

73049-454

8/24/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

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

AUG 24 2010

Subject: Label Notification(s) for Pesticide Registration Notice 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 July 27, 2010 for the following product:

Cyper- Active E2 WB TRA EPA Reg. No. 73049-454

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.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

A handwritten signature in cursive script that reads "Linda A. DeLuise".

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

2097

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 73049-454	2. EPA Product Manager Mark Suarez	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restrict
4. Company/Product (Name) Cyber-Active E2 WB TRA	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)(2)(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.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

This notification is consistent with the provision of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 this notification is not consistent with the terms of PR Notice 98.10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under section 12 and 14 of FIFRA.

Notification of additional Non-FIFRA marketing claim per PR-Notice 98-10 (Section IV F). Changes marked on label.

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"/>	
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 A. Assaf, Ph.D.	Title Manager, Product Safety & 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)
2. Signature 	3. Title Manager, Product Safety & Regulatory Affairs	
4. Typed Name Nasser A. Assaf, Ph.D.	5. Date July 27, 2010	

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Front Panel of Box**CYPER-ACTIVE® E2 WB TRA**

[Note To Reviewer: Optional Marketing Language to be used on can and/or box]

- [Kills Roaches, Fleas, Ants (except fire, carpenter & Pharaoh ants) [Argentine ants, harvester ants], Spiders (except brown recluse), [black widow], Silverfish, Mosquitoes, House Flies, Brown Dog Ticks, & Firebrats
- Kills By Contact!
- Concentrated Fog
- Contains 3 (2 oz) Foggers
- Contains 3 (1.5 oz) Foggers
- Contains 3 Cans
- 3 [2 oz] cans treat up to 9600 cu ft
- 3 [1.5 oz] cans treat up to 7200 cu ft
- 6 (1.5 oz) cans treats an average 1800 square foot (sq ft) home
- One 1.5 oz can will treat an area up to 2400 cu ft (15' x 20' with an 8' ceiling)
- One 2.0 oz can will treat an area up to 3200 cu ft (20' x 20' with an 8' ceiling)
- 1 (One) can treats 1 room (15' x 20' with an 8' ceiling) – for 1.5 oz fill can only
- 1 (One) can treats 1 room (20' x 20' with an 8' ceiling) – for 2 oz fill can only
- Whole House 6 Pack!
- 6 [2 oz] Cans Treat an Average 2400 Square Foot [sq.ft] Home
- 3 [3.75 oz] Cans Each Treat 6000 cu ft
- Keeps Killing German cockroaches For up to 12 Weeks [Wks] on impervious surfaces
- Won't Leave a Wet, Messy Residue
- [Leaves] No Sticky Mess
- Won't Stain or Discolor
- Guaranteed To Work Or Your Money Back
- Value Pack
- [Logo] No CFC's - Federal Regulations Prohibit CFC Propellants in Aerosols
- Contains No CFCs or other Ozone Depleting Substances. Federal Regulations Prohibit CFC Propellants in Aerosols
- Do-It-Yourself & Save Money
- Kills listed insects
- Leaves a fresh scent
- 4 cans treats 4 rooms]

NOTIFICATION**AUG 24 2010****Active Ingredient:**

Cypermethrin* 0.824%

Other Ingredients:** 99.176%
100.000%

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

**Contains Petroleum Distillates

**KEEP OUT OF REACH OF CHILDREN
CAUTION**See back panel for additional precautionary statements and first aid
[The entire label is printed in Spanish language inside the box]

Net Wt. 2.0 oz (57 g) Each – Total Net Wt. 6.0 oz (171g)

OR

Net Wt. 2.0 oz (57g) Each – Total Net Wt. 12.0 oz (342g)

OR

Net Wt. 3.75 oz (107g) Each – Total Net Wt. 11.25 oz (320g)

Back Panel of Box

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

FOR HOUSEHOLD USE ONLY

[For Use with box that contains Three 2 oz cans]

One 2 oz can will treat an area up to 3200 cu ft (20' x 20' with an 8' ceiling)

[For Use with box that contains Six 2 oz cans]

Six 2 oz cans will treat an average 2400 square foot [sq.ft] home (50' x 48' with an 8' ceiling).

[For Use with box that contains three 3.75 oz cans]

Each can will treat 6000 cu ft (30' x 25' with an 8' ceiling)

[For Use with box that contains Three 1.5 oz cans]

One 1.5 oz can will treat an area up to 2400 cu ft (15' x 20' with an 8' ceiling)

[Note to Reviewer – The printed label will include the 2 listed bullet points below or the Products Facts Box]

[Kills ants (except fire, carpenter & Pharaoh ants) [Argentine ants, harvester ants], roaches, fleas, house flies, mosquitos, spiders (except brown recluse), [black widow], brown dog ticks, silverfish, firebrats]

[Use In: Apartments, Homes, Attics, Basements, Garages, Household Storage Areas]

[PRODUCT FACTS:

Double [Dual] Action: Kills insects and leaves a fresh scent.

Insects: Kills ants (except fire, carpenter, harvester & Pharaoh ants) [Argentine ants, harvester ants], roaches, fleas, house flies, mosquitos, spiders (except brown recluse), [black widow], brown dog ticks, silverfish, firebrats

Where to Use: Apartments, homes, attics, basements, garages, household storage areas]

HOW TO USE:**Step 1: PREPARATION**

OPEN cabinets, cupboards, drawers, closets and doors in area to be treated. REMOVE or cover exposed foods, dishes, utensils, food processing equipment and surfaces. REMOVE pets and birds, cover and turn off fish aquariums before use. Cover waxed wood floors, waxed furniture and other plastic surfaces near the fogger (newspaper may be used). CLOSE outside doors and windows. SHUT OFF fans and air conditioners. DO NOT use more than one fogger per room.

DO NOT use in small, enclosed spaces such as closets, cabinets, or under counters or tables. DO NOT use in a room 5 ft x 5 ft or smaller; instead allow fog to enter from other rooms. Turn off ALL ignition sources such as pilot lights (shut off gas valves), other open flames, or running electrical appliances that cycle on and off (i.e., refrigerators, thermostats, etc.) Call your gas utility or management company if you need assistance.

Step 2: ACTIVATION OF FOGGER

Do not place on water stainable surface. Place a chair or table in the center of area to be fogged approximately 2 ft above the floor. Cover with several layers of newspaper or paper towels. Tilt can opening AWAY from face and depress tab firmly with thumb until it clicks in locked position. Set fogger on newspaper. Immediately leave treated area and keep area closed for at least 4 hours. Before reoccupying the area, open all doors and windows and allow treated area to air for 30 minutes.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry place away from heat or open flame, preferably in a locked storage area.

Disposal: Do Not Puncture or Incinerate! Non-refillable container. Do not reuse or refill this container.

If Empty: Place in trash or offer for recycling if available.

If Partly Filled: Call your local solid waste agency for disposal instructions.

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

Caution: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

FIRST AID**If in eyes:**

- 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.
- Call a poison control center or doctor for treatment advice.

If swallowed:

- 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.

NOTE TO PHYSICIAN

May pose an aspiration hazard. Contains petroleum distillate.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor. You may also contact 1-xxx-xxx-xxxx for emergency medical treatment information.

Physical or 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. This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the "Directions for Use" on this label carefully.

Highly Flammable Ingredient (FLAMMABILITY ICON)

Ingrediente Altamente Inflamable

Questions? Comments? See code on the bottom of can then call (xxx) xxx-xxxx or E-mail xxx@xxx.com

Cyper-Active is a registered trademark of Valent BioSciences Corporation

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

EPA Reg. No: 73049-454
EPA Est. No:

Text on Can

CYPER-ACTIVE® E2 WB TRA

Active Ingredient:

Cypermethrin*	0.824%
Other Ingredients**:	99.176%
	100.000%

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

**Contains Petroleum Distillates

Net Wt. 2.0 oz (57 g)

OR

Net Wt. 3.75 oz (107 g)

KEEP OUT OF REACH OF CHILDREN CAUTION

See back panel for additional Precautionary Statements and First Aid
Refer to outer carton for Directions For Use.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry place away from heat or open flame, preferably in a locked storage area.

Disposal: Do Not Puncture or Incinerate! Non-refillable container. Do not reuse or refill this container.

If Empty: Place in trash or offer for recycling if available.

If Partly Filled: Call your local solid waste agency for disposal instructions.

Questions? Comments? See code on the bottom of can then call (xxx) xxx-xxxx or E-mail xxx@xxx.com

PRECAUTIONARY STATEMENTS

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Caution: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

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. Call a poison control center or doctor for treatment advice.
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.

NOTE TO PHYSICIAN

May pose an aspiration hazard. Contains petroleum distillate.

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Highly Flammable Ingredient (FLAMMABILITY ICON)
Ingrediente Altamente Inflamable

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