

81959-16

04/13/2007

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ann Tillman
Etigra, LLC
c/o Pyxis Regulatory Consulting, Inc.
4110 136th St. N.W.
Gig Harbor, WA 98332

APR 13 2007

Dear Ms. Tillman:

Subject: Labeling Amendment; Addition of Companion Animals
ET-016
EPA Registration No. 81959-16
Submission Date: February 9, 2007

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following provisions:

1. Within the **CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY** section of the label, revise the sentence "*The Directions for Use of this product should be followed carefully.*" to read "*The directions for Use of this product must be followed carefully.*"
2. Within the **CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY** section of the label, revise the sentence "*ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS...*" to read "*TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS...*"
3. Within the **CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY** section of the label, revise the sentence "*THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER...*" to read "*TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER...*"

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the referenced label, incorporating the above changes, before releasing the product for shipment. If you have any questions regarding this letter, please contact Kable Bo Davis at (703) 306-0415.

Sincerely,

A handwritten signature in black ink that reads "Venus Eagle".

Venus Eagle
Product Manager (01)
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

ET-016

For Use in the Manufacture of Insecticides

ACTIVE INGREDIENT:

Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine99.0%

OTHER INGREDIENTS:1.0%

TOTAL:100.0%

KEEP OUT OF REACH OF CHILDREN 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 a 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 further 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.	
NOTE TO PHYSICIAN	
No specific antidote is available. Treat symptomatically.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

May be fatal if swallowed. Harmful if inhaled. Causes moderate eye irritation. Avoid breathing dust or vapor. Avoid contact with skin, eyes and 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.

EPA Reg. No. 81959-16

Manufactured for:
Etigra, LLC
2214 Hwy 44 West
Inverness, FL 34453

EPA Est. No.

ACCEPTED
with COMMENTS
In EPA Letter Dated:
APR 13 2007

Net Weight:

81959-16

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Keep out of lakes, streams, or ponds. 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.

DIRECTIONS FOR USE

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

ET-016 is intended for formulation into end use products for:

Terrestrial Non-food Crop, or Residential and Commercial Outdoor: Lawns, turfgrasses, ornamentals, in or around residential or commercial buildings.

Terrestrial Non-food Crop Use, Domestic Indoor & Outdoor Use: companion animals.

Terrestrial Food Crop: Apple, Barley, Bushberry, Canola, Citrus, Cotton, Cranberry, Cucurbit Vegetables, Grape, Greenhouse Vegetables, Fruiting Vegetables, Head and Stem Brassica Vegetables, Leafy Vegetables, Leafy Petiole Vegetables, Legume Vegetables, Hop, Pecan, Pome Fruit, Potato, Root Vegetables, edible seed crops for Sorghum, Sugar beet, Strawberry, Stone Fruit, Tropical Fruit, Tuberous and Corm Vegetables, and Wheat.

Greenhouse Non-Food Crop or Residential and Commercial Indoor: Ornamentals.

Each formulator is responsible for obtaining EPA registration for their end-use product(s).

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, 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 bag into manufacturing equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Etigra, LLC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Etigra, LLC and Seller harmless for any claims relating to such factors.

Etigra, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, LLC, and Buyer and User assume the risk of any such use. ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF

FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

It is Etigra LLC's and seller's intention that to the extent allowable under State law, Etigra, LLC or the Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ETIGRA, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Etigra, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra, LLC.