

83520-5

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

January 11, 2010

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

Subject: Amendment: Adding additional uses (bushberries, eggplant, garden beet roots & tops, leafy petiole vegetables, peppers (bell & non-bell) and tomato)
Bifenthrin Technical
EPA Reg. No. 83520-5
Your Submission Dated September 30, 2009

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. A stamped copy of the label is enclosed for your records.

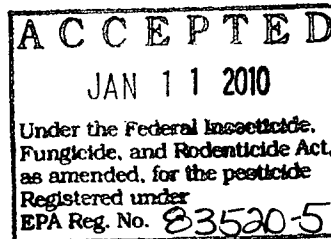
If you have any questions regarding this action, please contact BeWanda Alexander at Alexander.bewanda@epa.gov or (703) 305-7460.

Sincerely,

A handwritten signature in black ink that reads "BeWanda Alexander for".

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

Enclosure



Bifenthrin Technical

For Manufacturing Use Only

Active Ingredient:

Bifenthrin: (2-methyl)[1,1¹-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

FIRST AID	
If Swallowed:	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 on Skin or Clothing:	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 Inhaled:	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.
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 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. You may contact 1-800-222-1222 for emergency medical treatment information.	

EPA Reg. No. 83520-5

EPA Est. No. XXXXX-XXX-XXX

Net Weight:

Manufactured by:
Axss USA, LLC
6600 West 20th St. Suite 26
Greeley, CO 80634

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,

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), Bushberries, Caneberries, Canola, Cilantro, Citrus, Cotton, Crambe, Cucurbits, Eggplant, Field Corn (Grain and Sillage), Field Corn Grown for Seed, Sweet Corn, Sweet Corn Grown for Seed, Fruiting Vegetables, Garden Beet Roots and Tops, Globe Artichokes, Grapes, Herbs, Hops, Dried Peas and Beans, Succulent Peas and Beans, Head and Stem Brassica Vegetables, Leafy Brassica Greens, Leafy Petiole Vegetables, Legume Vegetables, Lettuce (Head), Mayhaw, Okra, Turnip Greens, Tuberous and Corm Vegetables, Peanuts, Pears, Peppers (bell and non-bell), Popcorn, Root Crops (except sugar beets), Rapeseed, Soybeans, Spinach, Strawberries, Tobacco, Tomato, Tree Nuts.

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
Greenhouse Grown Ornamental Trees, Shrubs, Plants, Flowers
Non-Bearing Fruit and Nut Trees
Residential Lawns
Indoor Insect Control

Label amendment to add crops 09302009 MARKED

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.

Pesticide 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: Nonrefillable container. Do not reuse or refill container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. **Fiber Drum:** Offer for recycling if available or dispose of container in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. **Metal Drum:** Offer for recycling or reconditioning, if appropriate, or puncture and dispose of container in a sanitary landfill, or by other procedures approved by state and local authorities.

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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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.