

73049-391

4/3/2009

r/s-



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

APR 3 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10

1. Alternate Brand Name: UltraTec 5 SC MUP Special
2. Updated Warranty Statements

Dear Dr. Assaf:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated February 24, 2009 for:

EPA Registration 73049-391 UltraTec 5 SC MUP

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10 and finds that the label change(s) requested falls within the scope of PRN-2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

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 nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 73049-391	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) UltraTec 5 SC MUP	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Valent BioSciences Corporation 870 Technology Way Libertyville, IL 60048 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. NOTIFICATION Product Name APR 03 2009	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.) Notification of label change per PR-Notice 2007-4 and PR Notice 98-10. This notification is consistent with the guidance in PR Notice 2007-4, PR Notice 98-10 and the requirement of EPA regulations at 40 CFR 152.46, 156.10, 156.140, 156.144, 156.146, and 153.156. No other changes have been made to the labeling or the Confidential Statement of Formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the terms of 40 CFR 152.46, 156.10, 156.140, 156.144, 156.146, and 153.156 this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

NOTIFICATION OF: ALTERNATE BRAND NAME PR NOTICE 98-10 II A; Alternate brand name: UltraTec 5 SC MUP Special
PER PR-Notice 2007-4, Disposal statements; Addition of "non-refillable container" and "Do not reuse or refill this container.", "promptly after emptying"
Correction of warranty statement per US EPA Guidance on Warranty Statements October 17, 2006.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 - 55 gallon		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Nasser A. Assaf, Ph.D.		Title Regulatory Manager, ESD		Telephone No. (Include Area Code) (847) 332-1844	
<p align="center">Certification</p> <p>I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.</p>					6. Date Application Received (Stamped)
2. Signature <i>N. ASSAF</i>		3. Title Regulatory Manager, ESD			
4. Typed Name Nasser A. Assaf, Ph.D.		5. Date February 24, 2009			

Ultratec® 5 SC MUP

Alternate Brand Name: UltraTec 5 SC MUP Special

- **An Insecticide For Formulating/Manufacturing Use Only**
- **Only For Formulation Into End-Use Insecticides That Have Been Registered By The US Environmental Protection Agency**
- ~~Not For Resale Under This Label~~

ACTIVE INGREDIENT:
 Deltamethrin..... 4.75%
OTHER INGREDIENTS:..... 95.25%
 100.00%

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. 73049-391

EPA Est. No.

KEEP OUT OF THE REACH OF CHILDREN

CAUTION

See Side Panel for Additional Precautions

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 mouth-to-mouth, if possible. • Call a poison control center or doctor for further 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. 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	

NOTIFICATION

APR 03 2009

NET CONTENTS:

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PRECAUTIONARY STATEMENTS
Hazards To Humans & Domestic Animals

CAUTION

Harmful if inhaled. Avoid breathing vapors. Contact with product may result in transient tingling and reddening of the skin. 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 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 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.

DIRECTIONS FOR USE

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

FOR FORMULATION OF INSECTICIDES ONLY.

This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with US EPA data submission requirements regarding the support of such use(s).

INSTRUCTIONS TO FORMULATORS: Formulators using this product are responsible for obtaining EPA registration of their formulated products.

Only for formulation into an insecticide for the following uses: Domestic Indoor (household); Domestic Outdoor (lawns, perimeters, ornamentals); Commercial/Industrial Institutional (indoor & outdoor); Terrestrial Non-food (sod farms, golf courses, non-agricultural sites); Various Modes of Transportation.

STORAGE AND DISPOSAL

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

Storage: Store in a cool, dry place away from heat or open flame. Avoid extremes in temperature. If the container is leaking and/or material is spilled, on the floor or paved surfaces, absorb on sawdust or other commercially available absorbing material, sweep up and remove to chemical waste area for disposal. Stable at normal storage temperatures.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: *Non-refillable container. Do not reuse or refill this container. 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~~ *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,

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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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UltraTec is a registered trademark of Valent BioSciences Corporation.

Valent BioSciences Corporation

Environmental Science Division

870 Technology Way

Libertyville, IL 60048

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