

73049-389

07/22/2011

1/6

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



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

July 22, 2011

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

Subject: Amended Reregistration Label
Product Name: UltraTec® DSP 515 Insecticide
EPA Registration Number: 73049-389
EPA Decision Number(s): 410098 and 425017

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 Allethrin Stereoisomers and Piperonyl Butoxide RED(s), 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.

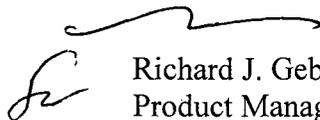
Please note that the record for this product currently contains the Confidential Statements of Formulation (CSFs) listed below. Any previously dated CSFs are superseded.

- Basic CSF, dated 11/5/10
- Alternate CSF #1, dated 11/5/10

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 Linda Arrington at (703) 305-6249 or via e-mail at arrington.linda@epa.gov.

Sincerely,


Richard J. Gebken
Product Manager (10)
Insecticide Branch

Registration Division (7505P)

*Enclosures: Label stamped "Accepted," dated 7/22/11
Acute Toxicity Review, dated 6/24/10
Product Chemistry Review, dated 12/8/10*

3/6

UltraTec® DSP 515 INSECTICIDE

- *[Kills Through Contact*
- *Controls Listed Residential and Yard Insects*
- *For Household Use*
- *Water-Based formula [FIK][Flying Insect Killer]*
- *Water-Based – Shake Before Use*
- *Use Indoors and Outdoors*
- *Kills Gnats, Moths and other Listed Flying Insects*
- *No Oily [Greasy] Residue—No Unpleasant Odor*
- *Non-Staining*
- *Contains No CFC's or Other Ozone Depleting Substances. Federal Regulations Prohibit CFC Propellants in Aerosols.*
- *Contains UltraTec® And Esbiol®*
- *Contains Deltamethrin And Esbiol*
- *For Use in and around Homes, Recreational Vehicles, Cabins, Tents and Other Recreational Structures]*

[] denotes alternate text

ACTIVE INGREDIENTS:

Deltamethrin	0.005 %
S-Bioallethrin	0.100 %
Piperonyl butoxide*	0.500 %
OTHER INGREDIENTS†:	<u>99.395 %</u>
	100.000 %

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

†Contains petroleum distillate.

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. 73049-389

EPA EST NO.

KEEP OUT OF REACH OF CHILDREN

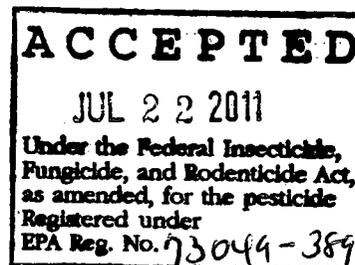
CAUTION

See Side/Back Panel for Additional Precautions

FIRST AID	
If Swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • 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 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.	
NOTE TO PHYSICIAN	
Contains petroleum distillate - vomiting may cause aspiration pneumonia.	

NET CONTENTS:

LOT NUMBER:



4/6

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating drinking, chewing gum, using tobacco or using the toilet

User Safety Recommendations

Users should wash hands with plenty of soap and water before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users should remove clothing immediately if pesticides get inside. Then wash thoroughly with put on clean clothing.

[Products used exclusively indoors may omit the Environmental Hazards Statement.]

[Environmental Hazards

This pesticide 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. Apply 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.

This product 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.]

Physical and Chemical Hazards

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Do not apply this product in or on electrical equipment due to the possibility of shock hazard. Do not use on surfaces that can be harmed or stained by water.

DIRECTIONS FOR USE

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

Application Restrictions:

[Alternate text for product intended for outdoor use.]

- Outdoor surface applications are limited to spot treatment only. Broadcast surface applications are prohibited.
- Do not water the treated area to the point of run-off.
- Do not make applications during rain.
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.]

[Alternate text for product intended for indoor use.]

- [[Indoor] surface spray uses are limited to spot treatments only. Broadcast surface applications are prohibited.]

Use Restrictions

- Do not allow adults, children, or pets to enter until vapors, mists and aerosols have dispersed, and the treated area has been thoroughly ventilated.
- Do not allow adults, children, or pets to enter the treated area until sprays have dried.
- Do not apply this product in a way that will contact adults, children or pets either directly or through drift.
- Do not wet plants to point of runoff or drip.
- Do not use on edible crops.
- Remove or cover exposed food and drinking water before application.
- Remove or cover dishes, utensils, food processing equipment and food preparation surfaces and wash them before use.
- Remove pets, birds and cover any water inhabited by fish (such as aquariums and ornamental fish ponds) before space spray application. Turn off aquarium filtering systems before spraying and wait approximately 15 minutes after application before turning the filter back on.

5/6

SHAKE WELL BEFORE EACH USE. [Remove protective cap.] Hold container upright [direct spray nozzle away from face and body and press button]. Spray from a distance of 12-15 inches. Will not stain surfaces or fabrics where water alone causes no damage.

UltraTec DS 515 insecticide is intended for use in and around residential structures and their immediate surroundings. Permitted areas of use include: apartments, atriums, attics, automobiles, basements, bathrooms, boats, cabins, campers, carpools, cat sleeping quarters, clothes storage, condominiums, decks, dens, driveways, garages, gazebos, homes, kitchens, lanais, living rooms, parlors, patios, pet sleeping areas, play rooms, porches, recreational vehicles, rooms, solariums, storage areas, sun rooms, utility rooms and verandas.

INDOORS

AS A SPACE SPRAY to kill Fruit Flies, Gnats, Skipper Flies and Moths: This product has been designed so you do not have to spray these insects directly to kill them. Close all doors and windows and point the spray upward [away from face] into center of room with a slow sweeping motion, keeping about 3 feet from surfaces, such as interior walls and furnishing. Spray 5-10 seconds for an average sized room (e.g. 12 ft x 15 ft.). Direct the spray to all parts of the room, especially windows and other light sources that attract these insects. Keep spray nozzle in constant motion. Leave the room then keep room closed for 15 minutes after spraying – the spray mist will kill insects. Sweep up and discard fallen insects. Repeat treatment if insects return, but not more than once per day.

Ants (except Carpenter, Pharaoh, Fire and Harvester Ants), Crickets, Silverfish and other crawling insects: Target spray directly at individual insects. Repeat treatment if insects return, but not more than once per day.

OUTDOORS

Point nozzle away from face and body. Hold can on a slight downward angle. For best results, spray when air is calm. Allow a few minutes for product to take effect. Spray with wind if light breeze is blowing. Do not spray if windy.

Flying Insects such as Gnats and Moths: Allow fog [spray, spray mist] to drift over area. Direct spray toward bushes or grass from at least 4 to 6 feet away. Give special attention to breeding areas such as garbage cans and compost piles. Spray outside surfaces of doors, screens, window frames or wherever these insects may enter the building. Also spray surfaces around light fixtures in garages, on porches, and decks. Repeat treatment if insects return, but not more than once per day.

Ants (except Carpenter, Pharaoh, Fire and Harvester Ants), Crickets, Silverfish and other crawling insects: Target spray directly at individual insects. Repeat when insects return.

STORAGE AND DISPOSAL

Pesticide Storage: Store in a cool, dry area away from heat or open flame. Do not transport or store below 32°F.

[Protect from freezing.] [Do not freeze.] [Do not transport or store below 32°F.]

Container Disposal: Do Not Puncture or Incinerate! **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency [or 1-877-315-9819] for disposal instructions.

[This container may be recycled in aerosol recycling centers. At present, there are only a few such centers in the country. Before offering for recycling, empty the can by using the product according to the label.]

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.

6/6

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.]

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

[] Indicates alternate text in addition to any subset of the directions for use.