



Reinhart Boerner Van Deuren s.c.  
P.O. Box 2965  
Milwaukee, WI 53201-2965

1000 North Water Street  
Suite 1700  
Milwaukee, WI 53202

Telephone: 414-298-1000  
Fax: 414-298-8097  
Toll Free: 800-553-6215  
reinhartlaw.com

August 24, 2011

DELIVERED BY COURIER

Regional Hearing Clerk (E-19J)  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604  
Attn: Ms. La Dawn Whitehead



Dear Ms. Whitehead:

Re: *In the Matter of Liphatech, Inc.*  
Docket No. FIFRA-05-2010-0016

Per your email to Jeffrey Clark of our office on August 24, 2011 and our subsequent phone conversation, I enclose redacted copies of Respondent's Exhibits 91 through 95. The enclosed versions of Respondent's Exhibits 91 through 95 have been redacted to exclude that information which is confidential business information. If you need anything further in this regard, please let me know.

Respectfully submitted,

Lucas N. Roe

REINHART\7678483

Encs.

cc Ms. Nidhi K. O'Meara (C-14J) (w/encs., by courier)

~~#~~ 91

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of: ) Docket No. FIFRA-05-2010-0016  
)  
Liphatech, Inc. ) Hon. Susan Biro  
Milwaukee, Wisconsin, )  
)  
Respondent. )  
)  
\_\_\_\_\_ )

RECEIVED

AUG 25 2011

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

INFORMATION CLAIMED CONFIDENTIAL PURSUANT TO 40 C.F.R.  
§ 22.5(d) HAS BEEN DELETED FROM THE ATTACHED DOCUMENT. A  
COMPLETE COPY OF THE DOCUMENT CONTAINING THE  
INFORMATION CLAIMED CONFIDENTIAL HAS BEEN FILED WITH THE  
REGIONAL HEARING CLERK.

# LIPHA<sup>®</sup>TECH

## Agricultural/Field Rodenticide - Distributor Prices

Continental United States

Effective September 1<sup>st</sup>, 2007

Prices subject to change without notice.

### ADVANCED RODENT CONTROL CHEMISTRY

<b>Rozol<sup>®</sup></b>	<b>Product Descriptions (Chlorophacinone)</b>	<b>Product Code</b>	<b>Bag/Pail/ Case Weight</b>	<b>Units/ Pails</b>	<b>Distributor T/M Price</b>	<b>Distributor I/M Price</b>
	<b>New! Pocket Gopher Bait</b> <i>Burrow Builder Formula**</i> 30 lb pail	84118	34 lb.	48 pails		
	<b>Pocket Gopher Bait</b> <i>Burrow Builder Formula**</i> 50 lb bag	84117	54 lb.	40 bags		
	<b>New! Pocket Gopher Bait</b> <i>Burrow Builder Formula**</i> 1,800 lb. Super Sack (bulk tote)	84119	1,800 lb.	1 tote		
<p><b>** Burrow Builder Formula is a restricted use pesticide, and requires a Dealer/Applicators license number.</b>  <b>For Use on Pocket Gophers in: AR, CA, CO, ID, KS, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA, WY</b>  <b>When accompanied by a corresponding state 24 (c) SLN label, may be used for the control of Black-tailed Prairie Dogs</b>  <b>in the following states: CO, KS, NE, TX, WY</b></p>						
	<b>Pocket Gopher Bait*</b> 9.75 lb. pail, 4 pails/case	84113	48 lb.	24 cases (96 pails)		
	<b>Pocket Gopher Bait*</b> 30 lb. pail	84115	34 lb.	48 pails		
<p><i>* For use in all states except: AK, HI, NC &amp; PA</i></p>						
	<b>Bulk Paraffinized Pellets</b> For Norway Rats, Roof Rats, & House Mice 50 lb. bag	84315	54 lb.	40 bags		

### Terms & Conditions of Sale

- **Payment:**
- **Minimum Order Quantity:**
- **Freight:**
- **Customer Pick-up Allowance:**
- **Returns:**

3600 West Elm Street  
Milwaukee, WI 53209  
<http://www.rodent-control.com>

**LIPHA<sup>®</sup>TECH**

Customer Service: 7:30 a.m. - 4:30 p.m. CST  
Phone: 1-888-331-7900 Fax: 1-414-247-8166  
Chemtrec 24-hr. Emergency: 1-800-424-9300

07

\*\*\*\*The following information has been redacted from this document as business confidential information: product pricing information, terms and conditions of sale, payment requirements, minimum order requirements, shipping costs, pick up allowances, handling fees and return policies.

RX\_004322b

# LIPHA<sup>®</sup>TECH

## Agricultural/Field Rodenticide - Distributor Prices

Continental United States

Effective August 12<sup>th</sup>, 2008

Prices subject to change without notice.

### ADVANCED RODENT CONTROL CHEMISTRY

<b>Rozol<sup>®</sup></b>	<b>Product Descriptions (Chlorophacinone)</b>	<b>Product Code</b>	<b>Bag/Pail/ Case Weight</b>	<b>Units/ Pails</b>	<b>Distributor Unit Price</b>	<b>Distributor Unit Price</b>
	<b>Pocket Gopher Bait Burrow Builder Formula**</b> 30 lb. pail	84118	34 lb.	48 pails		
	<b>Pocket Gopher Bait Burrow Builder Formula**</b> 50 lb. bag	84117	54 lb.	40 bags		
	<b>Pocket Gopher Bait Burrow Builder Formula**</b> 1,800 lb. Super Sack (bulk tote)	84119	1,800 lb.	1 tote		
<p><b>** Burrow Builder Formula is a restricted use pesticide, and requires a Dealer/Applicators license number.</b>            For Use on Pocket Gophers in: AR, CA, CO, ID, KS, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA, WY            When accompanied by a corresponding state 24 (c) SLN label, may be used for the control of Black-tailed Prairie Dogs in the            following states: CO, KS, NE, OK, TX, WY. Not approved in all counties in CO or TX. See 24 (c) label for specific counties.</p>						
	<b>Pocket Gopher Bait*</b> 30 lb. pail	84115	34 lb.	48 pails		1
* For use in all states except: AK, HI, NC & PA						
	<b>Bulk Paraffinized Pellets</b> For Norway Rats, Roof Rats, & House Mice 50 lb. bag	84315	54 lb.	40 bags		

### Terms & Conditions of Sale

- **Payment:**
- **Minimum Order Quantity:**
- **Freight:**
- **Customer Pick-up Allowance**
- **Returns:**

3500 West Elm Street  
Milwaukee, WI 53209  
<http://www.rodent-control.com>

LIPHA<sup>®</sup>TECH

Customer Service: 7:30 a.m. - 4:30 p.m. CST  
Phone: 1-888-331-7900 Fax: 1-414-247-8166  
Chemtrec 24-hr. Emergency: 1-800-424-9300

Page 1 of 1

Field 08/12/08

\*\*\*\*The following information has been redacted from this document as business confidential information: product pricing information, terms and conditions of sale, payment requirements, minimum order requirements, shipping costs, pick up allowances, handling fees and return policies.

RX\_004323b

# LIPHA<sup>®</sup>TECH

## Agricultural/Field Rodenticide - Distributor Prices

Continental United States

Effective September 15<sup>th</sup>, 2008

Prices subject to change without notice.

### ADVANCED RODENT CONTROL CHEMISTRY

<b>ROZOL<sup>®</sup></b>	<b>Product Descriptions (Chlorophacinone)</b>	<b>Product Code</b>	<b>Bag/Pail/ Case Weight</b>	<b>Units/ Pails</b>	<b>Distributor Bl. Price</b>	<b>Distributor Lab. Price</b>
	<b>Pocket Gopher Bait Burrow Builder Formula*</b> 30 lb. pail	84118	34 lb.	48 pails		
	<b>Pocket Gopher Bait Burrow Builder Formula*</b> 50 lb. bag	84117	54 lb.	40 bags		
	<b>Pocket Gopher Bait Burrow Builder Formula*</b> 1,800 lb. Super Sack (bulk tote)	84119	1,800 lb.	1 tote		
<p>* Burrow Builder Formula is a restricted use pesticide, and requires a Dealer/Applicators license number. For Use on Pocket Gophers in: AR, AZ, CA, CO, ID, KS, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA, WY. When accompanied by a corresponding state 24 (c) SLN label, may be used for the control of Black-tailed Prairie Dogs in the following states: CO, KS, NE, OK, TX, WY. Not approved in all counties in CO or TX. See 24 (c) label for specific counties.</p>						
	<b>Pocket Gopher Bait**</b> 2 lb. pouch, 12 pouches / case	84125	26 lb.	60 cases		
	<b>Pocket Gopher Bait**</b> 30 lb. pail	84115	34 lb.	48 pails		
** For use in all states except: AK, HI, NC & PA						
	<b>Bulk Paraffinized Pellets</b> For Norway Rats, Roof Rats, & House Mice 50 lb. bag	84315	54 lb.	40 bags		

### Terms & Conditions of Sale

- **Payment:**
- **Minimum Order Quantity:**
- **Freight:**
- **Returns:**

3600 West Elm Street  
Milwaukee, WI 53209  
<http://www.rodent-control.com>

# LIPHA<sup>®</sup>TECH

Customer Service: 7:30 a.m. - 4:30 p.m. CST  
Phone: 1-888-331-7900 Fax: 1-414-247-8166  
Chemtrec 24-hr. Emergency: 1-800-424-9300

V08

\*\*\*\*The following information has been redacted from this document as business confidential information: product pricing information, terms and conditions of sale, payment requirements, minimum order requirements, shipping costs, pick up allowances, handling fees and return policies.

RX\_004324b



**LIPHATECH**



**Rozol Prairie Dog Bait**  
**2009 Distributor Purchase Program**  
**Program Dates: August 10 - 31, 2009**

Now through August 31, 2009 Distributors may purchase Rozol Prairie Dog Bait at the special discounted prices below:

<b>Rozol®</b>	<b>Product Descriptions (Chlorophacinone)</b>	<b>Product Code</b>	<b>Bag/Pail/ Weight</b>	<b>Units/ Pallet</b>	<b>Distributor TL Price</b>	<b>Distributor LTL Price</b>
	Prairie Dog Bait* 30 lb. pail	84111	34 lb.	48 pails		
	Prairie Dog Bait* 50 lb. bag	84112	54 lb.	40 bags		
	Prairie Dog Bait* 1,800 lb. Super Sack (bulk tote)	84119	1,800 lb.	1 tote		

**\* Prairie Dog Bait is a restricted use pesticide, and requires a Dealer/Applicators license number.  
 For use in these states: CO, KS, ND, NE, NM, OK, TX & WY**

August is your "Best Buy" month to purchase at these discounted prices. In order to participate in this program, please do the following:

<b>Order by:</b>	<b>Product shipment at Liphatech's discretion:</b>	<b>Truckload Payment terms:</b>	<b>Profit margin improvement potential:</b>
<b>Aug. 31, 2009</b>	<b>Most completed no later than Dec. 31, 2009</b>		

Purchase orders can be phoned, faxed, or E-mailed to Liphatech, Inc. at:

**Liphatech, Inc.**  
 Becky Perdue  
 Customer Service Manager  
 Phone: 1-888-331-7900  
 Fax: 414-247-8166  
 E-mail: [perdueb@liphatech.com](mailto:perdueb@liphatech.com)

\*\*\*\*The following information has been redacted from this document as business confidential information:  
 product pricing information, terms and conditions of sale, payment requirements, minimum order requirements, shipping costs, pick up allowances, handling fees and return policies.

# LIPHA<sup>®</sup>TECH

## Agricultural/Field Rodenticide - Distributor Prices

Continental United States

Effective September 1<sup>st</sup>, 2009

Prices subject to change without notice.

### ADVANCED RODENT CONTROL CHEMISTRY

<i>Rozol</i> <sup>®</sup>	Product Descriptions (Chlorophacinone)	Product Code	Bag/Pail Weight	Units/Pallet	Distributor Unit Price	Distributor Unit Price
	Prairie Dog Bait* 30 lb. pail	84111	34 lb.	48 pails		
	Prairie Dog Bait* 50 lb. bag	84112	54 lb.	40 bags		
	Prairie Dog Bait* 1,800 lb. Super Sack (bulk tote)	84119	1,800 lb.	1 tote		
* Prairie Dog Bait is a restricted use pesticide, and requires a Dealer/Applicators license number. For use in these states: CO, KS, ND, NE, NM, OK, TX & WY						
	Pocket Gopher Bait** 2 lb. pouch, 12 pouches / case	84125	25 lb.	60 cases		
	Pocket Gopher Bait** 30 lb. pail	84115	34 lb.	48 pails		
** For use in all states except: AK, HI, NC & PA						
	Pocket Gopher Bait Burrow Builder Formula*** 30 lb. pail	84118	34 lb.	48 pails		
*** Burrow Builder Formula is a restricted use pesticide, and requires a Dealer/Applicators license number. For use in these states: AR, AZ, CA, CO, ID, IA, IL, KS, LA, MN, MO, MT, NE, NV, NM, ND, OK, OR, SD, TN, TX, UT, WA, WY						
	Bulk Paraffinized Pellets For Norway Rats, Roof Rats, & House Mice 50 lb. bag	84315	54 lb.	40 bags		

### Terms & Conditions of Sale

- **Payment:**
- **Minimum Order:**
- **Freight:**
- **Shipments:**
- **Customer Pick-up Allowance:**
- 
- 
- **Returns:**

3600 West Elm Street  
Milwaukee, WI 53209  
<http://www.rodentcontrol.com>

## LIPHA<sup>®</sup>TECH

Customer Service: 7:30 a.m. - 4:30 p.m. CST  
Phone: 1-888-331-7900 Fax: 1-414-247-8166  
Chemtree 24-hr. Emergency: 1-800-424-9300

\*\*\*\*The following information has been redacted from this document as business confidential information:  
product pricing information, terms and conditions of sale, payment requirements, minimum order requirements,  
shipping costs, pick up allowances, handling fees and return policies.

RX\_004326b



# LIPHA<sup>®</sup>TECH

## Agricultural/Field Rodenticide - Distributor Prices

Continental United States

Effective October 1<sup>st</sup>, 2009

Prices subject to change without notice.

### ADVANCED RODENT CONTROL CHEMISTRY

<b>Rozol<sup>®</sup></b>	<b>Product Description (Chlorophacinone)</b>	<b>Product Code</b>	<b>Bag/Pail/ Case Weight</b>	<b>Units/ Pails</b>	<b>Distributor Price</b>
	<b>Pocket Gopher Bait*</b> 2 lb. pouch, 12 pouches / case	84125	26 lb.	60 cases	
	<b>Pocket Gopher Bait*</b> 30 lb. pail	84115	34 lb.	48 pails	
<i>* For use in all states except: AK, HI, NC &amp; PA</i>					
	<b>Pocket Gopher Bait Burrow Builder Formula**</b> 30 lb. pail	84118	34 lb.	48 pails	
<b>** Burrow Builder Formula is a restricted use pesticide, and requires a Dealer/Applicators license number. For use only in these states: AR, AZ, CA, CO, ID, IA, IL, KS, LA, MN, MO, MT, NE, NV, NM, ND, OK, OR, SD, TN, TX, UT, WA, WY</b>					
	<b>Bulk Paraffinized Pellets</b> For Norway Rats, Roof Rats, & House Mice 50 lb. bag	84315	54 lb.	40 bags	

### Terms & Conditions of Sale

- **Payment**
- **Minimum Order Quantity:**
- **Freight:**
- **Shipments:**
- **Returns**

3600 West Elm Street  
Milwaukee, WI 53209  
<http://www.rodent-control.com>

LIPHA<sup>®</sup>TECH

Customer Service: 7:30 a.m. - 4:30 p.m. CST  
Phone: 1-888-331-7900 Fax: 1-414-247-8166  
Chemtec 24-hr. Emergency: 1-800-424-9300

\*\*\*\*The following information has been redacted from this document as business confidential information: product pricing information, terms and conditions of sale, payment requirements, minimum order requirements, shipping costs, pick up allowances, handling fees and return policies.

RX\_004327b

# LIPHA<sup>TECH</sup>

## Agricultural/Field Rodenticide - Distributor Prices

Continental United States

Effective September 1<sup>st</sup>, 2010

Prices subject to change without notice.

### ADVANCED RODENT CONTROL TECHNOLOGY

<b>Rozol</b> ®	<b>Product Descriptions (Chlorophacinone)</b>	<b>Product Code</b>	<b>Bag/Pail Weight</b>	<b>Units /Pails</b>	<b>Distributor MSRP Price</b>	<b>Distributor LULU Price</b>
	<b>Prairie Dog Bait*</b> 30 lb. pail	84111	34 lb.	48 pails		
	<b>Prairie Dog Bait*</b> 50 lb. bag	84112	54 lb.	40 bags		
	<b>Prairie Dog Bait*</b> 1,800 lb. Super Sack (bulk tote)	84119	1,800 lb.	1 tote		
* Prairie Dog Bait is a restricted use pesticide, and requires a Dealer/Applicators license number. For use in these states: CO, KS, ND, NE, NM, OK, SD, TX & WY						
	<b>Pocket Gopher Bait**</b> 2 lb. pouch, 12 pouches / case	84125	26 lb.	60 cases		
	<b>Pocket Gopher Bait**</b> 30 lb. pail	84115	34 lb.	48 pails		
** For use in all states except AK, HI, NC & PA						
	<b>Pocket Gopher Bait-Burrow Builder Formula***</b> 30 lb. pail	84118	34 lb.	48 pails		
*** Burrow Builder Formula is a restricted use pesticide, and requires a Dealer/Applicators license number. For use in these states: AR, AZ, CA, CO, ID, IA, IL, KS, LA, MN, MO, MT, NE, NV, NM, ND, OK, OR, SD, TN, TX, UT, WA, WY						
	<b>Bulk Paraffinized Pellets</b> For Norway Rats, Roof Rats, & House Mice 50 lb. bag	84315	54 lb.	40 bags		

### Terms & Conditions of Sale

- **Payment:**
- **Minimum Order:**
- **Freight:**
- **Shipments:**
- **Customer Pick-up Allowance:**
- **Returns:**

3600 West Elm Street  
Milwaukee, WI 53209  
<http://www.rodent-control.com>

**LIPHA<sup>TECH</sup>**

Customer Service: 7:30 a.m. - 4:30 p.m. CST  
Phone: 1-888-331-7900 Fax: 1-414-247-8166  
E-mail: [info@rodent-control.com](mailto:info@rodent-control.com)

\*\*\*\*The following information has been redacted from this document as business confidential information:  
product pricing information, terms and conditions of sale, payment requirements, minimum order requirements,  
shipping costs, pick up allowances, handling fees and return policies.

RX 004328b

# LIPHA<sup>®</sup>TECH

## Pocket Gopher / Commensal USA Rodenticide - Distributor Prices

Continental United States  
Effective September 1<sup>st</sup>, 2010  
Prices subject to change without notice.

### ADVANCED RODENT CONTROL CHEMISTRY

<b>Rozol<sup>®</sup></b>	<b>Product Descriptions (Chlorophacinone)</b>	<b>Product Code</b>	<b>Bag/Pail/ Case Weight</b>	<b>Units/ Pails</b>	<b>Distributor Price</b>
	<b>Pocket Gopher Bait*</b> 2 lb. pouch, 12 pouches / case	84125	26 lb.	60 cases	
	<b>Pocket Gopher Bait*</b> 30 lb. pail	84115	34 lb.	48 pails	
<i>* For use in all states except: AK, HI, NC &amp; PA</i>					
	<b>Pocket Gopher Bait Burrow Builder Formula**</b> 30 lb. pail	84118	34 lb.	48 pails	
<b>** Burrow Builder Formula is a restricted use pesticide, and requires a Dealer/Applicators license number. For use only in these states: AR, AZ, CA, CO, ID, IA, IL, KS, LA, MN, MO, MT, NE, NY, NM, ND, OK, OR, SD, TN, TX, UT, WA, WY</b>					
	<b>Bulk Paraffinized Pellets</b> For Norway Rats, Roof Rats, & House Mice 50 lb. bag	84315	54 lb.	40 bags	

### Terms & Conditions of Sale

- **Payment:**
- **Minimum Order Quantity:**
- **Freight:**
- **Shipments:**
- 
- 
- **Returns:**

3600 West Elm Street  
Milwaukee, WI 53209  
<http://www.rodent-control.com>

**LIPHA<sup>®</sup>TECH**

Customer Service: 7:30 a.m. - 4:30 p.m. CST  
Phone: 1-888-331-7900 Fax: 1-414-247-8166  
Chemtrec 24-hr. Emergency: 1-800-424-9300

\*\*\*\*The following information has been redacted from this document as business confidential information: product pricing information, terms and conditions of sale, payment requirements, minimum order requirements, shipping costs, pick up allowances, handling fees and return policies.

RX\_004329b

# 92

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of:

Liphatech, Inc.  
Milwaukee, Wisconsin,

Respondent.

---

) Docket No. FIFRA-05-2010-0016

)  
) Hon. Susan Biro  
)  
)  
)  
)  
)  
)  
)  
)

RECEIVED

AUG 25 2011

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

INFORMATION CLAIMED CONFIDENTIAL PURSUANT TO 40 C.F.R.  
§ 22.5(d) HAS BEEN DELETED FROM THE ATTACHED DOCUMENT. A  
COMPLETE COPY OF THE DOCUMENT CONTAINING THE  
INFORMATION CLAIMED CONFIDENTIAL HAS BEEN FILED WITH THE  
REGIONAL HEARING CLERK.

# Liphatech, Inc.

## Work Instruction

DCF4

<b>Computer File:</b>	Q:\Work Instructions\CS Customer Service\CSW-34 Restricted Use Product .doc	<b>Revision No.:</b>	0
<b>Instruction No.:</b>	CSW-34	<b>Page:</b>	1 of 1
<b>Title:</b>	Restricted Use Product Procedure	<b>Print Date:</b>	07/26/11
<b>Prepared By:</b>	Barbara Arity		

### Authorization List:

Customer Service Manager  
Director of Administration  
IS Manager

If a Liphatech Distributor is ordering a product listed as "Restricted Use Pesticide", Liphatech must have a current Dealer/Applicators license on file for the ship to address or have received the dealer/applicators license number and expiration date before the order is processed. The preferred method is to have a copy of the license sent via fax or e-mail.

### Restricted Use Product Procedure:

Restricted Use products cannot be shipped without obtaining the Dealer/Application number and expiration date.

\*\*\*\*The following information has been redacted from this document as business confidential information: internal procedures employed by Liphatech, Inc. with regard to the sale of restricted use pesticides.

#B

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of:

Liphatech, Inc.  
Milwaukee, Wisconsin,

Respondent.

---

) Docket No. FIFRA-05-2010-0016  
)

) Hon. Susan Biro  
)  
)  
)  
)  
)  
)

RECEIVED  
AUG 25 2011

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

INFORMATION CLAIMED CONFIDENTIAL PURSUANT TO 40 C.F.R.  
§ 22.5(d) HAS BEEN DELETED FROM THE ATTACHED DOCUMENT. A  
COMPLETE COPY OF THE DOCUMENT CONTAINING THE  
INFORMATION CLAIMED CONFIDENTIAL HAS BEEN FILED WITH THE  
REGIONAL HEARING CLERK.



Status Customer Class2 Cust ID Name Customer Address City St Customer Zip

S S T T S T T I P A

\*\*\*\*The following information has been redacted from this document as business confidential information: names of distributors authorized to purchase restricted use pesticides from Liphatech, Inc.