

73049-160

7/27/2011

10f5

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

July 27, 2011

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

Subject: Amended Reregistration Label
Product Name: TetraPerm Wasp & Hornet Killer FEQ 24
EPA Registration Number: 73049-160
EPA Decision Numbers: 436093, 413412, and 410265

Dear Dr. Assaf:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all of the information submitted with your application to support the reregistration of the above referenced product in connection with the tetramethrin, PBO and permethrin REDs, and has concluded that your submission is acceptable.

NOTE: This product is **not** being reregistered under sections 3(c)5 and 4(g) of FIFRA at this time.

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 non-refillable containers. The code may appear either on the label or durably marked on the container itself, and can be added by non-notification per PRN 98-10.

Please note that the record for this product currently contains the Confidential Statements of Formulation (CSFs) listed below. Any previously dated CSFs are superseded.

- Basic CSF, dated 2/26/10

A copy of your label stamped "Accepted" is enclosed along with copies of the acute toxicity and product chemistry reviews completed for the subject product. Products shipped

after 12 months from the date of this amendment or the next printing of the label whichever occurs first, must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e).

If you have any questions about this letter, please contact Jennifer Urbanski at 703-347-0156 or urbanski.jennifer@epa.gov.

Sincerely,



RJG
Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)

Enclosures: *Label stamped "Accepted," dated 7/27/11*
Acute Toxicity Review, dated 4/22/10
Product Chemistry Reviews, dated 5/14/10, 6/29/11, and 11/12/10

3045

TETRAPERM® WASP & HORNET KILLER FEQ 24

- *[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 On Contact**
- **Kills With Residual Action As Wasps & Hornets Return To Nest**
- **Jet Spray - Will Reach Nests Up To 20 Feet Above Ground**
- **Kills The Entire Nest**
- **Kills Wasps, Hornets & Yellow Jackets – Triple Action**
- **Drops Wasps, Hornets & Yellow Jackets Instantly**
- **Gives Knockdown & Kill Of Wasps, Hornets & Yellow Jackets**
- **Electrically Non-Conducting**
- **Dielectric Breakdown Voltage Of 49,500 Volts**
- **Can Be Used Both Indoors (Attics And Other Places Where Nests Are Built) And Outdoors On Wasp & Hornet Nests**
- **Instant Kill**
- **Instant Knockdown**
- **Prevents Nesting**
- **Triple Action Formula**
- **Contains No CFC's Or Other Ozone Depleting Substances. Federal Regulations Prohibits CFC Propellant In Aerosols.**
- **Acts As A Barrier That Prevents Insects From Entering The Home]**

**ACCEPTED
JUL 27 2011**
**Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under:**

EPA. Reg. No: 73049-160

ACTIVE INGREDIENTS:

Tetramethrin.....	0.150%
Permethrin*.....	0.375%
Piperonyl Butoxide**.....	0.750%
OTHER INGREDIENTS†:	98.725%
	100.000%

* Cis/trans ratio: min. 35% (+/-) cis and max. 65% (+/-) trans.
 ** (butyl carbityl)(6-propylpiperonyl) ether and related compounds.
 † Contains petroleum distillates.

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. 73049-160

EPA EST. NO.

KEEP OUT OF REACH OF CHILDREN CAUTION

See Side/Back Panel for Additional Precautionary Statements

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"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • 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. For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call 1-877-315-9819.	
NOTE TO PHYSICIAN	
Contains petroleum distillate - vomiting may cause aspiration pneumonia.	

NET CONTENTS:

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear long sleeved shirt and long pants, socks and shoes.

User Safety Recommendations:

- Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside and after handling this product. Wash the outside of gloves before removing. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This product is extremely toxic to aquatic organism, including fish and invertebrates. Do not apply directly to or near water. Drift and run-off may be hazardous to fish in water adjacent to treated area. Do not contaminate water when disposing of equipment washwater or rinsate. See Directions for Use for additional precautions and requirements.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

Physical or Chemical Hazards

Extremely flammable: Contents under pressure. Keep away from fire, sparks, and heated surfaces. 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.

Use Restrictions

- Do not apply more than 6.5 oz of this product per 25 square feet.
- For spot, crack and crevice application only.
- Do not allow adults, children, or pets to enter the treated area until sprays have dried.
- Do not apply this product in a way that will contact adults, children, or pets, either directly or through drift.
- Do not use in commercial food/feed handling establishments, restaurants or other sites where food/feed is commercially prepared or processed.
- Do not apply when food is present. Remove or cover dishes, utensils, food processing equipment, and food preparation surfaces before application, or wash them before use.
- Remove pets, birds and cover any water inhabited by fish (such as aquariums and ornamental fish ponds) before application. Turn off aquarium filtering systems before spraying and wait approximately 15 minutes after application before turning the filter back on.
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.
- Do not make applications during rain.

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. [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* and *Yellow Jackets* 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. Do not spray the treated area to the point of runoff. 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 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.

5045

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in 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 [0°C] [Protect from freezing.] [Do not freeze.]

Container 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 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 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.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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. To the extent consistent with applicable law, 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: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.

[Or alternate text

Note [Notice]: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, seller shall have no liability for consequential damages.]

© Valent BioSciences Corporation, 2011

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

Valent BioSciences Corporation
Environmental Science Division
870 Technology Way
Libertyville, IL 60048

02-0671/R4

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