

83520-5

3-27-2008

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

March 27, 2008

Jane Miller  
Agent for Axss USA, LLC  
115 Obtuse Hill  
Brookfield, Connecticut 06804

Subject: Amendment – adding additional approved uses  
Bifenthrin Technical  
EPA Reg. No. 83520-5  
Your submission dated September 18, 2007

Dear Ms. Miller:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Add, "To the extent consistent with applicable law" to the beginning of the last sentence in the Warranty statement "... Axss USA, LLC makes no warranties or merchantability ..."
2. Update the pesticide container disposal instructions in accordance with PR Notice 2007-4, "Standards for Pesticide Containers and Containment".

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 bearing the amended labeling constitutes acceptance of these conditions.

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If you have any questions regarding this action, please contact BeWanda Alexander of my team at (703) 305-7460.

Sincerely,  
*BeWanda Alexander for*  
George T. LaRocca  
Product Manager 13  
Insecticide Branch  
Registration Division (7505C)

Enclosure

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# Bifenthrin Technical

## For Manufacturing Use Only

ACCEPTED  
with COMMENTS  
in EPA Letter Dated  
**MAR 27 2008**  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
83520-5

**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.....98.5%

Other Ingredients:..... 1.5%

TOTAL.....100.0%

Cis isomers 97% minimum, trans isomers 3% maximum

KEEP OUT OF REACH OF CHILDREN

### WARNING/AVISO

#### PRECAUTIONARY STATEMENTS

**Hazards to Humans and Domestic Animals**

May be fatal if swallowed. Harmful if inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes, or clothing. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling, and before eating, drinking, or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals,

<b>FIRST AID</b>	
<b>If Swallowed:</b>	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.
<b>If on Skin or Clothing:</b>	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.
<b>If Inhaled:</b>	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.
<b>If in Eyes:</b>	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 for treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

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**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 Environmental Protection Agency.

**PHYSICAL AND 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.

This material requires further mixing before use.

**ONLY FOR FORMULATION INTO AN INSECTICIDE/MITICIDE FOR:**

**(1) The following uses:**

**Terrestrial Food/Feed Crops:** Bananas (import only), Caneberries, Canola, Cilantro, Citrus, Cotton, Crambe, Cucurbits, Field Corn (Grain and Sillage), Field Corn Grown for Seed, Sweet Corn, Sweet Corn Grown for Seed, Fruiting Vegetables, Globe Artichokes, Grapes, Herbs, Hops, Dried Peas and Beans, Succulent Peas and Beans, Head and Stem Brassica Vegetables, Leafy Brassica Greens, Legume Vegetables, Lettuce (Head), Mayhaw, Okra, Turnip Greens, Tuberous and Corm Vegetables, Peanuts, Pears, Popcorn, Root Crops (except sugar beets), Rapeseed, Soybeans, Spinach, Strawberries, Tobacco, Tree Nuts, Greenhouse Grown Ornamental Trees, Shrubs, Plants, Flowers, Non-Bearing Fruit and Nut Trees.

**Terrestrial Non-Food:**

Termiticide and Soil Contact Nonfumigation Treatment  
Wood Treatment and Protection  
Outdoor Insect Control  
Ornamental Plants, Trees, Shrubs, and Vines (Woody)  
Christmas Trees  
Conifer Seed Orchards  
Residential Lawns  
Indoor Insect Control

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

(2) Uses for which U.S. EPA has accepted the required data and/or citation of data that the formulator has submitted in support of registration; and

(3) Uses for experimental purposes that are in compliance with U.S. EPA requirements.

Formulators using this product to formulate an end-use pesticide product are responsible for obtaining an EPA registration for their end-use product.

**STORAGE AND DISPOSAL**

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

**Storage:** Store in original container, in a cool dry locked area. Store separately from other pesticides, fertilizers, food or feed to prevent contamination. In case of spill or broken container, call Chemtrec at 1-800-424-9300.

**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 container into formulation equipment. Then dispose of empty container in a sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**CONDITIONS OF SALE AND LIMITATION OF WARRANTY**

Axss USA, LLC warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purposes stated on such label only when used in accordance with the directions under normal use conditions. Crop injury, 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 Axss USA, LLC. To the extent consistent with applicable law, Axss USA, LLC shall not be liable for consequential, special or indirect damages resulting from the use or handling of this product. The exclusive remedy of any Buyer or User of this product and any and all losses, injuries, or damages resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort negligence, strict liability, or otherwise, shall not exceed the purchase price of this product. All such risks shall be assumed by the Buyer. AXSS USA, LLC MAKES NO WARRANTIES OR MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE NOR ANY OTHER EXPRESSED OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

EPA Reg. No. 83520-5  
EPA Est. No.

Manufactured by:  
Axss USA, LLC  
1100 Platte Falls Road  
Platte City, MO 64079