

73049-385 ( 08-10-2011 ( 1/6

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



OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

AUG 10 2011

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

Subject: Amended Reregistration Label  
Product Name: Cyper Active Technical  
EPA Registration Number: 73049-385  
EPA Decision Numbers: 397789

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 cypermethrin RED, 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 Any previously dated CSFs are superseded.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 March 18, 2009


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 Samantha Hulkower at 703-603-0683 or [hulkower.samantha@epa.gov](mailto:hulkower.samantha@epa.gov).

Sincerely,



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

*Enclosures: Label stamped "Accepted," dated  
Acute Toxicity Review, dated September 15, 2010  
Product Chemistry Review, dated September 14, 2010*

# Cyper Active Technical

## For Manufacturing Use Only

**ACTIVE INGREDIENT:**

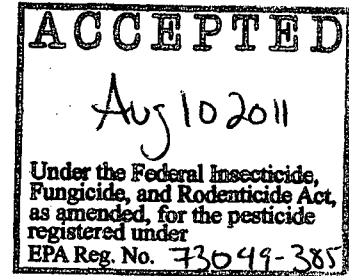
Cypermethrin\* ..... 95.0 %

**OTHER INGREDIENTS:** ..... 5.0 %  
100.0 %

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

EPA Reg. No. 73049-385

EPA Est. No.



## KEEP OUT OF REACH OF CHILDREN WARNING/AVISO

See back/side panel for additional precautionary statements

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.)

FIRST AID	
<b>If Swallowed:</b>	<ul style="list-style-type: none"> <li>\$ Call poison control center or doctor immediately for treatment advice.</li> <li>\$ Have person sip glass of water if able to swallow.</li> <li>\$ Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>\$ Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If in Eyes:</b>	<ul style="list-style-type: none"> <li>\$ Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>\$ Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>\$ Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on Skin or Clothing:</b>	<ul style="list-style-type: none"> <li>\$ Take off contaminated clothing.</li> <li>\$ Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>\$ Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>\$ Move person to fresh air.</li> <li>\$ If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>\$ Call a poison control center or doctor for further treatment advice.</li> </ul>
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 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.	

**NET CONTENTS:**

**PRECAUTIONARY STATEMENTS**  
**Hazards To Humans & Domestic Animals**

**WARNING**

May be fatal if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear goggles or face shield as protection against splashes. Wear protective gloves to reduce skin contact. Wash thoroughly after handling.

**Environmental Hazards**

This product is extremely toxic to fish and other aquatic invertebrates. 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.

**DIRECTIONS FOR USE**

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

This product must not be formulated into end-use products that contain directions for use on sod farms, agricultural uncultivated areas, fencerows, hedgerows, or rights-of-way. These use sites must be removed from all end-use product labels and any special need registration must be canceled.

This product must not be formulated into wettable powder end use formulation unless they are packaged in water soluble bags.

This product must not be formulated into end-use products that contain directions for use on both agricultural crops and for other uses, such as in and around residential, commercial and industrial sites or on farm animals. This product may only be formulated into end-use products that with directions for use for agricultural crops (WPS) uses only or end-use products with directions for use for non-agricultural-crop (Non-WPS) uses only.

Only for formulation into an *insecticide for the following uses(s)*:

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. This product may be used to formulate products for any additional use(s) 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.
3. Uses for experimental purposes that are in compliance with US EPA requirements.

#### STORAGE AND 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 Handling:** Non-refillable container. Do not reuse or refill this container. Offer for recycling if available, or reconditioning if appropriate, 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 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.

*[Alternate warranty statement]*

[Note user: 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.]

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