

73049-379

8-20-2007

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Nasser A. Assaf, Ph.D.
Valent BioSciences Corporation
870 Technology Way, Suite 100
Libertyville, IL 60048-6316

AUG 20 2007

Dear Dr. Assaf:

Subject: Amendment - update label and CSF
Permanone Technical Insecticide
EPA Reg. No. 73049-379
Your submission dated May 30, 2007

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(7(a), is acceptable provided that you:

1. Submit and/or cite all data or other material required for registration/reregistration of your product under FIFRA section 3(c)(5) or FIFRA section 4 when the Agency requires all registrants of similar products to submit such data.
2. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:
 - a.. Revise the warranty statement as follows:
 - (1) Change "should" to "must" in the first sentence of the CONDITIONS.
 - (2) Add the phrase "To the extent consistent with applicable law" to the beginning of the following sentences:
 - "...Valent BioSciences Corporation makes no other warranties ...etc."
 - "...Valent BioSciences Corporation disclaims any liability whatsoever...etc."
 - ".... the exclusive remedy of the user or buyer for any and....etc."

Please submit 3 copies of amended labeling bearing the above revisions prior to release for shipment.

A stamped copy of the label is enclosed for your records.

The updated Confidential Statement of Formula dated May 18, 2007 is acceptable and has been added to this product's registration file.

Sincerely,

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

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PERMANONE[®] TECHNICAL INSECTICIDE

**ACCEPTED
with COMMENTS**
In EPA Letter Dated

AUG 20 2007

Under the Federal Insecticide,
Fungicide, and Plant Growth Regulator Act,
as amended, for the pesticide
registered under EPA Reg. No.
73049-379

- FOR THE FORMULATION OF INSECTICIDES ONLY
- NOT FOR RESALE UNDER THIS LABEL

ACTIVE INGREDIENT:

Permethrin*..... 95.00%

OTHER INGREDIENTS:..... 5.00%

100.00%

*cis-trans isomers ratio: Max. 55% (+/-) cis and min 45% (+/-) trans

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. 73049-379
Item No. 15838, 15433

EPA EST NO.

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
If inhaled:	<ul style="list-style-type: none"> • 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.
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
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.
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of <i>Medical</i> 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.	

See Side Panel For Additional Precautionary Statements

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PRECAUTIONARY STATEMENTS Hazards To Humans & Domestic Animals

CAUTION

Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin and clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

Environmental Hazards

This product is extremely toxic to fish. Keep out of lakes, streams, ponds, tidal marshes or estuaries. Do not contaminate water by cleaning equipment or disposal of wastes. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional office of the EPA.

Physical and Chemical Hazards

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

This material requires further mixing before use.

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

Only for formulation into an insecticide for the following uses:

General Outdoor Insect Control:

Do not apply more than 2 pounds active ingredient per acre per year.

Terrestrial Food (Residential Garden Uses Only):

Terrestrial Non-Food & Domestic Outdoor:

- Christmas Trees (container & field-grown)
- Chrysanthemums
- Conifers (container & field-grown)
- Domestic Farm Animals: Cattle, Horses, Hogs, Poultry
- Agricultural Premise
- Companion Animals
- Termiticide and Soil Contact Nonfumigation Treatment
- Wood Treatment & Protection
- Ornamental plants, trees, shrubs and vines (woody)
- Lawn & Turf grasses
- Ornamental Nursery Stock (field-grown)
- Pine Seed Orchards
- Roses (field-grown & greenhouse)

General Indoor Insect Control:

Residential Areas

Commercial, Industrial, Institutional

Food Handling Establishments: Places other than private residences in which food is held, processed, prepared or served.

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Non-Food/Feed Areas: May be used to manufacture end-use products for use as a general spot or crack and crevice treatment in non-food areas. Similar areas where insects hide or through which insects may enter can be treated. Examples of non-food areas include: garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after canning or bottling).

Food/Feed Areas: May not be used to manufacture products for use in food/feed areas. Do not use in food areas of food handling establishments, restaurants or other areas where food is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where foods may be prepared or held. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed. Examples of food areas are areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing, edible wastes storage and enclosed processing systems (mills, dairies, edible oils, syrups), serving areas (when food is exposed and facility is in operation) also would be considered a food area.

Fiber Product Production

Human Articles and Materials

Human Body Hair and Skin

Note: Not for use to formulate products to be used:

- In greenhouses where crops for food or feed are grown
- In USDA meat and egg processing plants
- In warehouses where raw or cured tobacco is stored.
- In warehouses where raw agricultural commodities for food or feed are stored.
- For mosquito control (ULV) products

This product may be used to formulate products for any additional uses not listed on this label if the formulator, user group, or grower has complied with US EPA data submission requirements regarding the support of such uses.

STORAGE AND DISPOSAL

Prohibitions: Do not contaminate other pesticides, fertilizers, water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.

Pesticide Storage: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Protect from freezing. Do not store near food or feed. Carefully open containers. After partial use, replace lids and close tightly. Keep container closed when not in use. Do not put concentrate or dilute material into food or drink containers. In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. To Confine spill: If liquid, dike surrounding area or absorb with sand, cat litter or commercial clay. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other approved State and local procedures. Do not cut or weld metal containers.

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.

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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.

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Permanone is a registered trademark of Bayer AG.

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List No. 73049379

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