



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

AUG 23 2007

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

Dear Dr. Assaf:

Subject: Amendment - update label and CSF
Cyper Active Technical
EPA Reg. No. 73049-385
Your submission dated May 18, 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)

387

CYPER ACTIVE TECHNICAL

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:

Cypermethrin* 95.0 %

OTHER INGREDIENTS:..... 5.0 %

100.0 %

*cis/trans ratio: 45/55 +/- 10

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

AUG 23 2007

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
73049-385**

EPA Reg. No. 73049-385

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN

WARNING/AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

See back/side panel for additional precautionary statements

NET CONTENTS:

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 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 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.
HOT LINE NUMBER	
<p>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</p>	

PRECAUTIONARY STATEMENTS
Hazards To Humans & Domestic Animals

WARNING

May be fatal if swallowed. May cause eye irritation. May cause allergic skin reactions. Avoid contact with skin, eyes or clothing. Wear goggles or face shield as protection against splashes. Wear protective gloves to reduce skin contact. Avoid breathing vapors. Wash thoroughly after handling.

Environmental Hazards

This product is extremely toxic to fish and other aquatic organisms. 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 into 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 product may be used to formulate products for any additional uses not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.

1. **TERRESTRIAL NON-FOOD/NON-FEED, DOMESTIC OUTDOOR, INDOOR**

- Do not use in warehouses where raw or cured tobacco is stored.
- Do not use in warehouses while raw agricultural commodities for food or feed are stored.
- Do not use in greenhouses where crops for food or feed are grown.

- Trailers (empty) (non-feed/non-food)
- Dog Kennels (enclosed & open premise treatment)
- Horse Stables (enclosed & open premise treatment)
- Lath Houses
- Seed Houses (indoor & outdoor)
- Greenhouses (indoor & outdoor)
- Domestic Dwellings (indoor & outdoor)
- Hotels/Motels/Tourist Courts (non-feed/non-food) (indoor & outdoor)
- Building Foundations (foliar treatment)
- Buses (non-feed/non-food) (residual general treatment)
- Boats/Ships (non-feed/non-food) (residual general treatment)
- Trucks (trailers) (non-feed/non-food) (residual general treatment)
- Aircraft (cargo areas only) (non-feed/non-food) (residual general treatment)
- Transportation Vehicles (non-feed/non-food) (residual general treatment)
- Food/Meat, Poultry and Egg Processing Plants (non-feed/non-food) (indoor & outdoor inedible)
- Eating Establishments/Restaurants/Hospitals (non-feed/non-food) (indoor & outdoor)
- Food Marketing/Storage/Distribution Facilities (non-feed/non-food) (indoor inedible)
- Commercial/Institutional/Industrial Buildings (non-feed/non-food) (indoor & outdoor)
- Garbage Rooms

Ant Hills
Ant Dens/Hills/Mounds (all or unspecified)
Ornamental Lawns
Shipholds (non-feed/non-food) (residual general treatment)
Laboratory Premises
Ornamental Lawns (soil treatment)
Ornamental Trees (bark treatment)
Terrestrial Structures (soil contact non-fumigation treatment)
Wood Structures (soil contact non-fumigation treatment)
Wood Fence Posts (soil contact non-fumigation treatment)
Wood Poles/Posts (soil contact non-fumigation treatment)
Building Foundations (soil treatment)
Poles (utility) (soil treatment)
Dumps (garbage/refuse) (outdoor)

2. Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
3. Uses for experimental purposes that are in compliance with US EPA requirements.

STORAGE & DISPOSAL

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

Storage: Keep container closed when not in use. Do not store near food or feed. Protect from freezing. In case of spill or leak on floor or paved surfaces, soak up with sand, earth or synthetic absorbent. Remove to chemical waste area.

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 of 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 procedures approved by state and local authorities.

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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