

73049-459

1/8/2009

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

Date of Issuance:

73049-459

JAN - 8 2009

Term of Issuance: Conditional

Name of Pesticide Product:

UltraTec DS Yard and Patio Spray

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Valent BioSciences Corporation
870 Technology Way
Libertyville, IL 60048

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Submit a revised Formulator's Exemption Statement citing the source product from another registrant, i.e., not a product that you are formulating.
3. Make the labeling changes listed below before you release the product for shipment:
 - a. Add the phrase "EPA Registration No. 73049-459".
 - b. In the Hazards to Humans and Domestic Animals text, add as the last sentence "Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals."

Signature of Approving Official:

Richard Gebken
Product Manager 13
Insecticide Branch
Registration Division (7505P)

Date:

JAN - 8 2009

- c. The data cited do not support claims that the product is efficacious when applied as an outdoor fogger or an outdoor residual insecticide. You must remove all claims against pests of public health concern when the product is used outdoors. The data cited support claims that the product is efficacious when applied as a direct spray or residual insecticide against a variety of pests when used indoors, not outdoors. Residual claims against the listed pests would not be acceptable even if the cited studies had been adequate due to label deficiencies. The directions for use must be revised to adequately express the proper use of the product to the user (e.g., no application rate). If the label is appropriately modified, outdoor direct contact kill claims may be considered.
- d. The label claims against pests of public health concern must be removed from the label. Remove all references to Houseflies, Mosquitoes, Carpenter Ants, Pharoah Ants, Fire Ants, Bees, Wasps, Cockroaches, Palmetto bugs, Fleas, Black Flies, Hornets, Yellow jackets, Cluster flies, Scorpions, Spiders, and Centipedes. The claim for Ants may be modified to read "Ants (except Carpenter, Pharoah, and Fire Ants)".
- e. Remove the following unacceptable label claims:
 1. Use Outdoors to control [annoying][nuisance] insects
 2. Provides a barrier against [flying] insects
 3. [Controls][and][Kills]mosquitoes, black flies,...
 4. [Controls][and][Kills] annoying insects such as...
 5. Keeps [bugs][insects]away [during evening [hours][activities]
 6. Keeps [bugs][insects] down
 7. Kills bugs up to 4-6 feet away
 8. Kills bugs fast on contact
 9. Residual contact spray
 10. [Controls][and][kills] [residual control of] stable flies for 18 weeks**
 11. [Controls][and][kills][residual control of] carpenter ants for 4 weeks**
 12. [Controls][and][kills][residual control of [fire ants][and] [crazy ants][and][Pharoah ants] for 1 week**
- f. Include the label revisions for the Storage and Disposal section specified by PR Notice 2007-4, which is available at www.epa.gov/opppmsd1/PR_Notices/pr2007-4.pdf.
- g. Include the label revisions for the Environmental Hazards section specified by PR Notice 2008-1, which is available at www.epa.gov/opppmsd1/PR_Notices/pr2008-1.pdf.

Submit three copies of the revised final printed label for the record.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

UltraTec® DS Yard and Patio Spray

- [Outdoor fogger
- [For use in] [Use in] [backyards], [picnic areas], [campsites], [patios], [gazebos], [decks], [around] [on] [RV's], [picnic tables], [outdoor furniture] [and] [garbage cans] [compost piles]
- Use Outdoors to control [annoying] [nuisance] insects
- Provides a barrier against [flying] insects
- [Controls] [and] [Kills] mosquitoes, black flies, house flies, flies, gnats, ants, fire ants, moths, wasps and hornets, yellow jackets [and other listed insects]
- [Controls] [and] [Kills] annoying insects such as mosquitoes, spiders, flies, fleas, ticks, scorpions, gnats, ants, fireants, moths, wasps, hornets, yellow jackets [and other insects]
- Water-based
- Keeps [bugs] [insects] away [during evening] [hours] [activities]
- Keeps [bugs] [insects] down
- Kill bugs up to 4-6 feet away
- Kills bugs fast on contact
- Residual contact spray
- Non-staining
- Won't harm Ornamental plants
- Contains NO CFC's or other ozone depleting substances. Federal regulations prohibit CFC propellants in aerosols.
- [Controls] [and] [kills] [residual control of] stable flies for 18 weeks**
- [Controls] [and] [kills] [residual control of] carpenter ants for 4 weeks**
- [Controls] [and] [kills] [residual control of] [fire ants] [and] [crazy ants] [and] [Pharaoh ants] for 1 week**
- Easy to use]

**When insects come in contact with sprayed surfaces

Active Ingredients:

Deltamethrin.....	0.02%
S-bioallethrin.....	0.05%
Other Ingredients*:	<u>99.93%</u>
	100.00%

*Contains petroleum distillate.

PRECAUCION AL USARIO: Si usted no lee igles, 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-xxx
Item No.

EPA Establishment No.

KEEP OUT OF REACH OF CHILDREN
CAUTION
See Side Panel for additional Precautions

NET CONTENTS:

**ACCEPTED
with COMMENTS
In EPA Letter Dated:
JAN - 8 2009**

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
73049-459**

FIRST AID	
If Swallowed:	<ul style="list-style-type: none"> • Immediately call poison control center or doctor. • Do not induce vomiting unless told to do so by the 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.	

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

Caution

Harmful if swallowed. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove contaminated clothing and wash clothing before reuse.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water. 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

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

DIRECTIONS FOR USE

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

STOP: PLEASE READ ENTIRE LABEL BEFORE USE. Do not apply when people or pets are in the treatment area. Do not contaminate fishponds or spray directly to water. Remove all exposed food and cooking utensils. Cover all food handling surfaces and/or wash thoroughly after treatment and before use. Do not use on edible crops. Do not allow people or pets to re-enter the treated area until sprays have dispersed and surfaces are dry.

Shake before using. Point nozzle away from face, other people, and animals. Direct spray toward area being treated.

Hold can on slight downward angle. To get best results, spray when air is [still] [calm]. Allow a few moments [minutes] for product to [start working] [take effect]. If it a slight breeze is blowing, spray with the wind at your back [to avoid coming in contact with spray].

Also spray surfaces in the area such as deck/porch railings, flower pots/stands, surfaces around light fixtures, window & door frames, screens, legs of furniture, as well as foliage and grassy areas. Insects coming to rest on treated surfaces will be killed.

For flying insects: To [eliminate] [control] [kill] mosquitoes, flies, gnats, small flying moths, hornets, wasps and yellow jackets, allow fog to drift over area. [To avoid damage to [plants] [and ornamentals] [stand] [Standing] at least 4 to 6 feet away, direct the fog toward grass, bushes, shrubs and plants. [Also treat] [Pay special attention to] breeding areas such

as leaf and compost piles and garbage cans. Will [kill] [control] stable flies that come in contact with sprayed surfaces for up to 18 weeks.

For crawling insects: To [eliminate] [control] [kill] ants, [fire ants], centipedes, cockroaches, palmetto bugs, boxelder bugs, Asian lady beetles, crickets, spiders, beetles, scorpions and silverfish spray surface of deck, patio, or picnic area, hitting as many insects as possible. Also spray legs of tables and chairs to repel ants and crawling insects. For best control, spray ant hills.

Will [control] [kill] carpenter ants that come in contact with sprayed surfaces for up to 4 weeks. Will [control] [kill] crazy ants, pharaoh ants and fire ants that come in contact with sprayed surfaces for up to 1 week.

STORAGE AND DISPOSAL

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

Storage: Do not store near heat or open flame. Store in a 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.

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Environmental Science Division
870 Technology Way
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☐ Indicates alternate text in addition to any subset of the directions for use.