



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

APR 5 2007

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

Subject: Alternate Confidential Statement of Formula (CSF)
Removal of Residual Claim for Fleas from the Label

UltraTec® HPC 3
EPA Reg. No. 73049-187
Your Submission Dated October 31, 2006

Dear Dr. Assaf:

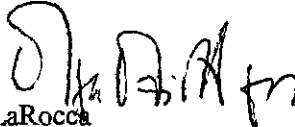
We have no objection to the use of the alternate formulation dated October 31, 2006 as requested in your letter of the same date. The amendment has been inserted in the file for the subject product.

The amended label referred to above is acceptable subject to the comments listed below. Please submit two (2) copies of the revised labeling. A stamped copy of the label is enclosed for your records.

1. Under Conditions revise the first sentence as follows: "The *directions for use of this product...should must be followed carefully.*"
2. Under Disclaimer of Warranties and Limitations of Liability add "To the extent consistent with applicable law" in front of:
 - o "Valent BioSciences Corporation makes no other warranties..."
 - o "Valent BioSciences Corporation disclaims any liability whatsoever..."
 - o "The exclusive remedy of the user or buyer for..."

If you have any questions regarding this action, please contact Olga Odiott of my team at (703) 308-9369.

Sincerely,


George T. LaRocca
Product Manager (13)
Insecticide Branch
Registration Division (7505P)

Enclosure

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ULTRATEC® HPC 3

- *[For Indoor And Outdoor Use*
- *Ready-To-Use*
- *Easy-To-Use*
- *Water-Based*
- *Kills On Contact*
- *Kills Fast*
- *Long-Lasting*
- *Keeps Killing Carpenter Ants For Up To 1 Month [4 Weeks] When Applied To Non-Porous Surfaces*
- *Keeps Killing Pharaoh Ants, Crazy Ants And Fire Ants For Up To 1 Week*
- *Keeps Killing German Cockroaches For Up To 12 Months [1 Year, 52 Weeks]*
- *Kills Fleas*
- *Kills Mosquitoes*
- *Keeps Killing Flies For Up To 5 Months [20 Weeks]*
- *Odorless*
- *Non-Staining*
- *No Oily [Greasy] Residue*
- *For Use In and Around Horse Stables*
- *Keeps Killing Stable Flies For Up To 18 Weeks [4.5 Months, 135 Days]*
- *For Use On House Plants*
- *For Use On Ornamental Plants*
- *Kills Fleas & Ticks*
- *Kills Home Invading Pests*
- *Kills Spiders, Centipedes And Scorpions*
- *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*
- *Also Controls Termites, Carpenter Ants & Carpenter Bees*
- *Controls Ticks That May Transmit Lyme Disease]*

ACCEPTED
with COMMENTS
In EPA Letter Dated
APR 5 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
7-3049-187

ACTIVE INGREDIENT:	
Deltamethrin	0.03%
OTHER INGREDIENTS:	99.97%
	<u>100.00%</u>

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.: 73049-187

EPA Est. No.:

KEEP OUT OF REACH OF CHILDREN
CAUTION
See Side Panel for Additional Precautions

NET CONTENTS:

Environmental

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 and before eating, drinking, chewing gum, or using tobacco.

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. Over application may cause damage. Test in an inconspicuous area before applying.

Do not allow children or pets to contact treated surfaces until spray has dried.

UltraTec HPC's long-lasting action keeps on killing **German Cockroaches** for up to 12 months [1 year] and **Flies** for up to 150 days [20 weeks; 5 months] after you spray. More frequent applications may be necessary on concrete surfaces. Check these areas in 4 weeks and retreat if insect activity continues. Contact kill gives you immediate results when spraying insects directly, while residual activity kills insects when they return to treated areas.

UltraTec HPC is intended to be used in and around residences and their immediate surroundings such as (but not limited to): 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. Do not use in commercial food handling establishments, restaurants or other places where food is commercially prepared or processed.

INDOORS:

Cockroaches (Including Adult And Immature Stages Of Both Non-Resistant And Organophosphate And Carbamate Resistant Strains), 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.

[**Roaches:** Spray in cracks and crevices, around baseboards and other hiding places.]

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 Deer Ticks Which May Transmit Lyme Disease)] 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: 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.

[**Silverfish, Crickets, Spiders:** Apply to areas infested by these pests.]

FLYING INSECTS: Houseflies, 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.

[**FLYING INSECTS:** Spray resting areas. Insects coming to rest on treated surfaces will be killed.]

HORSE STABLES: To Control **Stable Flies, Horn Flies, Houseflies, Face Flies, Horse Flies, Deer 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.

Bedbugs and Lice: 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.

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

OUTDOORS:

Remove all exposed food and cooking utensils. Cover all food handling surfaces or wash thoroughly after treatment and before use. Do not use on edible crops.

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. Hold can 12 to 18 inches from surface to be treated and spray in infested surface of patio or picnic areas, hitting as many insects as possible. Spray to slightly moisten the surface. Spray infested surface of patio or picnic area. Also spray legs of tables and chairs.

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

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

Lone Star Ticks, Dog Ticks, Crickets and Fleas: Apply thoroughly to infestation in bushes, grass or weeds.

Wasps, Hornets, Yellow Jackets and Bees: Spray nests and other surfaces where bees may rest. 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: 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.

Environment

Termites, Carpenter Ants and Carpenter Bees: (for localized control only) Apply UltraTec HPC 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.

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 severe 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.**

Not For use on plants grown for sale or other commercial use

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. Over application may cause damage. **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 [inaccessible to] children and pets and away from heat, sparks and open flame. [Protect from freezing.] [Store above 32°F.] [Do not transport or store below 32°F (0°C)]. If freezing occurs, allow product to thaw and shake well before using [use]. [Some product separation may occur on freezing which is reversible on shaking]. Freezing does not adversely affect [this product] [performance].

Container Disposal: If empty: Do not reuse this container. 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. 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 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.

Environmental Science

Ultra Tec is a registered trademark of the Valent BioSciences Corporation.

Alternate front panel bullets:

- *No Drips - No Runs*
- *Stays Where You Put It*
- *Does Not Stain Surfaces*
- *Does Not Stain Fabrics*
- *No Shaking Required*
- *No Shake Formula*
- *No Drip Formula*

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

Environmental Sciences

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Environmental Sciences Division
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02-0652/R5