

73049-448

8/18/2010

1/9



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

AUG 18 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear Dr. Assaf:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for June 9, 2010:

EPA Registration Number: 73049-448 UltraTEC® Concentrate 32

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. 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 non-refillable 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 Melody Banks on 703 305-5413.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken".
for Richard Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 73049-448	2. EPA Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) UltraTec Concentrate 32	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)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

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.

NOTIFICATION
AUG 18 2010

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Label Notification - No Fee; e-mail: Nasser.Assaf@valent.com; Fax: (925) 817-5160
See Self Certifications statements on cover letter.

Changes include:

- Environmental Hazard and General labeling requirement per Agency's letter of June 4, 2009
- No other changes have been made to the label other than those clearly marked.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> 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 Assaf, Ph.D.	Title Manager, Product Safety and Regulatory Affairs	Telephone No. (Include Area Code) (847) 968-4844
Certification 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.		6. Date Application Received (Stamped) RECEIVED ON JUN 16 2010
2. Signature <i>NASSAF</i>	3. Title Manager, Product Safety and Regulatory Affairs	
4. Typed Name Nasser Assaf, Ph.D.	5. Date June 9, 2010	

870 TECHNOLOGY WAY
LIBERTYVILLE, IL 60048 - 800-323-9597

June 9, 2010

Document Processing Desk (NOTIF-PYRETHROID)
Registration Division
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

ATTN: George LaRocca
Product Manager 13
Insecticide Branch

SUBJECT: APPLICATION FOR PESTICIDE LABEL NOTIFICATION – No PRIA Service Fee Required
Submission of Revised Labeling Per:
- June 4, 2009 Environmental Hazard and General labeling for
Pyrethroid Non-agricultural Outdoor Products
UltraTec Concentrate 32; EPA Reg. No. 73049-448

Dear Mr. LaRocca:

This application for label notification for the above subject product is being submitted to comply with the Agency's letter of June 4, 2009 Environmental Hazard and General labeling for Pyrethroid Non-agricultural Outdoor Products Notification.

UltraTec Concentrate 32; EPA Reg. No. 73049-448; is a concentrate homeowners pyrethroid product for, outdoor use.

Due to the limited space on EPA Form 8570-1, Section II, the self certification statements are as follows:

Agency's letter of June 4, 2009 Environmental Hazard and General labeling for Pyrethroid Non-agricultural Outdoor Products Notification

Notification of label change per June 4, 2009, letter from Environmental Protection Agency. This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 requirements of 40 CFR 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.

Two (2) copies of revised draft labeling with changes clearly marked are enclosed. Additions are noted in underlined italics. Deletions are shown struck through.

If you need additional information or have any questions regarding this submission, please do not hesitate to contact me at (847) 968-4844 or e-mail to: Nasser.assaf@valent.com.

Sincerely,

MAASSAF

Nasser A. Assaf, Ph.D.
Manager, Product Safety and Regulatory Affairs

Enclosures

cc: VBC Regulatory File

cc: VBC Regulatory File

UltraTec® Concentrate 32

For Outdoor Homeowner Use Only

[• Makes up to [1], [2], [3], [4], [5], [6], [7], [8], [pints] [gallons] of finished product

- Water-Based
- Kills On Contact
- Kills Fast
- Long-Lasting
- Kills Cockroaches
- Keeps Killing Houseflies For Up To 5 Months (20 Weeks)
- Keeps Killing Carpenter Ants For Up To 4 Weeks (30 Days, 1 Month)
- Keeps Killing Pharaoh Ants, Crazy Ants And Fire Ants For Up To 1 Week
- Keeps Killing Stable Flies For Up To 18 Weeks (4.5 Months, 135 Days)
- Kills Ticks That May Transmit Lyme disease
- Odorless
- Non-Staining
- No Oily [Greasy] Residue
- For Use In And Around Horse Stables
- For Use On House Plants
- For Use On Ornamental Plants
- Kills Fleas & Ticks
- Kills Mosquitoes
- Kills Spiders, Centipedes And Scorpions
- Kills Roaches, Ants And Fleas On Contact
- Kills Aphids, Mealy Bugs, Lace Bugs, Thrips, Leafminers And Mites
- Kills Spider Mites
- Kills Japanese Beetles
- Plus Kills Ants, Fleas, Ticks, Crickets, Spiders, Flies & Other Listed Pests
- Controls Mosquitoes that may carry West Nile Virus and Equine encephalitis]

NOTIFICATION

AUG 18 2010

ACTIVE INGREDIENT:

Deltamethrin 0.32%

OTHER INGREDIENTS: 99.68%
100.00%

[**PRECAUCION AL USUARIO:** Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicado 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.: 73049-448

EPA Est. No.:

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See Side Panel for Additional Precautions

EPA Reg. No. 73049-448

NET CONTENTS:

Page 1 of 5

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.
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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.

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION

Harmful if inhaled. Avoid breathing spray mist. Contact with product may result in transient tingling and reddening of the skin. Avoid contact with skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. Wear long-sleeved shirt, long pants, socks, shoes and gloves.

Environmental Hazards

This product is extremely toxic to fish and aquatic invertebrates. ~~Do not apply directly to water. Do not contaminate water when disposing of washwater or rinsate.~~ To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying 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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

Physical or Chemical Hazards

Do not apply this product in or on electrical equipment due to possibility of shock hazard.

READ THE LABEL FIRST!

DIRECTIONS FOR USE

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

Application is prohibited directly into sewers 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 contaminate fish ponds or apply directly to water. Do not water the treated area to the point of run-off. Do not make applications during rain. All outdoor application must be limited to spot or crack-and-crevice treatments only, except for the following permitting uses:

1. Treatment to soil or vegetation around structures;
2. Applications to lawns, turf, and other vegetation;
3. Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors and eaves) are limited to spot and crack-and-crevice applications, only.

Mixing Instructions:

See chart below for amount of concentrate to add to an empty sprayer, then fill to final volume [level indicated] with water. Close sprayer tightly and shake vigorously before use to ensure proper mixing. Shake sprayer well before each use.

Amount of UltraTec® Concentrate 32 to make 0.03% Deltamethrin	Final Volume [indicated on label]	Application Rate
1.5 oz	1 pint (16 oz)	125 sq. feet
2.25 oz	1.5 pints (24 oz)	187 sq. feet
3 oz	2 pints (32 oz)	250 sq. feet
6 oz	4 pints (64 oz)	500 sq. feet
12 oz	1 gallon (128 oz)	1,000 sq. feet

How To Apply: Adjust sprayer nozzle to the "on" position. Apply to surfaces only as a spot or crack & crevice treatment. Hold approximately 12 inches from surface to be sprayed. Spray surface until slightly moist but not to the point of runoff. Do not over apply as staining or damage may occur. Do not spray up into air.

Do not allow children or pets to contact treated surfaces until spray has dried.

FLYING INSECTS: Deer Flies, Face Flies, Horn Flies, Horse Flies, **Houseflies, Gnats, Mosquitoes, Stable Flies and Small Flying Moths:** Spray localized resting areas, such as under eaves, porches, surfaces of window and door frames, surfaces around light fixtures and cords, railings, etc. and anywhere these insects may rest. Insects coming to rest on treated surfaces will be killed. Do not apply to animals.

Remove all exposed food and cooking utensils before spraying. Cover all food handling surfaces or wash thoroughly after treatment and before use. Do not use on edible crops.

Aids in the control of the following pests:

Ants, Clover Mites, Crickets and Sowbugs (Pillbugs). Spray the foundation of buildings up to a height of 2 to 3 feet where insects are active. Apply to outside surfaces of buildings where insects tend to congregate. Also spray areas such as screens, window frames, eaves, porches, patios, garages and refuse dumps.

CRAWLING INSECTS: Ants, Cockroaches (Including Asian Cockroaches), Centipedes, Crickets, Mole Crickets, Waterbugs and Silverfish. Spray to slightly moisten the surface of patios and picnic areas including the legs of tables and chairs.

Ants: Thoroughly spray ant trails and hills. Spray around nests hidden under steps, brickwork, concrete, etc.

Lone Star Ticks, Dog Ticks, Crickets and Fleas: Apply thoroughly to infestation in bushes, grass or weeds where these insects live.

Wasps, Hornets, Yellow Jackets and Bees: Spray nests and other surfaces where bees may rest. Aim spray at nest openings. Applications should be made during early morning or late evening when insects are at rest.

FLYING INSECTS: *Houseflies, Gnats, Mosquitoes* and *Small Flying Moths*: Spray outside surfaces of resting areas, such as under eaves, porches, surfaces around light fixtures and cords, railings, etc. where these insects may rest. Insects coming to rest on treated surfaces will be killed.

***Termites, Carpenter Ants* and *Carpenter Bees*:** (for localized control only) Treat damaged wood thoroughly. For active infestations, get a professional inspection.

For ***Termites***: This product is not recommended as a long-term treatment against termites. The purpose of such applications is to kill workers or winged forms, which may be present in the area at the time of treatment. For severe termite infestation, contact a professional pest control operator in your area.

HOUSEPLANTS and ORNAMENTAL PLANTS:

How To Apply:

Hold sprayer 18 inches from foliage. Apply as a sweeping motion. Thoroughly treat upper and lower surfaces of foliage. Spray insects directly whenever possible. Avoid wetting blossoms if possible. Tender foliage, young plants and new growth may be injured if over applied. Do not spray plants when temperatures exceed 90°F.

HOUSE PLANTS: To control ***Aphids, Japanese Beetles, Lace Bugs, Leafminers, Mealy Bugs, Mites*** and ***Spider Mites*** on house plants. Prior to spraying, move plants to an outdoor area. Return treated plants indoors after the spray on the leaves has dried.

FOR CONTROL OF ORNAMENTAL GARDEN INSECTS: For use on roses, dahlias, asters African violets, asters, azaleas, begonias, camellias, carnations, chrysanthemums, delphiniums, dogwood, English ivy, euonymus, fuschia, geraniums, crassula, grape vine, Kentia palm, laurel, marigolds, rhododendrons, rubber plants, snapdragons, stocks, wandering Jews, zinnias, and other ornamentals to kill ***Japanese Beetles, Whiteflies, Aphids, Armyworms, Lace Bugs, Mealy Bugs, Exposed Thrips, Pavement Ants, Spiders, Spider*** and ***Red Mites, Clover Mites*** and ***Leafminers***.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry area away from [inaccessible to] children. [Do not transport or store below 32°F (0°C).] [Protect from freezing.] [Store above 32°F.] If freezing occurs, allow product to thaw and shake well before using [use]. [Some product separation may occur on freezing which is reversible on shaking.] Freezing does not adversely affect [this product] [performance].

Container Disposal: Non-refillable container. **If empty:** Do not reuse or refill this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

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

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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

Additional alternate Front Panel Bullets:

[• *Also Controls: Carpenter Ants & Carpenter Bees*

- *Easy-To-Use*
- *No Drips - No Runs*
- *Stays Where You Put It*
- *Does Not Stain Surfaces*
- *Contains Deltamethrin*
- *Contains UltraTec*
- *No Shaking Required*
- *No Shake Formula*
- *No Drip Formula*
- *Kills Home Invading Pests*
- *Kills Plant Pests]*

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