

121-80

05/10/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

May 10, 2010

Eric D. Smith
Regulatory Affairs Manager
Spectrum, Division of United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114

Subject: Notification to Update Storage and Disposal Statement and Warranty
Statement per PRNs 98-10, 2007-4, and EPA Guidance on Warranty Statements
Product Name: Cutter Insect Repellent Icarus
EPA Reg. No: 121-80
Your Submission Dated April 6, 2010

Dear Mr. Smith:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notices (PRNs) 98-10 and 2007-4, dated above. A screen of the request has been conducted for its applicability under PRNs 98-10 and 2007-4, and it has been determined that the action request falls within the scope of these documents. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed in our records as current and updated. Should you have any questions regarding this action, you may contact Gina Casciano at (703) 605-0513 or via email at casciano.gina@epa.gov.

Sincerely,

Linda Hollis

Linda A. Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)



United States Environmental Protection Agency
Office of Pesticide Programs (H7505C)
Washington, DC 20460
Application for Pesticide:

Registration
 Amendment
 Other

OPP Identifier Number

Section I

1. Company/Product Number 121-80	2. Product Manager L. Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cutter Insect Repellent Icarus	PM# 91 Biochemical Pesticides	
5. Name and Address of Applicant (include ZIP Code) Spectrum, Div. Of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114 <input type="checkbox"/> Check if this is a new address	6. Expedited Review Notification Accepted (b)(i), my product is similar or identical in composition and labelling to: Date: 5/10/2010 EPA Reg. No. _____ Product Name Reviewer: G. Casciano	

Section II

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed label in response to Agency letter date
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "ME TOO" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - explain below

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Label Notification per PR Notice 2007-4 & 98-10 (Please see cover letter for details.)

Section III

1. Material in Which This Product Will Be Packaged:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes * <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water-Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted	If "YES," Unit package wgt	No. per container			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container 10,17,20, 26, 32 fl oz		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label Is Affixed To Product				Other _____	
<input type="checkbox"/> Lithographed				<input checked="" type="checkbox"/> Paper glued	
<input type="checkbox"/> Stenciled					

Section IV

1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name Eric D. Smith	Title Regulatory Affairs Manager	Telephone No. (include Area Code) 314-683-2455
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Affairs Manager	
4. Typed Name Eric D. Smith	5. Date April 6, 2010	

Spectrum

Division of United Industries
P.O. Box 142642
St. Louis, MO 63114-0642

April 6, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Attention: Ms. Linda Hollis
Biochemical Pesticides Branch

Subject: **NOTIFICATION: Label Notification per PRN 2007-4 & PRN 98-10
Cutter Insect Repellent Icarus
EPA Reg. No. 121-80**

Please find the enclosed application for notification of the following registration amendments:

A. Pesticide Registration Notice (PR) 2007-4, Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment:

We have adopted the exact language set forth in PRN 2007-4.

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirement of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

B. Pesticide Registration (PR) Notice 98-10:

We have updated the label warranty statement in accordance to the EPA's October 17, 2006 Guidance on Warranty Statements.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

The following documents are enclosed in support of this submission:

1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. One clean copy of the proposed label

Please call me at 1-800-242-1166, Ext. 2455 or via email: eric.smith@spectrumbrands.com, if you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,

A handwritten signature in cursive script that reads "Eric D. Smith". The signature is written in dark ink and is positioned above the typed name.

Eric D. Smith
Regulatory Affairs Manager

Notification Accepted

OPTIONAL MARKETING Language

CUTTER

Date: 5/10/2010

Reviewer: G. Casiano

INSECT REPELLENT ICARUS

[Repels annoying insects • Triple wick action • Protective Metal Lid • Rotate lid to keep candle clean & dry • Bucket Guaranteed Not to Leak • Each Cutter Outdoorsman candle comes in a convenient tin with a lid for portable protection • Great for camping, picnics and other outdoor activities • Won't stain your deck or patio • Repels mosquitoes • Repels mosquitoes and other annoying insects • Also repels gnats & other flying insects • Repels mosquitoes, gnats & other flying insects [for hours] • Perfect for use around your deck or patio • Made with real citronella oil • Keeps mosquitoes away for hours • Creates an insect barrier • Provides up to [20] [40] [50] hours of protection • Burns up to [20] [30] [40] [50] hours.]

Active Ingredient:

Oil of Citronella 3%
 Other Ingredients 97%

KEEP OUT OF REACH OF CHILDREN

CAUTION. See bottom [of candle] for directions and precautions.

NET WEIGHT [10oz] [26oz] [28oz]

CITRONELLA – AN AMAZING DISCOVERY

Centuries ago, natives of Indonesia discovered an amazing grass which, when burned, emitted a fragrance that enhanced the ambiance of the outdoors and also repelled insects. The oil from this grass, known as Citronella, is the basis for this candle from Cutter.

Cutter Insect Repellent Icarus citronella candle repels mosquitoes, gnats and other flying insects in a convenient, weather proof container. No need to ever remove the cover, simply twist the lid to open and close. Keeps the candle clean and dry.

Cutter Insect Repellent Icarus [candle] repels mosquitoes, gnats and other flying insects. Cutter Icarus burns up to 50 hours [28 oz candle]. Each Cutter Insect Repellent Icarus [candle] comes in an exclusive metal bucket, which is designed to keep the flame lit even in windy conditions. And Cutter Insect Repellent Icarus has a unique plastic base that won't stain a deck or patio. To maximize the repellent barrier, use several Cutter Insect Repellent Icarus [candles] to create perimeter protection against flying insects.

Provides a repellent barrier against mosquitoes, gnats, and other flying insects. Each Cutter Insect Repellent Icarus [candle] comes in a convenient [tin] [bucket] with a lid, for portable protection. [Bucket] [Tin] Guaranteed not to leak. Great for camping, picnics and other outdoor activities. To maximize the repellent barrier, use several Cutter Insect Repellent Icarus [candles] to create perimeter protection against flying insects. [Each (26 oz.) bucket] burns for up to 40 hours. [Each (10 oz. tin)] burns up to 20 hours.

STOP. READ ENTIRE LABEL BEFORE USE.

DIRECTIONS FOR USE

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

FOR OUTDOOR USE ONLY. NEVER LEAVE ANY BURNING CANDLE UNATTENDED. DO NOT USE WATER TO EXTINGUISH.

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To reduce annoyance of mosquitoes, use one or more candles in still air. Best results within three feet. Do not use indoors or enclosed areas such as garages or porches or tents. Place candles at least 18 inches apart. Container may become hot; handle carefully. Place on heat resistant surface away from anything flammable and out of reach of children or pets. Do not move candle while burning or before wax hardens. Always extinguish flame before moving. **Do not BLOW OUT OR use water to extinguish** – smother flammable material to extinguish. Keep wick trimmed to ½ inch or less at all times. Keep candles free of matches or other foreign matter, which may present a fire hazard. Discontinue use when 1 inch of wax remains. To maximize the repellent barrier, use several Cutter Insect Repellent Icarus citronella candles to create perimeter protection against flying insects.

For metal bucket: Remove label before burning.

For metal tin or bucket: Remove lid before burning.

For Metal Tin Only: Place lid on top of tin to extinguish. Lid will be hot after extinguishing flame.

For Weather Proof Only: Twist cover to open position. Light wicks and enjoy. When finished using candle, twist cover to closed position. Cover and knob may become hot.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed. Not following instructions may lead to fire hazard or personal injury.

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.

Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.

STORAGE AND DISPOSAL

Storage: Store in cool dry place. **Disposal: If empty:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions.

NOTICE: To the extent consistent with applicable law, buyer assumes all responsibility for a safety and use not in accordance with directions.

Questions or comments? Call 1-800-332-5553

Made in the USA for Spectrum
Division of United Industries Corporation
P. O. Box 142642
St. Louis, MO 63114-0642

EPA Reg. No. 121-80

EPA Est. No. 9688-MO-1

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