

73049-437

7/27/2011

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



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

July 27, 2011

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

Subject: Amended Reregistration Label
Product Name: Tetraperm® 22 WB Wasp, Hornet & Yellow Jacket Killer
EPA Registration Number: 73049-437
EPA Decision Numbers: 413131, 436128

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 Tetramethrin and Permethrin 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 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 Any previously dated CSFs are superseded.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 October 18, 2010
- Alternate CSF #1, dated October 18, 2010
- Alternate CSF #2, dated October 18, 2010

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 Julie Chao at (703) 308-8735 or chao.julie@epa.gov.

Sincerely,



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

*Enclosures: Label stamped "Accepted," dated July 27, 2011
Acute Toxicity Review, dated June 21, 2010
Product Chemistry Reviews, dated October 8 and October 21, 2010*

TETRAPERM[®] 22 WB WASP, HORNET & YELLOW JACKET KILLER

For Indoor/Outdoor Residential Use Sites

- *[Strong Jet Spray Formula*
- *Water Based*
- *Fast Knockdown*
- *Watch Them Drop*
- *Knockdown And Killing Power*
- *Kills [Wasps] Fast*
- *Kills [Wasps], [Hornets], [And] [Yellow Jackets] On Contact*
- *Up To 20 Ft. [Jet] Spray*
- *Powerful Jet Spray [Blast] – Up To 20 Feet [Above Ground]*
- *Sprays Up To 20 Feet*
- *[Tetraperm] Kills Wasps, Hornets, Yellow Jackets & Bees*
- *Indoor/Outdoor Use]*

ACCEPTED
JUL 27 2011
Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for the
pesticide registered under:

EPA. Reg. No: 73049-437

(additional alternate front panel bullets located at end of label)

ACTIVE INGREDIENTS:

Tetramethrin.....	0.2%
Permethrin*.....	0.2%
OTHER INGREDIENTS**:	<u>99.6%</u>
	100.0%

*Cis/trans ratio: max. 55% (+/-) cis and min. 45% (+/-) trans.
**Contains petroleum distillates.

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. 73049-437

EPA EST. NO.

KEEP OUT OF REACH OF CHILDREN
CAUTION
See Side/Back Panel for Additional Precautions

FIRST AID	
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 Swallowed:	<ul style="list-style-type: none"> • Immediately call a poison 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. For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call 1-877-315-9819.	
NOTE TO PHYSICIAN	
Contains petroleum distillate - vomiting may cause aspiration pneumonia.	

NET CONTENTS:

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION

Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

Environmental Hazards

This product is extremely toxic to aquatic organisms, including fish and invertebrates. Do not apply directly to or near water. Drift and run-off may be hazardous to fish in water adjacent to treated area. Do not contaminate water when disposing of equipment washwater, or rinsate. See *Directions for Use* for additional precautions and requirements.

This pesticide 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 or Chemical Hazards

Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

DIRECTIONS FOR USE

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

Use Restrictions

- Do not allow adults, children, or pets to enter the treated area until sprays have dried.
- Do not apply this product in any way that will contact adults, children, or pets either directly or through drift.
- Remove pets and birds, and cover fish aquariums before spraying.
- Do not water the treated area to the point of run-off. Do not make applications during rain.
- Do not use on or around electrical equipment due to the possibility of shock hazard.
- For spot, crack and crevice treatment only.
- 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.
- Do not apply when food is present. Cover all food preparation surfaces and utensils before treatment, or thoroughly wash before use.

NOTE: This product is non-staining to most building siding depending on age and condition. Before using in areas where this product may contact siding, test in an inconspicuous area, then check back in a few hours.

SHAKE WELL BEFORE USING

Read Entire Label.

HELPFUL TIPS:

For best results, use this product early in the morning or at dusk when insects are less active. Spray at a safe distance from the nest and do not stand directly underneath it.

Aim the can away from you while spraying. If it is breezy, spray with the wind at your back to avoid the spray drifting in your direction.

TO KILL the entire nest, spray until nest is soaked. Wait at least 24 hours before removing the nest.

TO KILL *Wasps, Hornets, Mud Daubers, Yellow Jackets* and *Bees* under eaves, screens, window frames, doors, patios, cracks, holes or crevices wherever insects are noticed, directly spray insects for about 1 - 2 seconds.

This product may also be used indoors, in areas such as attics or crawl spaces where insects build nests. Whenever used indoors, follow directions for use carefully. Once nest is treated, leave the area quickly and close door behind you. Do not re-enter area for at least 24 hours to ensure all insects are killed.

Specific Instructions:

TO KILL *Wasps*: Treatments should be made at dusk or early morning when insects are least active. Shake can and hold upright, pointing valve toward nest with wind at back.

TO KILL *Hornets*: Hornets make their nests in trees and shrubs and under eaves. Do not treat hornet's nests unless you can clearly see the entrance hole at the base. Wait until dusk or early morning when wasps are at rest. Direct spray into entrance hole and continue to spray into nest as wasps fall out until can is empty or no more wasps are seen. Quickly leave the area.

TO KILL *Yellow Jackets*: Yellow jackets make their nests in tree stumps, walls, railroad ties or similar structures. Watch for wasp activity during the day to locate nest location. Treat at dusk or early morning when insects are at rest [in nest]. Empty entire contents of can into nest hole from close range to ensure product enters entrance hole and leave area immediately.

TO KILL *Mud Daubers*: Treatments should be made at dusk or early morning when insects are least active. Shake can and hold upright, pointing valve toward nest with wind at back. Spray directly on insects and their nests.

TO KILL *Tent Caterpillars*: Make applications when caterpillars are young and tents are first noticed (usually late spring). For best results, apply in the late afternoon or evening when caterpillars have returned to their tents. Aim spray directly at tents, and totally saturate on all sides.

TO KILL *Gypsy Moth Caterpillars*: Make applications when caterpillars are young and first noticed (usually late spring). Spray plants evenly to the point of run-off, applying to both sides of leaves and other areas of plants where insects are suspected. For dense evergreens and shrubs, be sure spray reaches interior leaves and branches.

STORAGE AND DISPOSAL

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

Pesticide Storage: Do not store near heat or open flame. Store in cool dry area away from children.

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.

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.

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[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.]

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Valent BioSciences Corporation

Environmental Science Division

870 Technology Way

Libertyville, IL 60048

02-0808/R2

(additional front panel alternate bullets)

- [Contains No CFC's Or Other Ozone Depleting Substances. Federal Regulations Prohibit CFC Propellant In Aerosols
- Non-Staining
- Powerful Jet Spray
- Quick Knockdown Power
- No Unpleasant Odor
- Will Not "Burn" Shrubbery Or Trees
- No Oily Residue
- Also Kills Mud Daubers, Gypsy Moth Caterpillars & Tent Caterpillars]

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