

73049-159

11/05/2004

1/4

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

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 73049-159	2. EPA Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TetraPerm Wasp & Hornet Killer FEQ 23	PM# 13	
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. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION NOV - 5 2004
<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 NON-PESTICIDAL CLAIM PER PR NOTICE 98-10

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 <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 type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input 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 Janice K. Sharp, 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 		3. Title Regulatory Manager, ESD			
4. Typed Name Janice K. Sharp, Ph.D.		5. Date October 20, 2004			

NOTIFICATION

NOV - 5 2004

TETRAPERM[®] WASP & HORNET KILLER FEQ 23

- *[GARDEN CENTER SIZE*
- *HOUSE & YARD LINE*
- *CONTAINS PERMETHRIN AND TETRAMETHRIN SYNERGISED WITH PIPERONYL BUTOXIDE*
- *CONTAINS VBC's PRAMEX[®] brand permethrin AND TETRALATE[®] SYNERGISED WITH BUTACIDE[™]*
- *QUICK KILL*
- *KILLS FAST*
- *KILLS WASPS, HORNETS, YELLOW JACKETS & BEES ON CONTACT*
- *KILLS WITH RESIDUAL ACTION AS WASPS & HORNETS RETURN TO NEST*
- *JET SPRAY - WILL REACH NESTS UP TO 20 FEET ABOVE GROUND*
- *SPRAYS UP TO 20 FEET*
- *JET BLAST [up to] 20 FEET*
- *KILLS THE ENTIRE NEST*
- *KILLS NEST AND INSECTS WITH RESIDUAL ACTION*
- *KILLS WASPS, HORNETS, YELLOW JACKETS & BEES - TRIPLE ACTION*
- *DROPS WASPS, HORNETS, YELLOW JACKETS & BEES INSTANTLY*
- *GIVES KNOCKDOWN & KILL OF WASPS, HORNETS, YELLOW JACKETS & BEES*
- *ELECTRICALLY NON-CONDUCTING*
- *DIELECTRIC BREAKDOWN VOLTAGE OF 47,300 VOLTS*
- *CAN BE USED BOTH INDOORS (ATTICS AND OTHER PLACES WHERE NESTS ARE BUILT) AND OUTDOORS ON WASP & HORNET NESTS*
- *CONTAINS NO CFC'S OR OTHER OZONE DEPLETING SUBSTANCES. FEDERAL REGULATIONS PROHIBIT CFC PROPELLANTS IN AEROSOLS*
- *INSTANT KNOCKDOWN*
- *PREVENTS NESTING*
- *TRIPLE ACTION FORMULA*
- *ACTS AS A BARRIER THAT PREVENTS INSECTS FROM ENTERING THE HOME]*

ACTIVE INGREDIENTS:

Tetramethrin	0.10 %
Permethrin	0.25 %
Piperonyl Butoxide	0.50 %
OTHER INGREDIENTS:	<u>99.15 %</u>
	100.00 %

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. 73049-159

EPA EST. NO.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See Side Panel for Additional Precautions

NET CONTENTS:

FIRST AID	
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.
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not give any liquid to the person. • Do not induce vomiting unless told to do so by a poison control center or a doctor. • Do not give anything by mouth to an unconscious person.
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	
NOTE TO PHYSICIAN	
Contains petroleum distillate - vomiting may cause aspiration pneumonia.	

See Side Panel for Additional Precautions

[Twist and snap off tab before spraying]
[graphic of container]

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not use in commercial food/feed handling establishments, restaurants or other sites where food/feed is commercially prepared or processed. Not for use in Federally inspected meat and poultry plants.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water.

Physical and Chemical Hazards

Flammable. Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

DIRECTIONS FOR USE

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

Read Entire Label.

For best results, spray in early morning or late evening when insect activity is minimal. Stand a safe distance from nest and not directly underneath. ~~May cause staining (darkening) of asphalt surfaces and shingles. [Remove protective cap.]~~ Hold can upright and point spray opening toward nest with wind at your back. Spray until nest is thoroughly saturated to kill the entire nest population. Residual action will kill wasps and hornets returning to the nest. Wait at least 24 hours before removing the nest.

To kill *wasps*, *hornets*, *yellow jackets* and *bees* under eaves, screens, window frames, doors, patios, cracks, holes or crevices wherever insects are noticed, spray for about 1 - 2 seconds or until surfaces are moist. To prevent entrance of insects into the house, spray around points where insects enter such as outside plumbing, faucets, etc., and cracks or crevices in foundation as well as along sills and ledges.

Do not apply to pets or contaminate feed, foodstuffs, dishes or utensils. ~~Avoid spraying vegetation directly. Do not spray vegetation directly to prevent damage to foliage. If spray accidentally contacts foliage, immediately wash with water. This product may discolor exterior surfaces of building, structures and painted surfaces and may cause staining (darkening) of asphalt surfaces and shingles. Test product in an inconspicuous area before applying.~~

STORAGE & DISPOSAL

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

Storage: ~~Do not store near heat or open flame. Store in cool dry area away from children.~~ Store in a cool, dry area away from [inaccessible to] children and pets and away from heat, sparks and open flame. Do not transport or store below 32°F. [Protect from freezing]. [Do not freeze].

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.

[This container may be recycled in aerosol recycling centers. At present, there are only a few such centers in the country. Before offering for recycling, empty the can by using the product according to the label.]

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 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.

DISCLAIMER OF WARRANTIES: VALENT BIOSCIENCES CORPORATION MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Valent BioSciences Corporation is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Valent BioSciences Corporation disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT VALENT BIOSCIENCES CORPORATION'S ELECTION, THE REPLACEMENT OF PRODUCT.

© Valent BioSciences Corporation, 2004

TetraPerm, Pramex, Butacide and Tetralate are registered trademarks of Valent BioSciences Corporation.

Valent BioSciences Corporation
Environmental Science Division
870 Technology Way
Libertyville, IL 60048
List No. 73049159

02-0521/R3

[] Denotes alternate text in addition to any subset of the directions for use.