



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

AUG 2 2004

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Janice K. Sharp, Ph.D.
Valent BioSciences™ Corporation
870 Technology Way, Suite 100
Libertyville, IL 60048

Subject: Label Amendment to Update First Aid Statements (PR Notice 2001-1)

EPA Reg. No. 73049-312
PYRAPERM® (0.50-5.00) Dust Concentrate

Your Submission Dated April 9, 2004

Dear Dr. Sharp:

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. Under Disclaimer of Warranties revise the statement beginning with: "*Valent BioSciences Corporation disclaims any liability whatsoever...*" to read: "*To the extent permitted by law Valent BioSciences Corporation disclaims any liability whatsoever...*" or "*It is Valent BioSciences Corporation intention that in no case shall Valent BioSciences Corporation be liable...*" As currently written the statement negates and/or detracts from labeling requirements as set forth by the Agency in 40 CFR Part 156, and is, therefore, considered misbranding.
2. Delete "*Not for resale under this label*". This statement is unacceptable since it conflicts with a registrant's rights under the Formulators Exemption (40CFR § 152.85).

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

Sincerely,



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

Enclosure

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION: Harmful if inhaled, swallowed or absorbed through skin. Causes moderate eye irritation. Avoid breathing dust. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

Environmental Hazards

This product is extremely toxic to fish and aquatic organisms. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or public waters unless this product is specifically identified and addressed in an NPDES permit. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

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

FOR FORMULATING USE ONLY.

Formulators using this product are responsible for obtaining an EPA registration for their products.

Only for Formulation Into An Insecticide For The Following Uses: Domestic Indoor (Household), Domestic Outdoor (Household/Lawn & Garden), Commercial Industrial Use, Treatment of Animals (Livestock & Pets).

STORAGE AND DISPOSAL

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

Pesticide Storage And Spill Procedures: Store upright at room temperature. Keep away from moisture. Sweep up and dispose of with chemical waste.

Pesticide Disposal: Pesticide that cannot be used according to label instructions must be disposed of at or by an approved waste disposal facility.

Container Disposal: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If drum is contaminated and cannot be reused, dispose of in same manner.

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.

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