


81824-4

08/16/2005

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 <p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460</p> <p>NOTICE OF PESTICIDE: <u> x </u> Registration <u> </u> Reregistration (under FIFRA, as amended)</p>	<p>EPA Reg. Number: 81824-4</p>	<p>Date of Issuance: AUG 16 2005</p>
	<p>Term of Issuance: Conditional</p>	
	<p>Name of Pesticide Product: ENS-100</p>	
<p>Name and Address of Registrant (include ZIP Code):</p> <p>Ensystex II, Inc. 2709 Breezewood Ave. Fayetteville, NC 28303</p>		
<p>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.</p>		
<p>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.</p> <p>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.</p> <p>This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:</p> <ol style="list-style-type: none"> 1. Submit and/or cite all data required for registration/ reregistration of your product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of your product under FIFRA section 4. 2. Submit the results of a one-year storage stability study under typical storage conditions. 3. Make the labeling changes listed below before you release the product for shipment: <ol style="list-style-type: none"> a. Add the phrase "EPA Registration No. 81824-4". b.. Based on the acute toxicity profile for this product, under the heading Hazards to Humans and Domestic Animals delete "Causes moderate eye irritation" and add "Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals." c. In the First Aid section you may delete the "If in eyes" statement since this route of exposure was classified as Toxicity Category IV. 		
<p>Signature of Approving Official:</p>		<p>Date: AUG 16 2005</p>

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- d. In the warrant statement, replace "In no event shall Enystex II Inc be..." with "To the extent permitted by law, Ensystem II Inc. shall not be xxx".
4. The relative density of this product is different from the cited product (by a factor of 3). Either redo the density or explain the reason for the difference,
5. Submit two (2) copies of your final printed labeling before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 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.

ENS-100

ACTIVE INGREDIENT:

Bifenthrin: (2-methyl[1,1'-biphenyl]-3-yl) methyl 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-cyclopropane carboxylate* 96.5%

OTHER INGREDIENTS: 3.5%

TOTAL: 100.0%

*Cis isomers 97% minimum, trans isomers 3% maximum.

WARNING

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 by mouth-to-mouth, if possible. • 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 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	

EPA Reg. No. 81824-

EPA Est. No.

Manufactured for:
 Ensystex II, Inc.
 Fayetteville, NC 28303

**ACCEPTED
 with COMMENTS
 In EPA Letter Dated:
 AUG 16 2005**

Net Weight:

**Under the Federal Insecticide,
 Fungicide, and Rodenticide Act,
 as amended, for the pesticide
 registered under EPA Reg. No.
81824-4**

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
WARNING**

May be fatal if swallowed. Harmful if inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing dust. Avoid contact with skin, eyes, or clothing. Remove and wash contaminated clothing before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. 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.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

Only for formulation into an insecticide/miticide for (1) The following uses:

Terrestrial Non-Food:

Termiticide and Soil Contact Nonfumigation Treatment
Wood Treatment and Protection
Outdoor Insect Control
Ornamental plants, trees, shrubs and vines (woody)
Residential Lawns
Indoor Insect Control

Food Handling Establishments: Places other than private residences in which food is held, processed, prepared or served.

Non-Food/Feed Areas: May be used to manufacture end-use products labeled for use as a spot or crack and crevice treatment in non-food areas, including: floor drains (to sewers), garbage rooms, lavatories, entries/vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closes, and storage (after canning or bottling).

Food/Feed: May not be used to manufacture products for use in food/feed areas or on food/feed. Do not use in food areas of food handling establishments, restaurants, or other areas where food is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Examples of food areas are areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas (when food is exposed and facility is in operation) also would be considered food areas. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use.

(2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and

(3) Uses for experimental purposes that are in compliance with USEPA requirements.

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Formulators using this product are responsible for obtaining USEPA registration for their formulated product which may be labeled for the use patterns as found listed on this label.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not store product below 40°F. Store in original container only.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

Terms and Conditions Of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of the purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies.

Warranty Disclaimer

ENSYSTEX II warrants that this product conforms to the chemical description on the label and that it is reasonably fit for the purposes stated on the label when used in strict accordance with the directions for use, subject to the inherent risks set forth below. ENSYSTEX II MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Lack of performance or other unintended consequences may result because of factors such as use of the product contrary to the label directions, adverse conditions (such as unfavorable temperatures, soil conditions, excessive rainfall, etc.), presence of other materials, the manner of application or other factors, all of which are beyond the control of ENSYSTEX II or the seller. All such risks shall be assumed by the Buyer and User.

Limitation Of Remedies

The exclusive remedy for losses or damages resulting from the use of this product (including claims based on contract, negligence, strict liability or other legal theories), shall be limited to, at ENSYSTEX II's election, one of the following: Refund of purchase price paid by the buyer or user for product bought or replacement of amount of product used.

ENSYSTEX II shall not be liable for losses or damages resulting from handling or use of this product unless ENSYSTEX II is promptly notified of such loss or damage in writing. In no case shall ENSYSTEX II be liable for consequential or incidental damages or losses even if ENSYSTEX II knew of, was advised of, or should have been aware of the possibility of such damages.

The terms of the Terms and Conditions of Use, Warranty Disclaimer, Inherent Risks of Use and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of ENSYSTEX II or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.