

73049-186

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUN 30 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Nasser Assaf, Ph.D.
Valent BioSciences Corporation
870 Technology Way, Suite 100
Libertyville, IL 60048

Subject: Label Amendment – Add Kill Claims for Public Health Pests

UltraTec® HPC 1
EPA Reg. No. 73049-186
Your Submissions Dated October 8, 2008 and April 14, 2009

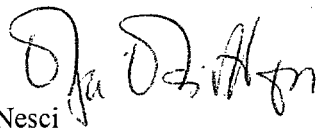
Dear Dr. Assaf:

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 listed 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. We reviewed your response to our February 10, 2009 assessment of the efficacy data submitted to support the subject label amendment. The submitted data do not support the proposed kill claims against public health pests. The following label changes are required:
 - Revise the marketing claim "*Kills spiders (including black widow, Brown recluse...hobo...) Flies ...*" to read, "*Kills spiders (excluding black widow and brown recluse spiders, Flies...*" Add this disclaimer (*excluding black widow...*) after all references to spiders.
 - Delete all references to bed bugs from the label.
2. Kill claims for "flies" and "wasps" may remain as is.
3. Kill claims for Mediterranean paper wasps and black flies may be added.

Please refer to the enclosed efficacy review (Myers; June 5, 2009) for details. If you have any questions regarding this action, please contact Olga Odiott at (703) 308-9369.

Sincerely,


Kimberly Nesci
Interim Product Manager (13)
Insecticide Branch
Registration Division (7505P)

Enclosure

UltraTec® HPC 1

- *For Indoor and Outdoor Use*
- *Ready-To-Use*
- *Easy-To-Use*
- *Water-Based*
- *Kills On Contact*
- *Kills Fast*
- *Keeps Killing German Cockroaches For Up To 4 Months*
- *Keeps Killing Fleas & Deer Ticks For Up To 4 Weeks*
- *Keeps Killing Flies & Mosquitoes For Up To 4 Weeks*
- *No Drips - No Runs*
- *Stays Where You Put It*
- *Odorless*
- *Non-Staining*
- *Does Not Stain Surfaces*
- *Does Not Stain Fabrics*
- *No Oily [Greasy] Residue*
- *No Shaking Required*
- *No Shake Formula*
- *No Drip Formula*
- *For Use In And Around Horse Stables*
- *For Use On House Plants*
- *For Use On Ornamental Plants*
- *Kills Fleas & Ticks*
- *Kills Home Invading Pests*
- *Kills Spiders (including black widow, brown (recluse or violin) hobo or funnel web spider), Flies, Wasps, bedbugs, Centipedes And Scorpions*
- *Kills Bedbugs*
- *Kills Roaches, Ants And Fleas on Contact*
- *Kills Pantry Pests*
- *Kills Plant Pests*
- *Kills Aphids, Mealy Bugs, Lace Bugs, Thrips, Leafminers And Mites*
- *Kills Spider Mites*
- *Kills Japanese Beetles*
- *Not For Use On Plants Grown For Sale Or Other Commercial Use*

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ACCEPTED
with COMMENTS
In EPA Letter Dated
JUN 30 2009
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
73049-186

ACTIVE INGREDIENT:

Deltamethrin..... 0.01%

OTHER INGREDIENTS:..... 99.99%

100.00%

PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicado 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.: 73049-186

EPA Est. No.:

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Side Panel for Additional Precautions

NET CONTENTS:

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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.

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION

Contact with product may result in transient tingling and reddening of the skin. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling.

Environmental Hazards

This product is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of washwater or rinsate.

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

Do not apply this product in or on electrical equipment due to 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.

General Information: Hold container upright. Do not spray up into air. Apply to surfaces only as a spot and crack & crevice treatment. Turn sprayer nozzle to "on" position. Hold approximately 12 inches from surface to be sprayed. Squeeze trigger to spray until surface is slightly moist, but not to the point of runoff (approximately 4 squirts per square foot of surface). This formulation is non-staining on surfaces where water alone does not stain. However, when treating delicate fabrics or high value items, first test in an inconspicuous area and allow to dry.

Ultratec HPC 1 keeps on killing *German Cockroaches* for up to 4 months after you spray. Keeps killing Fleas, Deer Ticks, Flies and Mosquitoes for up to 4 weeks [30 days; 1 month] after you spray. Contact kill gives you immediate results when spraying insects directly.

Ultratec HPC 1 is intended to be used in and around residences and their immediate surroundings such as: *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 verandahs*. Do not use in commercial food handling establishments, restaurants or other places where food is commercially prepared or processed.

INDOORS:

Cockroaches, Ants, 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. 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. Repeat as necessary but not more than once per week.

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 (Including Ticks That May Cause Lyme Disease) and Fleas ON SURFACES: Remove pet bedding and destoy 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.

Bedbugs: Remove linens and wash before reuse. Lightly spray mattresses, especially tufts, folds and edges. Apply to the interior of the frame. Allow to dry before remaking bed.

Spiders: Apply along and behind baseboards, to window and door frames, corners, pipes, storage localities, attics, crawl spaces and other areas over which these pests may crawl.

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.

FLYING INSECTS: Flies, Gnats, Mosquitoes and Small Flying Moths: Spray localized resting areas, such as under eaves, porches, inside surfaces of window and door frames, surfaces around light fixtures and cords, railings, etc. and anywhere these insects may rest. Insects coming to rest on treated surfaces will be killed.

HORSE STABLES: To Control *Flies, Mosquitoes and Gnats.* Apply thoroughly to surfaces until wet. Insects coming to rest on treated surfaces will be killed or repelled. Repeat treatment as necessary but not more than once per week. Do not spray animals or humans, or apply to animal feed or watering equipment.

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 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.

Also, treat your yard with a product registered for yard application.

OUTDOORS:

For outdoor use only as an aid in controlling these insects.

Point sprayer away from face. Hold sprayer on a slight downward angle, approximately 12 inches from surface to be sprayed. Spray with wind if breeze is blowing. Do not contaminate fish ponds or apply directly to water.

PESTS ON OUTSIDE SURFACES OF BUILDINGS: For control of building infestation to *Ants, Clover Mites, Crickets and Sowbugs (Pillbugs).* Spray foundation of building where insects are active and may find entrance up to a height of 2 to 3 feet. Apply to outside surfaces of buildings where insects tend to congregate. Spray areas include (but are not limited to) screens, window frames, eaves, porches, patios, garages and refuse dumps. Repeat treatment as necessary but not more than once per week.

CRAWLING INSECTS: Ants, Cockroaches (Including Asian Cockroaches), Centipedes, Crickets, Mole Crickets, Waterbugs and Silverfish. Spray infested surface of patio or picnic area. Also spray legs of tables and chairs.

Ants: Spray ant trails and hills. Spray around nests hidden under steps, brickwork, concrete, etc. Break apart accessible nests and spray on and around debris until slightly wet. Repeat as necessary but not more than once per week.

Lone Star Ticks, Deer Ticks, Crickets and Fleas: Apply to infestations in bushes, grass or weeds until surfaces are slightly wet. Do not allow dripping or run-off to occur.

Wasps, Hornets, Yellow Jackets and Bees: Spray nests and other surfaces where bees may rest. Airy spray at nest openings. Applications should be made late in the evening when insects are at rest.

FLYING INSECTS: Flies, Gnats, Mosquitoes and Small Flying Moths: 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,

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porches, surfaces around light fixtures and cords, railings, etc. where these insects may rest. Insects coming to rest on treated surfaces will be killed.

Termites, Carpenter Ants and Carpenter Bees: (for localized control only). Apply UltraTec HPC 1 to voids or channels in damaged wood of a structure, or to cracks, crevices and spaces in and between wooden portions of a structure or between wood and the foundation, in locations vulnerable to attack such as crawl spaces. Retreat if needed but not more than once per week.

For **Termites**, the purpose of such applications is to kill workers or winged forms which may be present in the treated areas at the time of application. Not recommended as sole protection against termites. For active infestations, get a professional inspection. Such applications are not a substitute for mechanical alteration, soil treatment or foundation treatment but are merely a supplement. For active termite infestation, contact a professional pest control operator in your area.

HOUSE PLANTS: To control **Aphids, Japanese Beetles, Lace Bugs, Leafminers, Mealy Bugs, Mites and Spider Mites** on house plants. Prior to spraying, remove plants from living and eating areas. Put in an area not likely to come in contact with pets, children or food. Plants can be returned to original location when leaves dry. If plants cannot be moved, cover or remove exposed food and food handling surfaces. Avoid spraying surrounding areas.

Apply spray to upper and lower surfaces of foliage. Avoid wetting blossoms if possible. Repeat applications as necessary but not more than once per week.

FOR 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 to prevent insects from spreading into 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. Be cautious about wetting tender foliage, young plants and new growth. Do not spray plants when temperatures exceed 90°F. DO NOT apply to vegetable plants or other plants used for food. 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 children.

Container Disposal: Non-refillable container. **If empty:** Do not reuse or refill this container. Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency [or 1-877-315-9819] for disposal instructions. Never place unused product down any indoor or outdoor drain.

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.

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