73049-369

6/27/2003 e 128

JUN 27 2003

Ms. Janice K. Sharp, Ph.D. Regulatory Manager, ESD VALENT BIOSCIENCES CORPORATION 870 Technology Way Libertyville, IL 60048

Dear Dr. Sharp:

This is in response to your request dated May 28, 2003 to change the primary brand name for EPA Registration 73049-369 from InterCept H&G Ready-To-Use Insect Control to:

## PERMANONE 0.2% RTU H & G INSECT CONTROL

Your request for the name change is accepted and the change will be made to the Agency's records. All future correspondence on this product should reference the new name.

Sincerely yours,

/s/

Sherada D. Hobgood Notifications Review Coordinator Registration Division (7505C)

Performance is a product Number     Product Number     Product Number     Application Agency     Product Meeser     Application for Pesticide - Section I     CompanyProduct Number     T3049-369     CompanyProduct Number     CompanyPr	Please read instructions on I	everse before complet	ina form.		Form Apr	roved	. OMB No. 20	70-006	2 2 8 D. Approvel expires 2-28-95
	\$EPA	Environmental	Protectio				Registrat Amendm	ion	
73049-369       George LaRocca       None       Restricted         4. Company/Product Name)       InterCept H8.C Ready-To-Use Insect Control       Name       13         5. Name and Address of Applicant (Include 21P Code)       Valent BS/Cences Corporation       13       Impact Company (Include 21P Code)         870 Technology Way, Suite 100       Libertyville, Lib God3       Product Name       NOTIFICATION         ELDertyville, Lib God4       Check if this is a new address       Product Name       JUN 2 7 2003         Product Name       JUN 2 7 2003       Product Name         Amendment - Explain below.       Final printed labels in regeonse to Agency later dated       Motification - Explain below.         Explanation: Use additional pagele) if messaary. (For section 1 and Section 11)       This notification is considerint with the providence in demoker and a diffication of 10 U.S.C. Sec. 1001 to williuly make any fates datement to EPA Allows.         EXplanation: Use additional pagele) if messaary. (For section 1 and Section 11)       This notification is not considered with the tarms of FPA Nobe 80-10 and 0 CFR 152-48, and no other changes have been made to the Ibeling of the content at a fill in avidication is not considered with the tarms of FPA Nobe 80-10 and 0 CFR 152-48, inthe product may be in vidication of EPA Nobe 80-10 and 0 CFR 152-48, inthe product may be in vidication of EPA Nobe 80-10 and 0 CFR 152-48, inthe product may be in vidication of EPA Nobe 80-10 and 0 CFR 152-48, inthe product may be in vidication of EPA Nobe 80-10 and 0 CFR 152-48, inthe product may be in vidication o			Applicatio	on for Pest	icide - Sect	tion	1		
4. Company/Froduct Name InterCept H&G Ready-To-Use Insect Control  5. Name and Address of Applicant (Incident 20/P Gode) Valent BioSciences Corporation BYO Technology Way, Suite 100 Libertyville, IL 60048  Context if this is a new address Product Name Product Name Product Name UNX 2 7 2003 Product Name UXX 2 7 2003 Product Name Context address of Application. If an endment - Explain below. Beeubmassion in response to Agency latter dated Other - Explain below. Beeubmassion in response to Agency latter dated Other - Explain below. Beeubmassion in response to Agency latter dated Other - Explain below. Beeubmassion in response to Agency latter dated Other - Explain below. Beeubmassion in response to Agency latter dated Difference of the Section 1 II This notification is consistent with the provisions of PR Notice 98-10 and EPA explaination of 18/D-246, and no other changes have been made to the labeling of the Contention and the Intercomment addre and pandites under actions 12 and 14 or IFRA. NOTIFICATION OF CHANGE OF DEIMARY BRAND NAME TO: Permanene 02% BTU H & G Insect Control PER Application and pandites under actions 12 and 14 or IFRA. NOTIFICATION OF CHANGE OF DEIMARY BRAND NAME TO: Permanene 02% BTU H & G Insect Control PER PER NOTICE 98-10 NOTIFICATION OF CHANGE OF DEIMARY BRAND NAME TO: Permanene 02% BTU H & G Insect Control PER PER NOTICE 98-10 Section - III 1. Material This Product Will Be Peckeged In: Chaid-Resistant Packaging Urit Packaging	1. Company/Product Numbe			2. E		-			, ,
Valent BioSciences Corporation 870 Technology Way, Suite 100       Ibili, my product is similar or dentical in carposition and labeling 000 Technology Way. Suite 100         Dibertyville, IL 60048       Dibertyville, IL 60048       NOTIFICATION         Check if this is a new address       JUN 2 7 2003         Product Name       Other - Explain balow.         Explanation: Use additional pospion 10 Noteo 50-10 and 0CFH 152-46, and no other			nsect Contro			<u> </u>			None Kestricted
Section - II         Amendment - Explain below.       Final printed labels in repeonse to Agency letter datad       Print of Application.         Image: Im	Valent BioSciences C 870 Technology Way, Libertyville, IL 60048	orporation Suite 100	de)	(b)(i to: EP/	), my product i A Reg. No	s sim	ilar or identic NOTIF	al in con ICATIC	mposition and labeling
Amendment - Explain below.       Final printed labels in repronse to Agency letter dated         Pesubmission in response to Agency letter dated       "Me Too" Application.         Notification - Explain below.       Other - Explain below.         Explanation: Use additional page(s) if necessary. (For section I and Section II.)       This notification is consistent with the provisions of PR Notice 96-10 and EPA regulations at 40 CPR 152-46, and no other changes have been made to the labeling or the confidential statement of formula of this product. Understand that it as violation of 10 U.S.C. Sec. 1001 to willfully make any labe statement to EPA. Fightwork under stand half this notification is not consistent with the terms of PR Notice 89-10 and 40 CPR 152-46, and no other changes have been made to the labeling or the confidential statement action and penalities under sections 12 and 14 of PFR Notice 29-10         NOTIFICATION OF CHANGE OF <u>PEIMARY BRAND NAME TO: Permanong 0.2% RTU H &amp; Gipsed Control PER PR NOTICE 98-10         Section - III         1. Material This Product Will Be Packaging       Water Soluble Packaging       2. Type of Container         Ves       No       No. Der       Pear         No       No. Der       Pression       Pression         2. Location of Net Contents Information       4. Size(s) Retail Container       5. Location of Lebel Direotione         4. Size(s) Retail Container       Section - IV       1. Container       1. Size(s) Retail Container         1. Location of Net Contents Information       4. Size(s) Retail </u>									
Yes       No       Yes       Metal         No       No       No       Plastic         ' Certification must be submitted       If "Yes" Unit Packaging wgt.       No. per Package wgt       No. per Package wgt       No. per Container         3. Location of Net Contents Information       4. Size(s) Reteil Container       5. Location of Label Directions         Label       Container       Container         6. Manner in Which Label is Affixed to Product       Lithograph Paper glued       Other         Section - IV       1. Contact Point (Complete items directly below for identification of individuel to be contacted, if necessary, to process this application.]         Name       Trite       Telephone No. (Include Area Code) (847) 968-4844         Certification       I certify that the statements I have made on this form and all attachments thereto are true, acourate and campite I acknowledge that any knowlingily faise or misleading statement may be punishable by fine or imprisonmest of : both under applicable law.       6: Oate Application Received         2. Signature       3. Title          4. Typed Nmé       5. Date       May 28, 2003	Resubmission in resp Notification - Explain Explanation: Use addition This notification is consistent labeling or the confidential st to EPA. I further understand FIFRA and I may be subject to NOTIFICATION OF CHANGE	onse to Agency letter below. al page(s) if necessary with the provisions of P atement of formula of thi that if this notification is to enforcement action ar E OF <u>PRIMARY BRAND</u>	/. (For section R Notice 98-10 is product. I un not consistent nd penalties un	and EPA reguland anderstand that it with the terms of der sections 12 armanone 0.2%	Agency lett "Me Too" A Other - Expl II.) ations at 40 CFR is a violation of 10 of PR Notice 98-10 and 14 of FIFRA. RTU H & G Inser	er data application lain be 152-46 8 U.S.( 0 and 4	ed ation. Now. 3, and no other C. Sec. 1001 to 40 CFR 152.46	changes willfully r , this proc	make any false statement duct may be in violation of
Yes       Yes       Metal         No       No       No       Plastic         * Certification must be submitted       If "Yes" Unit Packaging wgt. Duit Packaging wgt. Section of Net Contents Information       4. Size(s) Retail Container       No. per container       No. per container       No. per container       No. per container       Other (Specify)         3. Location of Net Contents Information       4. Size(s) Retail Container       5. Location of Label Directions         Label       Container       Other       Other         6. Manner in Which Label is Affixed to Product       Piper glued Stencified       Other         Section - IV         1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.]         Name       Title       Telephone No. (Irclude Area Code) (847) 956-4844         1. certify that the statements I have made on this form and all attachments thereto are true, accurate and camplete. I acknowledge that any knowlingly faise or misleading statement may be punishable by fine or imprisonment of or both under applicable lew.       8. Dete Application Recyled         2. Signeture       3. Title           4. Typed Namé       5. Date       May 28, 2003	Child-Resistant Packaging	Unit Packaging		Water Solubi	e Packaging		2. Type of C	ontainer	
be submitted         3. Location of Net Contents Information         4. Size(s) Retail Container         Lebel       Container         6. Menner in Which Label is Affixed to Product       Lithograph Peper glued Stenciled       Other         Section - IV         1. Contact Point /Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)         Name         Janice K. Sharp, Ph.D.         Title         Regulatory Manager, ESD         I certify that the statements I have made on this form and all attachments thereto are true, accurate and camplete         I certify that the statements I have made on this form and all attachments thereto are true, accurate and camplete         I certify that the statements I have made on this form and all attachments thereto are true, accurate and camplete         Signature       3. Title         Regulatory Manager, ESD       ••••••         4. Typed Name       5. Date	Yes No	No If "Yes"		No If "Yes"				Plastic Glass Paper	necify)
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Janice K. Sharp, Ph.D.       Regulatory Manager, ESD       (847) 968-4844         Certification       6. Date Application         1 certify that the statements I have made on this form and all attachments thereto are true, accurate and complete law.       6. Date Application         2. Signature       3. Title          4. Typed Name       5. Date       May 28, 2003	1. Contact Point (Complete	items directly below fo	or identificatio	n of individual t	o be contacted,	if neci	essary, to proc	ess this	application.)
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May 28, 2003	2. Signature				ory Manager, I	ESD	••		• • • • • • • • • •
	V	Sharp, Ph.D.		5. Date	May 28,	200	3		

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

NOTIFICATION

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# Permanone<sup>®</sup> 0.2% RTU H & G Insect Control

• READY-TO-USE.

- IT'S THE LEAST YOU CAN DO FOR YOUR GARDEN.
- EASY TO USE.
- FOR USE ON PLANTS.
- GENTLE TO MOST PLANTS.
- SAFE TO USE ON OVER 60 VARIETIES OF ORNAMENTALS\*.
- FOR CONTROL OF VEGETABLE PESTS.
- CONTROLS MOST ORNAMENTAL PESTS.
- CONTROLS MOST GARDEN INSECT PESTS.
- USE INDOORS AND OUTDOORS.
- FOR USE IN AND AROUND THE HOME.
- FOR CONTROL OF VARIOUS PLANT PESTS.
- FOR PLANT PEST CONTROL.
- WATER-BASED. NO UNPLEASANT ODOR.
- USE AROUND BUILDINGS, HOMES, FLOWER AND VEGETABLE GARDENS, AND ON FRUIT, NUT AND ORNAMENTAL TREES.

\* When Used According to label instructions.

ACTIVE INGREDIENT:	
Permethrin	0.02 %
OTHER INGREDIENTS:	<u>99.98 %</u>
	100.00 %

EPA REG. NO. 73049-369

EPA EST. NO.

#### **KEEP OUT OF REACH OF CHILDREN**

# CAUTION

See Side Panel for Additional Precautionary Statements

Net Contents:

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.

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## PRECAUTIONARY STATEMENTS Hazards to Humans and Domestic Animals

#### CAUTION

Wash thoroughly after handling and before smoking or eating. Avoid contamination of feed and foodstuffs. Remove pets and birds and cover fish aquaria before spraying. Do not use on humans. Do not allow children or pets to contact treated areas until surfaces are dry.

#### **Environmental Hazards**

This product is extremely toxic to fish and aquatic invertebrates. Do not apply directly to water.

#### **DIRECTIONS FOR USE**

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

For use in and around the home. Turn nozzle to spray position, point away from face and squeeze trigger to spray.

#### INDOOR USES

INDOOR PLANTS: Use sufficient spray to obtain full coverage of all foliage. Adjust the amount of spray volume used to the size of the plant(s) being treated.

To protect plants in indoor landscaping - Spray directly on insects to kill *leafrollers, armyworms, cutworms, cabbage worms* on chrysanthemums: *fungus gnats* on velvet plants. Spray as directed above to control *aphids, armyworms, corn earworms, fall cankerworms, inchworms, Japanese beetles, leafminers, leafrollers, mealybugs, scale crawlers, spring cankerworms and exposed thrips* on the following plants.

Ageratum	Lily
Ardisia	Marigold
Aster	Orchid
Azalea	Palm
Baby's breath	Pansy
Begonia	Peperomia
Birds-nest fern	Petunia
Bleeding Heart	Philodendron
Carnation	Piggy-back Plant
Chrysanthemum	Poinsettia
Coleus	Portulaca
Crown of thorns	Pothos
Cockscomb	Prayer Plant
Cyclamen	Purple Passion
Dracaena	Rabbits foot fern
Dumbcane	Rose
English lvy	Schefflera
Fuchsia	Snapdragon
Gladiolus	Snake Plant
Grape Ivy	Statice
Hypoestes	Velvet Plant
Ivy	Verbena
Juniper	Zinnia

If application is made indoors, remove infested plants from living area prior to application. Spray plants in an area not likely to be occupied by children or pets (particularly fish). When leaves dry, plants can be returned to original location.

Use with care on ferns, palms and fuchsia. As with all plants listed above, especially carnations, chrysanthemums and roses, there exists a wide variety of species and cultivars and therefore, a wide variety of susceptibility to injury. To ascertain possible phytotoxicity, spray a few plants as described above, wait 24 hours and check for possible injury.

Repeat applications may be necessary to control citrus blackflies on nonbearing citrus and adult Japanese beetles on roses.

#### OUTDOOR USES

PESTS ON THE OUTDOOR SURFACE OF BUILDINGS: To temporarily control houseflies, mosquitoes, cluster flies, gnats, flying moths. For outdoor use only as an aid in reducing annoyance from these insects. Spray pests on outside surfaces of screens, doors, window frames or wherever these insects may enter the room. Also treat surfaces around light fixtures on porches, in garages, and other places where these insects alight or congregate. Repeat as necessary.

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OUTDOOR ORNAMENTALS: Spray upper and lower leaf surfaces. Use sufficient spray to obtain full coverage of all foliage, but do not spray to the point of runoff. Adjust the amount of spray volume used to the size of the plant(s) being treated. Do not spray plants when temperatures exceed 90°F. Contact insects directly whenever possible. Repeat treatment as needed.

Controls aphids, cicadas, corn earworms, fall cankerworms, inchworms, leafminers, leafrollers, mealybugs, bagworms, spider mites, exposed thrips and whitefly on the following plants:

Ageratum	Gladiolus	Pea Shrub
Arizona Cypress	Gold Bells	Petunia
Aster	Hypocstes	Philodendron
Azalea	Ivy	Poinsettia
Begonia	Lilac	Rhododendron
Coleus	Marigold	Rose
Common Ninebark	Mock Orange	Snapdragon
Common Snowberry	Nannyberry	Taxus Plant
Exacum	Orchid	Weeping Fig
Euonymous	Wax Palm	Zinnia
English Ivy	Pansy	

May also be used on such plants as African violets, carnellias, carnations, chrysanthemums, dahlias, delphiniums, dogwoods, fuschia, geraniums, crassula, grape vines (ornamental), laurels, stocks and wandering Jews.

ORNAMENTAL TREES AROUND THE HOME: Use sufficient spray to obtain full coverage of all foliage. Avoid heavy wetting. Use to control: *pine moths, pine needle miners, pine beetles* and *needle scales* on pine; *budworms* on conifers, *oakworms* on oak; *fall webworms* on cherry, elm and honeysuckle; *aphids* on tulip poplar; *citrus black flies* on non-bearing citrus; *tussock moths* on Douglas and grand firs; *Leafminers* on birch; *elm leaf beetle* and *elm spanworms* on elms.

FOR HOME VEGETABLE GARDENS: Spray upper and lower leaf surface. Use sufficient spray to obtain full coverage of all foliage, but do not spray to the point of runoff. Apply no more than 13 ounces over 100 linear feet of row, (13 ounces per 100 square feet).

Vegetable Asparagus (pre-harvest)	Target Pests cutworms asparagus beetle	Use Directions Spray plants as needed to ensure uniform coverage. Do not apply more than 4 applications per crop. Can be applied up to 3 days prior to harvest.		
(post-harvest)	larval stages of asparagus beetle: tarnished plant bug: lygus bugs and adult Japanese beetlc.	Treat ferms or bush growth after spear harvest when insects are present.		
Celery - see Leafy Vegetables,				
Cole Crops: Broccoli, Brussels Sprouts, Cabbage. Cauliflower,	beet armyworm; diamoid back moth: imported cabbageworm; cabbage aphid, cabbage- looper.	Apply every 5 days or as needed. Can be applied up to one day prior to harvest. Do not make more than 8 applica- tions on Cauliflower, Brussels Sprouts, and Broccolli and 10 applications on cabbage.		•
Com - see Sweet Com			• •	• •
Cucurbits: Balsam pear (bitter melon), Chinese waxgourd (Chinese	aphids, cabbage looper, eucumber beetle (adults), cutworms,	Spray plants as needed to ensure uniform coverage. Do not make more than 8 applica-	• • • • • • • • • • • • • • • • • • •	7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

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melon), citron melon, cucumber, gherkin, edible gourds; melons including hybrids such as cantałoupe, casaba, crenshaw, honeydew, honey balls, mango melon, muskmelon, Persian melon, pumpkin, summer & winter squash, watermelon

Eggplant

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Horseradish,

Leafy Vegetables: amaranth, arrugula, celery, celtuce, chervil, corn salad, Chrysanthemum (edible-leaved and garland), cress (garden and upland), dandelion, dock, endive, fennel, lettuce (head and leat), orach, parsley, purslane (garden and winter), rhubarb, spinach, Swiss chard

#### Melons - see Cucurbits

Vegetable

Potatoes

Peppers

Sweet Corn

Tornatoes (Do not apply on cherry tomatoes and varieties yielding tomatoes less than one inch in diameter.) leafhoppers. leafminers, melonworm, pickleworm, plant bugs, squash bugs.

Colorado potato beetle, vegetable leaf miner

Imported crucifer Weevil

alfalfa looper, aphids, beet armyworm, cabbage looper, com ear worm, cutworms, european com borer, fall armyworm, green cloverworm, southern armyworm, tobacco budworm, vegetable leaf miner.

Target Pests

beet army worm; colorado potato beetle; potato ieafhopper, potato tuberworm; cabbage looper; eutworms; European com borer; potato psyllid; tarmished plant bug.

vegetable leafminer; cabbage looper; flea beetle; com earworm; pepper weevil; European com borer.

com earworm; European com borer; fall armyworm; Southern armyworm

beet and Southern armyworm; tomato pinworm; tomato fruitworm; horn worms; granulate cutworms; Colorado potato beetle; cabbage looper. tions per crop. Can be applied up to the day of harvest.

Spray plants as needed to ensure uniform coverage. Do not exceed 16 applications. Can be applied up to 3 days prior to harvest.

Apply as needed. Do not exceed 3 foliar applications. Can be applied up to 22 days prior to harvest.

Spray every 5 to 10 days as needed. Do not apply more than 7 applications per crop. Can be applied up to 1 day prior to harvest.

#### Use Directions

Spray plants as needed. Do not apply more than 12 applications. Can be applied up to 7 days prior to harvest.

Spray plants as needed. Do not apply more than 8 applications per crop. Can be applied up to 3 days prior to harvest.

Spray plants every 5 days and when needed. Do not apply more than 6 applications per season. Can be applied up to 1 day prior to harvest.

Spray plants when needed for uniform coverage. Do not apply more than 6 applications per season. Can be applied up to day of harvest.

#### HOME-OWNER GROWN FRUIT AND NUT TREES

Apply Permanone .02% RTU H&G Insect Control to trees until foliage is dripping wet. Make sure to spray the undersides of leaves and into dense foliage.

Trees (fruit or nut)	Target Pests	Use Directions
Almonds	navel orange worm; peach twig borer.	Apply when insects appear. Do not make more than 2 applications during the period when the outer hull of the almond has started to open. Do not make more than 5 applications per season. Can be applied up to 7 days prior to harvest.
Apples	plum curculio; redbanded leaf- roller; rosyapple aphid; spotted tentiform leaf- miner; tarnished plant bug; white apple leafhopper; oblique banded leafroller, green fruitworm.	Apply when insects appear. Repeat as required to main tain control. Repeat as required. Do not to make more than 3 applications per season. Do not apply after petal fall.
Peaches	lesser peachtree borer; peach twig borer; plum curculic; tarnished plant bug; green fruit worm; oriental fruit moth.	Apply when insects first appear. Do not apply within 7 days of harvest. Do not make more than 8 applications per season.
Pears	pear psylla; green fruitworm and moth.	Apply when needed. Do not apply more than 3 applica- tions per season. Can be applied up to 14 days prior to harvest.

## STORAGE AND DISPOSAL

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

Storage: Store in a cool, dry area away from children and pets.

<u>Container Disposal</u>

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 beyout 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 OF 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 varanties 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 LOSCES, 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

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Permanone is a registered trademark of the Bayer AG.

Valent BioSciences Corporation Environmental Science Division 870 Technology Way Libertyville, IL 60048 List No. 73049369

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