

Physical And Chemical Hazards

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F (54.5°C) may cause bursting. Do not apply this water-based product in conduits, motor housings, junction and switch boxes or other electrical equipment because of possible shock hazards. Do not use on surfaces that can be harmed or stained by water.

DIRECTIONS FOR USE

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

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climatic modification and being grown in interior plantscapes, ornamental gardens or parks or lawns and grounds.

For use in and around hotels, motels, homes, food handling establishments, packaging and processing plants, seed houses, commercial, industrial, office, institutional and storage buildings, milk handling areas of milk, cheese and ice cream plants, milk storage rooms, egg processing plants, supermarkets, restaurants, bottling plants, canneries, flour and feed mills, bakeries, boats, ship cabins and hospitals. In hospitals, patients should be removed prior to treatment. Also for use in buses, automobiles, trucks, boxcars and ship cargo holds. Also for use in horse stables. In horse stables, not for application if horses will be used for food.

Shake well before each use. Remove protective cap. Aim spray opening away from person. Push button to spray.

INDOORS

FOR *Houseflies, Mosquitoes, Gnats, Flying Moths (Millers), Fruit Flies* and *Vinegar Flies*: Close all doors and windows. Point nozzle upward; direct the spray mist to all parts of the room, especially windows and other light sources which attract these insects. Fill the room with mist, then leave the treated area. Keep the room closed for at least 15 minutes. Ventilate the room when treatment is completed.

FOR CRAWLING INSECTS: *Cockroaches (Waterbugs), Earwigs, Grain Mites, Sowbugs (Pillbugs), Silverfish (Firebrats), Spiders, Centipedes, Millipedes, Fleas, Ants, Booklice* and *Crickets*: Spray thoroughly and frequently into hiding places such as cracks, crevices, moist areas, openings around pipes and sinks, under refrigerators, baseboards, door frames, bookcases and storage areas. Spray directly on insects where possible.

TO KILL *Ants* - INCLUDING *Fire Ants*: Spray doors, around window frames, and other points of entry. Spray ant trails, nests, and hills contacting as many ants directly as possible.

TO KILL *Bedbugs* and *Lice*: Apply as a spot treatment to cracks and crevices around baseboards, floorboards, bedboards and walls. First, thoroughly clean and air mattresses and springs. Then spot treat only areas that may harbor pests, concentrating on tufts, folds, and seams. For persistent infestations, consult professional applicator.

TO KILL *Fleas* and *Ticks* IN DOG AND CAT PREMISES: Thoroughly spray the animal's bedding and other resting areas until the surface is slightly moist. Treat these areas at the rate of 2 seconds per linear foot (30 cm) at a distance of 12 to 18 inches (30 to 46 cm). Also spray the entire inside surface of dog houses. Thoroughly spray floors, cracks, crevices and bedding. Hit as many insects directly as possible. For best results, dogs and cats should also be treated with an appropriate insecticide.

TO PROTECT HOUSE PLANTS: Spray infested African violets, philodendron, begonias, geraniums and coleus for control of *Aphids, Exposed Thrips, Adult Whiteflies, Spider Mites*, and *Fungus Gnats*. Use with caution. To ascertain possible phytotoxicity, spray only a few plants, wait 24 hours, and check for possible injury.

OUTDOORS

TO KILL FLYING INSECTS: Spray areas infested with *Mosquitoes, Gnats (Midges), House Flies, Stable Flies, Deer Flies* And *Flying Moths (Millers)*. Follow precautions listed above. Hold container 18 to 24 inches (46 to 61 cm) from shrubs, bushes and grassy areas. Spray these areas with a slow sweeping motion at the rate of from 1 to 3 seconds per cubic yard (0.76 cu. m) of space while moving away from the treated areas. To reduce annoyance from these flying insects, treat open porches and patios in a similar manner. Spray only when the air is still. Allow spray to dissipate before occupying the treated area.

TO PROTECT ORNAMENTAL PLANTS: To control *Aphids, Exposed Thrips, Adult Whiteflies, Leafhoppers, Gypsy Moths, Plant Bugs, Spittlebugs* and *Japanese Beetles* on smaller rhododendrons, pines, spruce, hemlock, spirea, dogwood, palm, mimosa, toyon, viburnum, euonymus, oaks, maples, locust, forsythia and althea, and mimosa webworm larvae on mimosa, spray directly on insects. Hold container 18 inches (46 cm) from the infested plants. Spray in short bursts of one to three seconds or spray at the rate of one linear foot (30 cm) of growth per second. Direct spray to all sides covering foliage until slightly moist. Avoid heavy wetting.

Spray peonies, iris, zinnia, snapdragons, ageratums, chrysanthemums, nasturtiums, daisy, geraniums, marigolds, daphne, fatshedera, ivy, tobira, queen sago and broad leaf acacia for control of aphids, exposed thrips, adult whiteflies, leafhoppers, plant bugs, spittlebugs and Japanese beetles. Spray as directed above.

Ornamental Quince, Juniper, Cypress, Ornamental Mulberry, Ash, Cotoneaster, Rose, Camellia, Azalea, Pyracantha and Caenothus may also be treated to control the above pests, but use with extreme caution. Certain varieties have shown some leaf burn under certain conditions of use such as heavy dosage.

TO Kill Tent Caterpillars: Make applications should be when caterpillars are young and tents are first noticed (usually late spring). For best results, apply in the late afternoon or evening when caterpillars have returned to their tents. Aim spray directly at tents, and totally saturate on all sides.

TO KILL Gypsy Moth Caterpillars: Make applications when caterpillars are young and first noticed (usually late spring). Spray plants evenly to the point of run-off, applying to both sides of leaves and other areas of plants where insects are suspected. For dense evergreens and shrubs, be sure spray reaches interior leaves and branches.

TO CONTROL NUISANCE PESTS: *Crickets, Silverfish, Earwigs, Sowbugs, Centipedes* and *Millipedes:* Same as directed above for indoor use.

Ants: Spray trails, nests and points of entry. Spray on ants where possible.

Fire Ants: Kills and temporarily reduces annoyance of these insects. To reduce annoyance from these ants and keep them from entering homes, spray patios, barbecue areas, driveways, door sills, window sills, other entrance areas, foundations of buildings, ant trails, around pools and areas where the ants are noticed. Spray until the area is wet contacting as many insects as possible. This treatment will not kill the colonies, but will reduce the immediate population for up to four hours. Avoid contacting plants, shrubbery and large areas of lawns.

Fleas and Ticks: Same as directed for indoor use.

Spiders: (Including Black Widow and Brown Recluse): Direct short bursts of spray on spiders.

Wasps, Hornets, Yellow Jackets and **Bees:** Make applications in late evening when insects are at rest. Spray liberally into hiding and breeding places contacting as many insects as possible.

STORAGE AND DISPOSAL

Storage: Keep in locked storage area.

Disposal: Do Not Puncture or Incinerate! *If empty:* Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Valent BioSciences Corporation. All such risks shall be assumed by the user or buyer.

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Valent BioSciences Corporation
Environmental Science Division
870 Technology Way
Libertyville, IL 60048
List No. 7304983
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NOTIFICATION

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