73049-312 8/2/2094 Page 134



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.
- 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).

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

PYRAPERM®

(0.50-5.00) DUST CONCENTRATE

- AN INSECTICIDE CONCENTRATE FOR FORMULATING/MANUFACTURING USE ONLY
- · Not For Resale Under This Label

ACTIVE INGREDIENTS:

Pyrethrins	0.50%
Piperonyl Butoxide*	
Permethrin**	
OTHER INGREDIENTS***:	
	100.00%

^{*}Equivalent to 4.0% (butylcarbityl)(6-propylpiperonyl)ether and 1.0% related compounds .

PRECAUCION AL USARIO: 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. 73049-312

EPA EST. NO.

KEEP OUT OF REACH OF CHILDREN CAUTION

	FIRST AID
If swallowed:	Immediately call a poison control center or doctor.
	Do not induce vomiting unless told to do so by the poison control center or doctor.
	Do not give any liquid to the person.
	Do not give anything by mouth to an unconscious person.
<u>lf inhaled:</u>	Move person to fresh air
	If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
	Call a poison control center or doctor for further treatment advice.
lf on skin or	Take off contaminated clothing.
<u>clothing:</u>	Rinse skin immediately with plenty of water for 15-20 minutes.
	Call a poison control center or doctor for treatment advice.
If in eyes:	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.
	HOT LINE NUMBER
Have the produ	ct container or label with you when calling a poison control center or doctor or going for
treatment. In ca	ase of medical emergencies or health and safety inquiries or in case of fire, leaking or
damaged conta	iners, information may be obtained by calling 1-877-315-9819.
	NOTE TO PHYSICIAN
Contains petrol	eum distillate – vomiting may cause aspiration pneumonia.

See Rear Panel For Additional Precautionary Statements

With COMMENTS
In EPA Letter Dated
AUG 2 104
Under the Federal insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
73049 - 3/2

NET CONTENTS:

^{**}cis/trans ratio: max. 55% (+/-) cis and min. 45% (+/-) trans.

^{***}Contains Petroleum Distillates

4 8 4

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.

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.

©Valent BioSciences Corporation, 2002

PyraPerm is a registered trademark of Valent BioSciences Corporation.

Valent BioSciences Corporation Environmental Science Division 870 Technology Way Libertyville, IL 60048 List No. 73049312 02-0291/R1