

73049-177

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
CHEMICAL SAFETY
AND POLLUTION PREVENTION

APR 15 2011

Valent Biosciences Corporation
c/o Dr. Nasser Assaf
870 Technology Way
Libertyville, IL 60048

Subject: Application for Pesticide Amendment, Requiring Data Review
UltraTec DS 205 Insecticide
EPA Reg. No. 73049-177
Your Submission Dated November 23, 2010
Decision No: 442479

Dear Dr. Assaf:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable, subject to the comments below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. The addition of use on bedbugs are conditionally acceptable, contingent on the submission of acceptable surface contact kill (resulting from dry residues) efficacy data within nine (9) months the date of this letter. Refer to the Agency's Product Performance Data Evaluation Record, dated April 13, 2011.
2. On page 1 in the bulleted list (not as optional text), reinstate the following statement from previously approved labeling:

"Not for Use on Plants Grown for Sale or Other Commercial Use."

3. On page 1 under Net Contents, include the units to be expressed in "fluid ounces."
4. On page 2 under Environmental Hazards, update the statement to read as follows:

"This product is toxic to fish and aquatic invertebrates. To protect the environment, do not allow pesticide to enter or runoff 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. This product is highly toxic to bees..."

5. On page 1 in the bulleted list of claims, delete the following claim because no data were submitted to support an efficacy duration for up to six months on Argentine Ants:

“[Keeps killing] [Kills] [Controls] Argentine Ants for up to 6 months.”

6. On page 2 under the Directions for Use, include the size of the area that one container of product can treat.

7. On page 2 in the Directions for Use, delete the struck out text because no data were submitted to support an efficacy duration for up to six months on Argentine Ants:

“2) its residual action keeps on killing **German Cockroaches** and **Houseflies** for up to 12 weeks (3 months) and ~~Argentine Ants~~ for up to 6 months after you spray.”

8. Per the Product Performance review, delete the following statement from page 3 under Bedbugs, because the submitted data do not support this use:

“Lightly spray mattresses, especially tufts, folds, and edges.”

If you have any questions regarding this action, please contact Rosanna Louie-Juzwiak at (703) 308-0037.

Sincerely,



Mark Suarez
Product Manager 13, Insecticide Branch
Registration Division (7504P)

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UltraTec® DS 205 INSECTICIDE

- For Household And Domestic Use Only
- [Water-Based Formula]
- Residual Killing Action
- Kills Carbamate And Organophosphate Resistant Cockroaches
- Kills Ants & Roaches On Contact
- Kills Carpenter Ants
- Controls Scorpions, Spiders & Ticks
- Fast Knockdown Formula
- Long-Lasting Control
- For Indoor/Outdoor Use
- Kills Fleas-Roaches-Ants-Spiders
- Kills On Contact
- Broad Spectrum Insect Control
- No Unpleasant Odor
- Won't Stain Carpets And Floors
- Protects Against [Controls] German Cockroaches And Houseflies For Up To 12 Weeks [3 Months]
- Keeps On Killing German Cockroaches And Houseflies For Up To 12 Weeks [3 Months]
- Sprays At Any Angle
- Kills Spiders [Black Widow, Brown Recluse and Hobo Spiders]
- [Keeps killing] [Kills] [Controls] Argentine Ants for up to 6 months]
- Keeps On Killing [Controls] Carpenter Ants for Up to 4 Weeks [1 month]
- Kills Ants [Red Imported Fire Ants, Pharaoh Ants, Carpenter Ants]
- Kills [Asian Lady [bird] Beetles [Lady Bugs]
- Kills Asian Lady bugs on contact
- Kills Bedbugs
- Kills By Contact]

ACTIVE INGREDIENTS:

S-Bioallethrin.....0.05 %

Deltamethrin0.02 %

OTHER INGREDIENTS*:..... 99.93 %

100.00 %

*Contains petroleum distillate.

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. 73049-177

EPA EST NO.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Side Panel for Additional Precautions

NET CONTENTS:

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

APR 15 2011

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended for the pesticide
registered under EPA Reg. No.
73049-177**

FIRST AID	
If Swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting <u>unless told</u> to do so by a poison control center or doctor. • Do not give <u>any</u> 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. In case of <i>Medical</i> 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.	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating drinking, chewing gum or using tobacco.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean water mark. Do not apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash waters. 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 it to drift to blooming crops or weeds if bees are visiting the treatment area.

Physical or Chemical Hazards

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. Do not apply this product in or on electrical equipment due to the possibility of shock hazard.

DIRECTIONS FOR USE

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

UltraTec DS 205 works in two ways:

- 1) it kills bugs fast on contact; and
- 2) its residual action keeps on killing *German Cockroaches* and *Houseflies* for up to 12 weeks (3 months) and *Argentine Ants* for up to 6 months after you spray. Contact kill gives you immediate results when spraying insects directly and residual action kills insects that return to the treated area.

Use Restrictions:

- 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 apply as a space spray. Apply to surfaces only. Surface spray uses are limited to spot treatments only. Broadcast surface applications are prohibited.
- Spray until surface is slightly wet but not to the point of run-off. Over application may cause damage.
- Remove pets, birds and cover fish aquariums before spraying.
- Cover all food handling surfaces and cover or remove all food and cooking utensils or wash thoroughly after treatment. Exposed food should be covered or removed.

- 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.

Outdoor Application Restrictions:

- Outdoor uses are limited to spot treatment only. Broadcast applications are prohibited.
- Do not water the treated area to the point of run-off.
- Do not make applications during rain.
- Do not contaminate fish ponds or apply directly to water.
- Do not use on edible crops.

SHAKE WELL BEFORE EACH USE. Hold container upright. Remove protective cap and direct spray away from face. Hold can 12-15 inches from surface being sprayed. Press button down and spray as directed.

Test product in an inconspicuous area before applying. Will not stain surfaces or fabrics where water alone causes no damage.

UltraTec DS 205 insecticide is intended for use in and around residential structures and their immediate surroundings. Permitted areas of use include: apartments, atriums, attics, automobiles, basements, bathrooms, boats, cabins, campers, carports, cat sleeping quarters, clothes storage, condominiums, decks, dens, driveways, garages, gazebos, homes, kitchens, lanais, living rooms, parlors, patios, pet sleeping areas, play rooms, porches, recreational vehicles, rooms, solariums, storage areas, sun rooms, utility rooms and verandas.

INDOORS:

Cockroaches (Including Adult and Immature Stages of Both Non-Resistant and Organophosphate and Carbamate Resistant Strains), Ants [Argentine, Carpenter, Fire and Pharaoh Ants], Asian Lady Bird Beetles (Lady Bugs), Spiders [Hobo, Black Widow and Brown Recluse Spiders], Booklice, Boxelder Bugs, Centipedes, Crickets, Dermestids, Firebrats, Fleas, Palmetto Bugs, Silverfish, Sowbugs, Ticks and Waterbugs: Apply as a spot and crack & crevice treatment to areas where these pests crawl and hide, especially in hidden areas around sinks and storage areas, behind baseboards, around doors and windows, behind and under refrigerators, cabinets, sinks and stoves, the underside of shelves, drawers, bookcases, and similar areas. When pests are driven out, spray directly. Repeat as necessary but not more than once per week.

[**Roaches:** Spray in cracks and crevices, around baseboards and other hiding places until wet. When driven out, spray bugs directly.]

To kill Ants (including Argentine, Pharaoh, Carpenter and Fire Ants): Spray ant trails and around doors and windows and other places where ants enter the house. Repeat as necessary but not more than once per week.

Carpenter Ants: For effective control, locate and treat nests and surrounding areas. Apply around doors and windows and other places where ants enter premises and where they crawl and hide. Spray into infested wood through existing openings.

Ticks and Fleas ON SURFACES: Remove pet bedding and destroy or clean thoroughly. Spray pet resting quarters. Adult fleas and larvae contacted by spray will be killed. Put fresh bedding down once spray has dried. Do not spray animals directly. For best results, pets should be treated with an appropriate flea and/or tick control product registered for use on pets before allowing them to return to the treated area. Spray rugs and carpets where infestations are bad. Delicate fabrics should be tested for staining in an inconspicuous area prior to use.

Spiders [Black Widow, Brown Recluse and Hobo Spiders]: Apply along and behind baseboards, to window and door frames, corners, pipes, storage localities, attics, crawl spaces and other areas where these pests are found. Spray spiders directly for best results.

Bedbugs: Remove and wash linens. Lightly spray mattresses, especially tufts, folds and edges. Take bed apart and spray into all joints. Treat baseboards, moldings and floors. Apply to the interior of the frame. Allow all articles to dry before remaking bed.

Asian Lady Bird Beetles (Lady bugs): Spray areas where bugs crawl or are rest, around doors, windows and areas where insects can enter the home.

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Centipedes, Ground Beetles, Pillbugs, Sowbugs, Scorpions and Ticks: Apply around doors and windows and other places where these pests may enter premises. Treat baseboards, storage areas and other locations where these pests are found.

[**Silverfish, Crickets, Spiders, Earwigs:** Apply around doors and windows, baseboards, storage areas, pipes and other areas infested by these pests or spray pests directly. Spray surfaces until wet.]

PANTRY PESTS: *Grain Beetles (Rusty, Merchant and Saw-Toothed), Flour Beetles (Red and Confused), Chocolate Moths, Cigarette Beetles, Clover Mites, Cluster Flies, Drugstore Beetles, Elmleaf Beetles, Rice Weevils, Lesser Grain Borers, Spider Beetles and Tobacco Moths:* Treat exposed stages. Remove all food-stuffs, utensils and shelf paper from area to be treated. Discard used shelf paper and any infested foodstuffs. Apply spray to shelves and in cracks and crevices behind and under cupboards and cabinets. Allow spray to dry prior to replacement of shelf paper, food and utensils. Wash any exposed food handling surfaces and utensils before use.

Carpet Beetles (Black, Furniture and Varied): Spray on and under edges of floor coverings, under rugs and furniture and in closets or other localities where these insects are found.

Webbing Clothes Moths: Use this product as a crack and crevice treatment in closets and other storage areas where these pests are found. This is an adjunct treatment and will not control moth larvae already on clothes. Do not apply to clothing.

OUTDOORS:

Point nozzle away from face. Hold can on a slight downward angle, approximately 12 – 15 inches from surface to be sprayed. For best results, spray when air is calm. Spray with wind if breeze is blowing.

PESTS ON OUTSIDE SURFACES OF BUILDINGS: For control of building infestations of *Ants (including Argentine, carpenter, pharaoh and fire ants), Asian lady bird beetles (Lady Bugs), spiders (including Black Widow, Brown Recluse and Hobo spiders), Clover Mites, Crickets and Sowbugs (Pillbugs).* Apply as a residual spot and crack & crevice treatment where insects are active and tend to congregate. Test spray a small area first to check for staining. Spray areas include foundations, screens, window frames, eaves, porches, patios, garages and refuse dumps. Repeat treatment as necessary, but not more than once per week.

CRAWLING INSECTS: *Ants (Including Fire, Pharaoh, Carpenter, Argentine Ants), Cockroaches (Including Asian Cockroaches), Centipedes, Crickets, Mole Crickets, Waterbug, Spiders (including Black Widow, Brown Recluse and Hobo Spiders), Asian Lady Bird Beetles (Lady Bugs), and Silverfish.* Hold can 12 to 18 inches from surface to be treated and spray infested surface of patio or picnic area, hitting as many insects as possible. Apply as a spot and crack & crevice spray to slightly moisten the surface. Also spray legs of tables and chairs to repel ants. Spray ant hills for best control.

Ants [(including Carpenter Pharaoh, Argentine and Fire ants)]: Spray around ant trails and hills. Spray around nests hidden under steps, brickwork, concrete, etc. Break apart accessible nests and spray on and around debris until surface is slightly wet. Repeat as necessary but not more than once per week. This product should not be used to treat fire ant mounds.

[**Ants:** Spray ant trails and hills. If nest can be located, spray surface of nest until wet.]

Lone Star Ticks, Deer Ticks (which may carry Lyme disease), Dog Ticks, Crickets, Fleas and Earwigs: Apply as a spot treatment to infestation in bushes, grass or weeds.

Wasps, Hornets and Bees: Spray nests and bees directly. Aim spray at nest openings. Applications should be made late in the evening when insects are at rest.

FLYING INSECTS: *Houseflies, Gnats, Mosquitoes and Small Flying Moths:* Use only on outdoor surfaces. Spray outside surfaces of window and door frames and other areas where these pests may enter the home. Also spray localized resting areas, such as under eaves, porches, surfaces around light fixtures and cords, railings, etc. where these insects may rest. Insects coming to rest on treated surfaces will be killed.

FOR THE CONTROL OF ORNAMENTAL GARDEN INSECTS: For use on roses, dahlias, asters and other ornamentals to kill *Japanese Beetles* hit by spray, as well as *Whiteflies*, *Aphids*, *Armyworms*, *Lace Bugs*, *Mealy Bugs*, *Exposed Thrips*, *Pavement Ants*, *Spiders*, *Spider* and *Red Mites*, *Clover Mites* and *Leafminers*.

May be used on plants, as well as a multi-purpose spray in small ornamental gardens and for spot treatments of incipient insect infestations to prevent spreading in large garden areas.

May also be used on other plants such as African violets, asters, azaleas, begonias, camellias, carnations, chrysanthemums, delphiniums, dogwood, English ivy, euonymus, fuschia, geraniums, crassula, grape vine, Kentia palm, laurel, marigolds, rhododendrons, rubber plants, snapdragons, stocks, wandering Jews and zinnias.

When spraying plants, do not operate closer than 18 inches. Use sweeping motion. Spray in one second bursts. Be cautious about wetting tender foliage, young plants and new growth. Do not spray plants when temperatures exceed 90°F. Over application may cause damage. Spray insects directly whenever possible. Repeat treatment as necessary but not more than once per week.

STORAGE AND DISPOSAL

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

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.

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[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.]

[Or alternate text

Notice: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.]

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Valent BioSciences Corporation

Environmental Science Division

870 Technology Way

Libertyville, IL 60048

List No. 73049177

02-0687/R4

Additional Alternate Front Panel Bullets:

- *[Contains UltraTec® Insecticide and Esbiol® Insecticide*
- *Contains Deltamethrin And S-Bioallethrin*
- *Water-Based*
- *Kills Hidden Bugs*
- *Kills Bugs You See And Even The Ones You Don't See*
- *Highly Effective Against Ants [(including Carpenter, Pharaoh and Fire Ants)], Asian Lady [Bird] Beetles (Asian Lady Bugs), Bees, Cat Fleas, Carpet Beetles, Centipedes, Cockroaches, Crickets, Firebrats, Fleas, Flour Beetles, Grain Beetles, Ground Beetles, Mole Crickets, Moths, Pillbugs, Scorpions, Silverfish, Sowbugs, Spiders [(including Black Widow, Brown Recluse and Hobo Spiders)], Ticks and Many Other Crawling Insects In and Around Homes, Recreational Vehicles, Cabins, Tents And Other Recreational Structures*
- *No Oily Residue*
- *No Greasy Residue - Non-Staining*
- *Keeps On Killing*
- *Contains No CFC's Or Other Ozone Depleting Substances. Federal Regulations Prohibit CFC Propellants In Aerosols*
- *Guard Your Home With UltraTec*

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