

73049-378

02-29-2012

1
6

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

February 29, 2012

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

Subject: Amended Reregistration Label
Product Name: Aqueous Pyrenone Garden Spray
EPA Registration Number: 73049-378
EPA Decision Number: 411568 and 410095

Dear Dr. Assaf:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all of the information submitted with your application to support the reregistration of the above referenced product in connection with the PBO and pyrethrins REDs, and has concluded that your submission is acceptable.

NOTE: This product is not being reregistered under sections 3(c)5 and 4(g) of FIFRA at this time.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label or durably marked on the container itself, and can be added by non-notification per PRN 98-10.

Please note that the record for this product currently contains the Confidential Statements of Formulation (CSFs) listed below. Any previously dated CSFs are superseded.

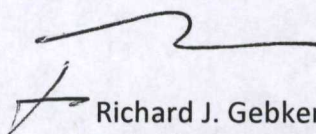
- Basic CSF, dated 6/25/10

A copy of your label stamped "Accepted" is enclosed along with copies of the acute toxicity and product chemistry reviews completed for the subject product. Products shipped after 12 months from the date of this amendment or the next printing of the label whichever

occurs first, must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e).

If you have any questions about this letter, please contact Jennifer Urbanski at 703-347-0156 or urbanski.jennifer@epa.gov.

Sincerely,



Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)

*Enclosures: Label stamped "Accepted," dated 7/27/11
Acute Toxicity Review, dated 8/4/10
Product Chemistry Review, dated 1/20/11*

AQUEOUS PYRENONE® GARDEN SPRAY

Intended for Residential Use Only

- *[Kills Gypsy Moth Caterpillars And Japanese Beetles*
- *A Fast Acting Way To Kill Mosquitoes, Gnats, Moths, Houseflies, Aphids, Gypsy Moth Caterpillars, Japanese Beetles And More Than 15 Other Yard And Garden Insects*
- *An Effective Insecticide For Use On Vegetable And Ornamental Pests*
- *Use Outdoors On Flowers, Roses, Trees, Shrubs, Ornamentals, And Vegetables - And Around Porch, Patio And Garage*
- *A Concentrated Pyrenone Micro-Emulsion, Clear Stable*
- *Provides Effective, Fast Acting, Killing Power With No Objectionable Residue*
- *Apply With Conventional Mechanical Compressed Air Equipment Or Non-Aerosol Pump]*

ACTIVE INGREDIENTS:

Pyrethrins 0.02%

Piperonyl Butoxide* 0.20%

OTHER INGREDIENTS: 99.78%

100.00%

ACCEPTED

FEB 29 2012

Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under:

* (butyl carbityl)(6-propylpiperonyl) ether and related compounds.

EPA. Reg. No: 73049-378

PRECAUCION AL CONSUMIDOR: 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. 73049-378

EPA EST. NO.

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

FIRST AID	
If in Eyes:	<ul style="list-style-type: none">• 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 product container or label with you when calling a poison control center or doctor, or going for treatment. For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call 1-877-315-9819.	

NET CONTENTS:

LOT NUMBER:

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This product is toxic to aquatic organisms, including fish and invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems. Do not apply directly to or near water. Drift and water may be hazardous to fish in water adjacent to treated areas. See Directions for Use for additional precautions and requirements.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

DIRECTIONS FOR USE

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

Use Restrictions

- Do not allow adults, children, or pets to enter until vapors, mists and aerosols have dispersed, sprays have dried and the treated area has been thoroughly ventilated.
- Do not apply this product in a way that will contact other persons, either directly or through drift.
- Do not remain in treated area. Exit area immediately and remain outside the treated area until aerosols, vapors, and/or mist have dispersed.
- Remove or cover exposed food and drinking water before application.
- Remove or cover dishes, utensils, food processing equipment, and food preparation surfaces, or wash them before use.
- Remove pets, birds and cover any water inhabited by fish (such as aquariums and ornamental fish ponds) before spray application. Turn off aquarium filtering systems before spraying and wait approximately 15 minutes after application before turning the filter back on.
- Do not use on surfaces that may be harmed or stained by water.
- Do not wet plants to point of runoff or drip.
- Not for use on plants being grown for sale or other commercial use.
- Do not apply directly to or near water, storm drains, or drainage ditches. Do not apply when windy. To prevent product run-off, do not over water the treated areas or apply when heavy rain is expected. Rinse applicator over lawn or garden area only.
- All outdoor applications must be limited to spot or crack-and-crevice treatments only except for the following permitted uses:
 - 1) Treatment to soil or vegetation around structures
 - 2) Applications to lawns, turf, and other vegetation
- Other than application to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors and eaves) are limited to spot and crack-and-crevice applications, only.
- Do not water the treated area to the point of run-off.
- Do not make applications during rain.

TO OPERATE: SHAKE BEFORE USING. Hold sprayer 18 inches from foliage and spray with circular motion. Direct spray so that upper and lower leaf surfaces are contacted. Use caution on new growth and tender foliage. When using outdoors, spray when air is still.

5
6Alternate use directions:

[**TO OPERATE: SHAKE BEFORE USING.** Turn nozzle to "spray" or "stream" position before using. Hold pump sprayer 18 to 24 inches from foliage or surfaces being treated. Direct the spray so that upper and lower surfaces are contacted. Use caution on new growth and tender foliage.]

Alternate use directions:

[**TO OPERATE: SHAKE BEFORE USING.** Remove shipping cap and save. Insert sprayer hose into bottle and tighten securely. Prime sprayer by holding at cap level of bottle and pumping trigger. Turn nozzle to "spray" or "stream" position before using. Hold pump sprayer 18 to 24 inches from foliage or surfaces being treated. Direct spray so that upper and lower surfaces are contacted. Use caution on new growth and tender foliage. Remove sprayer and replace shipping cap between uses. Spray water through sprayer after each use. Sprayer should be rinsed thoroughly and pumped empty for storage.]

This insecticide may be used indoors or outdoors throughout the growing season or as a pre-harvest treatment when other insecticides are prohibited due to residue restrictions and use limitations.

To control insects named, apply this spray to provide thorough coverage of upper and lower leaf surfaces. Do not apply more than 92.4 oz per 1000 sq. ft. Repeat treatment weekly or as needed to control infestations. Do not apply more than 10 times per season. Do not reapply within 3 days except under extreme pest pressure. In case of extreme pest pressure do not reapply within 24 hours.

May be applied on day of harvest.

Use on the following crops: Asparagus, Beans, Broccoli, Cauliflower, Cabbage, Brussels Sprouts, Celery, Cranberries, Eggplant, Lettuce, Mustard Greens, Kale, Collards, Turnips, Peppers, Potatoes, Radishes, Spinach and Tomatoes to Control: *Asparagus Beetles, Aphids, Leafhoppers, Whiteflies, Mexican Bean Beetles, 12-Spotted Cucumber Beetles, Cabbage Loopers, Cross-Striped Cabbageworms, Diamondback Moth Larvae, Flea Beetles, Harlequin Bugs, Imported Cabbageworms, Stink Bugs, Green Peach Aphids, Leafhoppers, Fireworms, Blister Beetles, Colorado Potato Beetles and Webworms.*

USE ON THE FOLLOWING ORNAMENTALS: African Violets, Azaleas, Begonias, Camellias, Dahlias, Dogwood, Roses, Wandering Jew, Asters, Carnations, Chrysanthemums, Geraniums, Gladiolus and Marigolds, to Control: *Aphids, Flea Beetles, Leafhoppers and Whiteflies.*

TO KILL *Gypsy Moth Caterpillars* and *Adults, Adult Japanese Beetle, Eastern Tent caterpillars* and *Forest Tent Caterpillars* ON CONTACT: ON TREES AND SHRUBS: Treat trees and shrubs as soon as insects emerge (usually late spring). Treat leaves, branches and tree trunks evenly, making sure to penetrate dense foliage. Repeat application every 7 days as necessary for control.

ON ROSES AND IN FLOWER GARDENS: Treat plants and flowers as soon as insects appear. Spray plants and flowers making sure to penetrate dense foliage. Repeat application every 7 days or as necessary for control.

INDOORS AS A SPACE SPRAY

TO CONTROL *Houseflies, Fruit Flies, Mosquitoes, Gnats* and *Small Flying Moths*, apply using a good space sprayer adjusted to deliver a fine mist. Close windows and doors and shut off ventilating systems. Direct spray toward upper portions of the enclosure filling the room with mist. Use 4 to 5 ounces per 1000 cubic feet of space. Keep area closed for at least 30 minutes.

OUTDOORS to Kill Mosquitoes

Apply as a fine mist to thoroughly treat the entire area. Treat shrubbery and vegetation where mosquitoes may rest. Apply at a rate of 4 ounces per 1000 square feet.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container in a cool, dry area inaccessible to children and pets. Do not transport or store under 32° F. If freezing occurs, thaw and agitate vigorously.

Pesticide Disposal and Container Handling: 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 for disposal instructions. Never place unused product down any indoor or outdoor drain.

6
6**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.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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. To the extent consistent with applicable law, 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: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.

[Or alternate text

Note [Notice]: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, seller shall have no liability for consequential damages.]

[Or alternate text

Notice: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.]

© Valent BioSciences Corporation, 2012

Pyrenone is a registered trademark of Bayer AG.

Valent BioSciences Corporation
Environmental Science Division
870 Technology Way
Libertyville, IL 60048